
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 PART I

2 SECTION 1. Section 26-19, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "**§26-19 Department of transportation.** (a) The department
5 of transportation shall be headed by a single executive to be
6 known as the director of transportation. The department shall
7 establish, maintain, and operate transportation facilities of
8 the State, including highways, airports, harbors, and any other
9 transportation facilities and activities as may be authorized by
10 law.

11 (b) The department shall plan, develop, promote, and
12 coordinate various transportation systems management programs
13 that shall include but not be limited to alternate work and
14 school hours programs, bicycling programs, and ridesharing
15 programs.

16 (c) The department shall develop and promote ridesharing
17 programs that shall include but not be limited to carpool and



1 vanpool programs, and may assist organizations interested in
2 promoting similar programs, arrange for contracts with private
3 organizations to manage and operate these programs, and assist
4 in the formulation of ridesharing arrangements. Ridesharing
5 programs include informal arrangements in which two or more
6 persons ride together in a motor vehicle.

7 (d) The functions and authority heretofore exercised by
8 the department of public works with respect to highways are
9 transferred to the department of transportation established by
10 this chapter.

11 (e) On July 1, 1961, the Hawaii aeronautics commission,
12 the board of harbor commissioners and the highway commission
13 shall be abolished and their remaining functions, duties, and
14 powers shall be transferred to the department of transportation.

15 (f) Notwithstanding any law to the contrary, the
16 department of transportation may:

17 (1) Acquire, or contract to acquire, by grant or purchase
18 any real, personal, or mixed property or any interest
19 therein for immediate or future use for the purposes
20 of:

21 (A) Climate mitigation and adaptation;



- 1 (B) Noise and visual buffer zones and barriers;
- 2 (C) Transportation projects pursuant to section 264-
- 3 142;
- 4 (D) This section; or
- 5 (E) Title 15;
- 6 (2) Own, hold, improve, and rehabilitate any real,
- 7 personal, or mixed property acquired pursuant to this
- 8 subsection; and
- 9 (3) Sell, assign, exchange, transfer, convey, lease or
- 10 otherwise dispose of, or encumber any real, personal,
- 11 or mixed property acquired pursuant to this
- 12 subsection. Upon making a finding that it is
- 13 necessary to acquire any real property for immediate
- 14 or future use for the purposes of this section or
- 15 title 15, the department of transportation may acquire
- 16 the property by condemnation pursuant to chapter 101;
- 17 provided that the property shall not thereafter be
- 18 acquired for any other public use without the consent
- 19 of the department of transportation;
- 20 provided that for the purposes of this subsection, the director
- 21 of transportation shall be authorized to exercise all the powers



1 vested in the board of land and natural resources for functions
2 subject to chapter 171; provided further that if state lands,
3 other than public lands, under the control and management of
4 another department or agency are required by the department of
5 transportation for the purposes of this section or title 15, the
6 department or agency having control and management of the
7 required lands shall, upon a request by the department of
8 transportation and with the approval of the governor, transfer
9 title to or lease those lands to the department of
10 transportation under terms and conditions as may be agreed to by
11 the parties.

12 (g) There is established within the department of
13 transportation the administrative hearings division to conduct
14 administrative hearings pursuant to chapter 91 for matters under
15 the jurisdiction of the department of transportation for which
16 an administrative hearing pursuant to chapter 91 has been
17 specified.

18 The director of transportation shall appoint a hearings
19 officer or officers subject to chapter 76 to hear and decide any
20 case or controversy regarding matters under the jurisdiction of
21 the department of transportation for which an administrative



1 hearing pursuant to chapter 91 has been specified. Each hearing
2 officer shall have the power to issue subpoenas, administer
3 oaths, hear testimony, find facts, and make conclusions of law
4 and recommend a decision.

5 The director of transportation may adopt rules as are
6 necessary to implement the provisions of this subsection."

7 PART II

8 SECTION 2. Chapter 279J, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§279J- Administrative hearing. (a) A transportation
12 network company aggrieved by a decision of the department taken
13 pursuant to this chapter may request an administrative hearing
14 conducted pursuant to chapter 91.

15 (b) A request for an administrative hearing shall be filed
16 with the administrative hearings division of the department
17 within thirty days after the order, notice, or decision being
18 contested is mailed.

