

JAN 20 2023

A BILL FOR AN ACT

RELATING TO EXPUNGEMENT.

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

1 SECTION 1. Section 286-245, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) The state judiciary and the examiner of drivers shall
4 make available to the greatest extent possible information from
5 any driver's record required for enforcement of this section to
6 the users designated in subsection (f) or their authorized
7 agent, within ten days of:

8 (1) Receiving the conviction or disqualification
9 information from another state; or

10 (2) Receiving the conviction information for a violation
11 occurring in this State[-];

12 provided that the information from any driver's record shall not
13 include any traffic citation that has been dismissed."

14 SECTION 2. Section 831-3.2, Hawaii Revised Statutes, is
15 amended by amending subsection (f) to read as follows:

16 "(f) [~~Any person for whom an expungement order has been~~
17 ~~entered may request in writing that the]~~ The court shall seal or



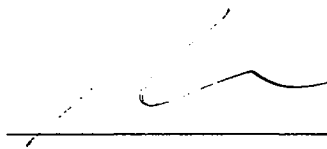
1 otherwise remove from the judiciary's publicly accessible
2 electronic databases all judiciary files and other information
3 pertaining to the applicable arrest or case [~~from the~~
4 ~~judiciary's publicly accessible electronic databases.~~] of any
5 person for whom an expungement order has been entered. The
6 court shall make good faith diligent efforts to seal or
7 otherwise remove the applicable files and information within a
8 reasonable time."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: _____



S.B. NO. 410

Report Title:

Expungement; Dismissed Traffic Citations; Driver's Record;
Public Record; Abstract Report; Background Check; Judiciary;
Examiner of Drivers

Description:

Requires the court to automatically seal or remove from the Judiciary's publicly accessible database any information relevant to the arrest or case of a person for whom an expungement order has been entered. Requires the Judiciary and the Examiner of Drivers to no longer include dismissed traffic citations in public driver's records.

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

