

JAN 23 2025

A BILL FOR AN ACT

RELATING TO TRAFFIC.

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

1 SECTION 1. Chapter 291D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§291D- Certain uncontested traffic fine proceeds;
5 transmittal to state highway fund. (a) Beginning July 1, 2025,
6 the director of finance shall transmit to the department of
7 transportation, not more than thirty days after the end of each
8 fiscal quarter, one hundred per cent of the fine and forfeiture
9 proceeds collected for uncontested traffic infractions committed
10 within any county having a population of more than one hundred
11 fifty thousand but less than one hundred seventy-five thousand.
12 The proceeds shall be deposited into the county progress
13 subaccount of the state highway fund, as established pursuant to
14 section 248-9(d).
15 (b) The judiciary shall identify those fines and
16 forfeitures assessed and collected for traffic infractions under
17 this chapter that were both:



- 1 (1) Uncontested; and
- 2 (2) Committed within the county in which the Lahaina
- 3 bypass north is located.
- 4 (c) A traffic infraction shall be deemed uncontested when
- 5 a person answers a notice of traffic infraction in accordance
- 6 with section 291D-6(b) (1)."

7 SECTION 2. Section 248-9, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§248-9 State highway fund.** (a) Moneys in the state
10 highway fund may be expended for the following purposes:

- 11 (1) To pay the costs of operation, maintenance, and repair
- 12 of the state highway system, including without
- 13 limitation, the cost of equipment and general
- 14 administrative overhead;
- 15 (2) To pay the costs of acquisition, including real
- 16 property and interests therein; planning; designing;
- 17 construction; and reconstruction of the state highway
- 18 system and bikeways, including without limitation, the
- 19 cost of equipment and general administrative overhead;
- 20 (3) To reimburse the general fund for interest on and
- 21 principal of general obligation bonds issued to



1 finance highway projects where the bonds are
2 designated to be reimbursable out of the state highway
3 fund;

4 (4) To pay the costs of construction, maintenance, and
5 repair of county roads; provided that none of the
6 funds expended on a county road or program shall be
7 federal funds when expenditure would cause a violation
8 of federal law or a federal grant agreement; and

9 (5) To pay the costs of establishing and maintaining a
10 drug and alcohol toxicology testing laboratory that is
11 intended to support the prosecution of offenses
12 relating to operation of a motor vehicle while under
13 the influence of an intoxicant.

14 (b) At any time, the director of transportation may
15 transfer from the state highway fund all or any portion of
16 available moneys determined by the director of transportation to
17 exceed one hundred thirty-five per cent of the requirements for
18 the ensuing twelve months for the state highway fund as
19 permitted by and in accordance with section 37-53. For purposes
20 of the determination, the director of transportation shall take
21 into consideration:



- 1 (1) The amount of federal funds and bond funds on deposit
2 in, and budgeted to be expended from, the state
3 highway fund during the period;
- 4 (2) Amounts on deposit in the state highway fund that are
5 encumbered or otherwise obligated;
- 6 (3) Budgeted amounts payable from the state highway fund
7 during the period;
- 8 (4) Revenues anticipated to be received by and
9 expenditures to be made from the state highway fund
10 during the period based on existing agreements and
11 other information for the ensuing twelve months; and
- 12 (5) Any other factors as the director of transportation
13 shall deem appropriate.
- 14 (c) The department of transportation shall establish
15 county subaccounts within the state highway fund.
- 16 Notwithstanding subsections (a) and (b), funds in each county
17 subaccount shall be expended for state highway road capacity
18 projects in the respective county.
- 19 For purposes of this subsection, "state highway road
20 capacity project" means construction:
- 21 (1) Of a new road;



- 1 (2) To widen or add additional lanes to an existing road;
2 or
- 3 (3) That increases the number of vehicles that may be
4 driven on an island and alleviates the level of
5 traffic congestion on existing roads of that island,
6 and any planning, design, or right-of-way acquisition related to
7 the construction.
- 8 (d) The department of transportation shall establish a
9 county progress subaccount into which the department shall
10 deposit all funds received pursuant to section 291C-171(c) or
11 assessed and collected under section 291D- , and from which
12 the department shall allocate moneys for the Lahaina bypass
13 north project; provided that:
- 14 (1) Upon substantial completion of the Lahaina north
15 project, moneys in the subaccount shall subsequently
16 be allocated to state-designated critical highway
17 projects within the county in which the uncontested
18 traffic infractions were committed; and
- 19 (2) Moneys in the subaccount shall be expended in a manner
20 consistent with subsection (a)."



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

3 **"§291C-171 Disposition of fines and forfeitures.** (a) All
4 fines and forfeitures collected upon conviction or upon the
5 forfeiture of bail of any person charged with a violation of any
6 section or provision of the state traffic laws and all
7 assessments collected relating to the commission of traffic
8 infractions shall be paid to the director of finance of the
9 State.

10 (b) In addition to any monetary assessment imposed for a
11 traffic infraction, the court may impose penalties on all
12 outstanding traffic citations and judgments. The penalties
13 shall be established pursuant to rules approved by the supreme
14 court; provided that the amounts of the penalties shall be based
15 upon a graduated scale that increases in proportion to the
16 length of the delinquency. Any interest penalty imposed as
17 provided in this section may be waived by the court for good
18 cause. All penalties collected for such outstanding citations
19 and judgments shall be paid to the director of finance of the
20 State.



1 (c) Beginning July 1, 2025, fines and forfeitures
2 collected for uncontested traffic infractions committed within
3 any county having a population of more than one hundred fifty
4 thousand but less than one hundred seventy-five thousand shall
5 be transmitted pursuant to section 291D- ."

6 SECTION 4. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: _____

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S.B. NO. 1658

Report Title:

Judiciary; DOT; Uncontested Traffic Cases; State Highway Fund;
Lahaina Bypass

Description:

Transfers to the Department of Transportation 100% of the proceeds of the fines and forfeitures collected for uncontested traffic infractions committed within any county having a population of more than 150,000 but less than 175,000. Requires the proceeds to be deposited into a new county progress subaccount of the state highway fund, from which the Department shall allocate moneys for the Lahaina bypass north project, and subsequently for state-designated critical highway projects within the county in which the uncontested traffic infractions were committed.

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