19 (c) A decision of the administrative hearings division
20 under this section shall constitute a final decision and order



1 under chapter 91, subject to judicial review pursuant to section
2 91-14."

3 SECTION 3. Chapter 291J, Hawaii Revised Statutes, is
4 amended by adding two new sections to be appropriately
5 designated and to read as follows:

6 "§291J-A Administrative hearings. (a) Any person issued
7 a citation pursuant to this chapter may contest the citation by
8 submitting a request for an administrative hearing conducted
9 pursuant to chapter 91 to the department within thirty days of
10 the date that the person received the citation.

11 (b) A decision of the administrative hearings division
12 under this section shall constitute a final decision and order
13 under chapter 91, subject to judicial review as specifically
14 provided in section 291J-B.

15 §291J-B Judicial review; procedure. (a) Any person
16 aggrieved by an administrative decision pursuant to this chapter
17 shall be entitled to judicial review. The respondent, or parent
18 or guardian of a respondent under eighteen years of age, may
19 file a petition for judicial review within thirty days after the
20 administrative hearing decision is mailed. The petition shall
21 be filed with the clerk of the district court in the district



1 where the incident occurred and shall be accompanied by the
2 required filing fee for civil actions. The filing of a petition
3 shall not operate as a stay of the imposition of associated
4 finances and fees, nor shall the court stay the imposition of
5 associated fines and fees pending the outcome of the judicial
6 review. The petition shall be appropriate captioned and state
7 with specificity the grounds upon which the petitioner seeks
8 reversal of the administrative decision.

9 (b) The court shall schedule a judicial review as soon as
10 practicable. Upon review of the record, the court may affirm
11 the decision of the department or remand the case with
12 instructions for further proceedings. The court may reverse or
13 modify the decision and order if the court finds that the
14 substantial rights of the petitioners may have been prejudiced
15 because the administrative findings, conclusion, decision, or
16 orders are:

- 17 (1) In violation of constitutional or statutory
18 provisions;
19 (2) In excess of the statutory authority or jurisdiction
20 of the agency;
21 (3) Made upon unlawful procedure;



- 1 (4) Affected by other error of law;
2 (5) Clearly erroneous in view of the reliable, probative,
3 and substantial evidence on the whole record; or
4 (6) Arbitrary, capricious, or characterized by an abuse of
5 discretion or clearly unwarranted exercise of
6 discretion."

7 SECTION 4. Chapter 291L, Hawaii Revised Statutes, is
8 amended by adding three new sections to be appropriately
9 designated and to read as follows:

10 **§291L-A Administrative hearings.** (a) Any person issued
11 a citation pursuant to this chapter may contest the citation by
12 submitting a request for an administrative hearing conducted
13 pursuant to chapter 91 to the department within thirty days of
14 the date that the person received the citation.

15 (b) A decision of the administrative hearings division
16 under this section shall constitute a final decision and order
17 under chapter 91, subject to judicial review as specifically
18 provided in section 291L-B.

19 **§291L-B Judicial review; procedure.** (a) Any person
20 aggrieved by an administrative decision pursuant to this chapter
21 shall be entitled to judicial review. The respondent, or parent



1 or guardian of a respondent under eighteen years of age, may
2 file a petition for judicial review within thirty days after the
3 administrative hearing decision is mailed. The petition shall
4 be filed with the clerk of the district court in the district
5 where the incident occurred and shall be accompanied by the
6 required filing fee for civil actions. The filing of a petition
7 shall not operate as a stay of the imposition of associated
8 finances and fees, nor shall the court stay the imposition of
9 associated fines and fees pending the outcome of the judicial
10 review. The petition shall be appropriately captioned and state
11 with specificity the grounds upon which the petitioner seeks
12 reversal of the administrative decision.

