

JAN 19 2022

A BILL FOR AN ACT

RELATING TO TRAFFIC FINES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to enable the
2 respective counties to impose and collect fines for violations
3 of the statewide traffic code, in addition to the fines imposed
4 by the State under Chapter 291C, Hawaii Revised Statutes.

5 SECTION 2. Section 291C-111, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) With respect to highways under their respective
8 jurisdictions, the director of transportation is authorized to
9 and the counties by ordinance may prohibit or restrict the
10 stopping, standing, or parking of vehicles where the stopping,
11 standing, or parking is dangerous to those using the highway or
12 where the stopping, standing, or parking of vehicles would
13 interfere unduly with the free movement of traffic; provided
14 that the violation of any law or any ordinance, regardless of
15 whether established under this or any other section, prohibiting
16 or restricting the stopping, standing, or parking of vehicles
17 shall constitute a traffic infraction. [The] Except as provided



1 in section 291C-171, the counties shall not provide any other
2 penalty, civil or criminal, or any other charge, in the form of
3 rental or otherwise, in place of or in addition to the fine to
4 be imposed by the district court for any violation of any
5 ordinance prohibiting or restricting the stopping, standing, or
6 parking of vehicles.

7 This section shall not be construed as prohibiting the
8 authority of the director of transportation or the counties to
9 allow the stopping, standing, or parking of motor vehicles at a
10 "T-shaped" intersection on highways under their respective
11 jurisdictions; provided that such stopping, standing, or parking
12 of motor vehicles is not dangerous to those using the highway or
13 where the stopping, standing, or parking of motor vehicles would
14 not unduly interfere with the free movement of traffic.

15 The appropriate police department and county or prosecuting
16 attorney of the various counties shall enforce any law or
17 ordinance prohibiting or restricting the stopping, standing, or
18 parking of vehicles, including but not limited to the issuance
19 of parking tickets. Any person committing a violation of any
20 law or ordinance, regardless of whether established under this
21 or any other section, prohibiting or restricting the stopping,



1 standing, or parking of vehicles shall be subject to a fine to
2 be enforced and collected by the district courts of this State
3 and to be deposited into the state general fund for state use."

4 SECTION 3. Section 291C-171, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§291C-171 Disposition of fines and forfeitures.** (a) All
7 fines and forfeitures collected upon conviction or upon the
8 forfeiture of bail of any person charged with a violation of any
9 section or provision of the state traffic laws and all
10 assessments collected relating to the commission of traffic
11 infractions shall be paid to the director of finance of the
12 State[-]; provided that each county by ordinance may impose
13 additional fines for the violation of any section or provision
14 of the state traffic laws. Within thirty days after the
15 effective date of the county ordinance, the applicable traffic
16 violations bureau shall prepare citation forms for the police
17 department of that county showing all state and county fines.
18 Persons receiving citations having county fines may contest the
19 county fines in the same manner that state fines are contested.
20 The respective traffic violations bureaus shall collect the
21 fines for the counties and shall remit the fines to the



1 respective directors of budget and fiscal services, or finance,
2 of the counties on a semi-annual basis.

3 (b) In addition to any monetary assessment imposed for a
4 traffic infraction, the court may impose penalties on all
5 outstanding traffic citations and judgments. The penalties
6 shall be established pursuant to rules approved by the supreme
7 court; provided that the amounts of the penalties shall be based
8 upon a graduated scale that increases in proportion to the
9 length of the delinquency. Any interest penalty imposed as
10 provided in this section may be waived by the court for good
11 cause. All penalties collected for such outstanding citations
12 and judgments shall be paid to the director of finance of the
13 State[-]; provided that, if the county has enacted an ordinance
14 imposing an additional fine for the infraction, the director
15 shall remit the counties' share, if any, of the penalty to the
16 respective directors of budget and fiscal services, or finance,
17 of the counties on a semi-annual basis."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: MMN. CM
By Request



S.B. NO. 2051

Report Title:

Hawaii State Association of Counties Package; Statewide Traffic Code; County Fines

Description:

Authorizes the respective counties to impose and collect fines for violations of the Statewide Traffic Code, in addition to the fines imposed by the State under Chapter 291C, HRS.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