13 (b) The court shall schedule a judicial review as soon as
14 practicable. Upon review of the record, the court may affirm
15 the decision of the department or remand the case with
16 instructions for further proceedings. The court may reverse or
17 modify the decision and order if the court finds that the
18 substantial rights of the petitioners may have been prejudiced
19 because the administrative findings, conclusion, decision, or
20 orders are:



- 1 (1) In violation of constitutional or statutory
- 2 provisions;
- 3 (2) In excess of the statutory authority or jurisdiction
- 4 of the agency;
- 5 (3) Made upon unlawful procedure;
- 6 (4) Affected by other error of law;
- 7 (5) Clearly erroneous in view of the reliable, probative,
- 8 and substantial evidence on the whole record; or
- 9 (6) Arbitrary, capricious, or characterized by an abuse of
- 10 discretion or clearly unwarranted exercise of
- 11 discretion.

12 **§291L-C Penalty.** (a) The penalties for all consequences

13 of a violation initiated by the automated speed enforcement

14 systems program shall be set as provided in sections 291C-108

15 and 291C-161. Additionally, specific fines for all consequences

16 of a violation initiated by the automated speed enforcement

17 systems program may be set, in a manner not inconsistent with

18 any applicable statutory provisions addressing these fines by

19 the department as the director deems necessary for the purposes

20 of carrying out this chapter.



1 (b) Any summons or citations issued or convictions
2 resulting from this chapter shall not be recorded on a person's
3 traffic abstract and shall not be used for insurance purposes in
4 the provision of motor vehicle insurance coverage."

PART III

6 SECTION 5. Section 286-241.6, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~+~~]~~§286-241.6~~~~[~~]~~—~~Appeal to circuit court.~~] **Appeals.** Any
9 suspension, revocation, or cancellation of a commercial driver's
10 license under section 286-241.4 may be appealed to the [~~circuit~~
11 ~~court in which the applicant or licensee resides~~] administrative
12 hearings division of the department of transportation by filing
13 a [~~notice of appeal in that court~~] request for administrative
14 hearing with the administrative hearings division of the
15 department within thirty days after being notified of the
16 suspension, revocation, or cancellation. The appeal shall not
17 operate as a stay to the order or decision appealed from. The
18 appeal shall be subject to procedures and rules as may be
19 prescribed by the [~~court~~] administrative hearings division and
20 the decision [~~of the court~~] shall be final except as otherwise
21 provided in chapter 91."~~



1 SECTION 6. Section 291C-32, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Whenever traffic is controlled by traffic-control
4 signals exhibiting different colored lights, or colored lighted
5 arrows, successively one at a time or in combination, and
6 actively monitored by an official photo red light imaging
7 detector system, all registered owners of all motor vehicles in
8 vehicular traffic at the intersection shall be held strictly
9 liable for the motor vehicle's compliance with the traffic-
10 control signal, to the extent that registered owners may be
11 cited and held accountable for non-compliance [~~via civil traffic~~
12 ~~infractions~~] pursuant to chapter 291J. The traffic-control
13 signal lights shall apply to the registered owners of motor
14 vehicles as follows:

15 (1) Steady red indication:

16 (A) Vehicular traffic facing a steady red signal
17 alone shall stop at a clearly marked stop line
18 or, if none, before entering the crosswalk on the
19 near side of the intersection or, if none, then
20 before entering the intersection and shall remain
21 standing until an indication to proceed is shown,



1 except as provided in subparagraphs (B) and
2 (C) [~~+~~];
3 (B) Vehicular traffic that is stopped in obedience to
4 a steady red indication may make a right turn but
5 shall yield the right-of-way to pedestrians and
6 other traffic proceeding as directed by the
7 signal at the intersection, except that counties
8 by ordinance may prohibit any right turn against
9 a steady red indication, [~~which~~] that ordinance
10 shall be effective when a sign is erected at the
11 intersection giving notice thereof [~~+~~]; and
12 (C) Vehicular traffic on a one-way street that
13 intersects another one-way street on which
14 traffic moves to the left shall stop in obedience
15 to a steady red indication but may then make a
16 left turn into the one-way street, but shall
17 yield right-of-way to pedestrians proceeding as
18 directed by the signal at the intersection,
19 except that counties by ordinance may prohibit
20 any left turn against a steady red indication,
21 [~~which~~] that ordinance shall be effective when a



1 sign is erected at the intersection giving notice
2 thereof[~~+~~]; and

3 (2) To the extent a registered owner's motor vehicle fails
4 to comply with any other law or ordinance related to
5 traffic-control signals, including subsection (a)(1)
6 or (2), the registered owner of a motor vehicle shall
7 not be held strictly liable unless otherwise provided
8 by law."

9 SECTION 7. Section 291C-108, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Whenever a motor vehicle travels through a location
12 actively monitored by an automated speed enforcement system, all
13 registered owners of all motor vehicles in vehicular traffic
14 shall be held strictly liable for their motor vehicle's
15 compliance with the maximum speed limit, to the extent that
16 registered owners may be cited and held accountable for their
17 motor vehicle traveling at a speed not less than five miles per
18 hour over the posted maximum speed limit[~~, via civil traffic~~
19 ~~infractions~~] pursuant to chapter 291L. The department may
20 increase the minimum speed threshold for issuance of a citation



1 pursuant to administrative rules adopted pursuant to chapter
2 91."

3 SECTION 8. Section 291C-161, Hawaii Revised Statutes, is
4 amended by amending subsections (f) and (g) to read as follows:

5 "(f) Fines collected for a violation of section 291C-32(c)
6 pursuant to the photo red light imaging detector system
7 established pursuant to chapter 291J shall be deposited into the
8 photo red light imaging detector systems program special fund
9 established under section 291J-12 [~~and shall be expended in the~~
10 ~~county in which the fine was imposed, for purposes that include~~
11 ~~the establishment, implementation, operation, oversight,~~
12 ~~management, repair, and maintenance of a photo red light imaging~~
13 ~~detector system]~~.

14 (g) Notwithstanding any other law to the contrary, fines
15 collected pursuant to chapter 291L and section 291C-108 shall be
16 deposited into the automated speed enforcement systems program
17 special fund established under section 291L-10 [~~and shall be~~
18 ~~expended in the county in which the fine was imposed, for~~
19 ~~purposes that include the establishment, implementation,~~
20 ~~operation, oversight, management, maintenance, and repair of an~~



1 ~~automated speed enforcement system and implementation of the~~
2 ~~automated speed enforcement systems program]."~~

3 SECTION 9. Section 291J-1, Hawaii Revised Statutes, is
4 amended by adding two new definitions to be appropriately
5 inserted and to read as follows:

6 "Director" means the director of transportation.

7 "Reviewing entity" means a county police department or
8 authorized employee of the department of law enforcement."

9 SECTION 10. Section 291J-2, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[~~§~~291J-2[~~§~~] **Photo red light imaging detector systems**
12 **program; established.** There is established the photo red light
13 imaging detector systems program to enforce the traffic-control
14 signal laws of the State, which may be implemented by the State
15 or any county following completion of a pilot program in the
16 city and county of Honolulu, on any state or county highways
17 within the respective county. [~~Nothing in this chapter shall be~~
18 ~~deemed to supersede or override any provision of chapter 291D.~~]"

19 SECTION 11. Section 291J-4, Hawaii Revised Statutes, is
20 amended as follows:

21 1. By amending subsection (b) to read:



1 "(b) If the State or a county establishes a red light
2 imaging detector system under this chapter, the compensation
3 paid by the State or county to a manufacturer or vendor of the
4 equipment used shall be based upon the value of the equipment
5 and services provided or rendered in support of the photo red
6 light imaging detector system, and shall not be based upon a
7 portion of the [~~fine or civil~~] administrative penalty imposed or
8 the revenue generated by the equipment."

9 2. By amending subsection (e) to read:

10 "(e) During the first thirty days of operation of an
11 individual photo red light imaging detector system at a
12 particular traffic signal, a warning shall be issued for any
13 violation of section 291C-32(c), and mailed to the registered
14 owner of the motor vehicle at the address on record at the
15 vehicle licensing division[~~, in lieu of a summons or citation~~
16 ~~pursuant to section 291J-6~~]."

17 SECTION 12. Section 291J-5, Hawaii Revised Statutes, is
18 amended by amending subsection (c) to read as follows:

19 "(c) Proof of a violation of section 291C-32(c) shall be
20 as evidenced by information obtained from the photo red light
21 imaging detector system authorized pursuant to this chapter. A



1 certificate, sworn to or affirmed by the reviewing [~~police~~
2 ~~department,~~] entity, or a facsimile thereof, based upon
3 inspection of photographs, microphotographs, video, or other
4 recorded images produced by the system, shall be prima facie
5 evidence of the facts contained therein. Any photograph,
6 microphotograph, video, or other recorded image, produced by the
7 system, that contains a clear and unobstructed image of a motor
8 vehicle license plate shall be prima facie evidence that the
9 motor vehicle to which the license plate is attached is the
10 motor vehicle for which the license plate was issued. Any
11 photographs, microphotographs, video, or other recorded images
12 evidencing a violation shall be available for inspection in any
13 administrative proceeding to adjudicate the liability for that
14 violation."

15 SECTION 13. Section 291J-6, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (b) to read:

18 "(b) The form and content of the summons or citation shall
19 be as adopted or prescribed by the [~~administrative judge of the~~
20 ~~district courts~~] director and shall be printed on a form
21 commensurate with the form of other summonses or citations [~~used~~



1 ~~in modern methods of arrest~~], so designed to include all
2 necessary information to make the summons or citation valid
3 within the laws of the State; provided that any summons or
4 citation issued pursuant to the photo red light imaging detector
5 systems program shall contain a clear and unobstructed image of
6 the motor vehicle license plate~~[, which]~~ that shall be used as
7 evidence of the violation."

8 2. By amending subsections (d) through (f) to read:

9 "(d) ~~[Prior to]~~ Before the mailing of the summons or
10 citation ~~[for a traffic infraction]~~ pursuant to subsection (a),
11 the applicable ~~[county police department]~~ reviewing entity shall
12 review and verify the clear and unobstructed image of the
13 license plate of the motor vehicle required under section 291J-
14 6(b).

15 (e) Upon receipt of the summons or citation the registered
16 owner shall answer ~~[as provided for in section 291D-6.]~~
17 accordingly to the rules designated by the department as the
18 director deems necessary for the purposes of carrying out this
19 chapter. A record of the mailing of the summons or citations
20 prepared in the ordinary course of business is prima facie
21 evidence of notification. The registered owner shall be



1 determined by the identification of the motor vehicle license
2 plate.

3 (f) Procedures regarding answering [~~7, court hearings, and~~
4 ~~court actions~~] a notice, administrative actions, and
5 administrative hearings shall be [~~pursuant to sections 291D-6,~~
6 ~~291D-7, 291D-8, and 291D-13;~~] set by the department as the
7 director deems necessary for the purposes of carrying out this
8 chapter; provided that it shall not be a defense of any citation
9 issued under this chapter that another person was driving the
10 defendant's motor vehicle at the time of incident, unless the
11 motor vehicle was stolen as documented by a police report;
12 provided further that any reference to the defendant's
13 commission of the [~~traffic infraction~~] administrative violation
14 or similar language shall be interpreted to mean commission of
15 the [~~traffic infraction.~~] administrative violation."

16 SECTION 14. Section 291J-10, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) The penalties for all consequences of a violation for
19 disregarding a steady red signal initiated by the use of a photo
20 red light imaging detector system shall be as provided in
21 section 291C-161. Additionally, specific fines for all



1 consequences of a violation for disregarding a steady red signal
2 initiated by the use of a photo red light imaging detector
3 system may be set, in a manner not inconsistent with any
4 applicable statutory provisions addressing these fines by the
5 department as the director deems necessary for the purposes of
6 carrying out this chapter."

7 SECTION 15. Section 291L-1, Hawaii Revised Statutes, is
8 amended by adding two new definitions to be appropriately
9 inserted and to read as follows:

10 "Director" means the director of transportation.

11 "Reviewing entity" means a county police department or
12 authorized employee of the department of law enforcement."

13 SECTION 16. Section 291L-3, Hawaii Revised Statutes, is
14 amended as follows:

15 1. By amending subsection (b) to read:

16 "(b) The compensation paid by the State to establish an
17 automated speed enforcement system under this chapter to a
18 manufacturer or vendor of the equipment used shall be based upon
19 the value of the equipment and services provided or rendered in
20 support of the automated speed enforcement system and shall not



1 be based upon a portion of the [~~fine or civil~~] administrative
2 penalty imposed or the revenue generated by the equipment."

3 2. By amending subsection (e) to read:

4 "(e) During the first thirty days of operation of an
5 automated speed enforcement system at a particular location, a
6 warning shall be issued for any violation and mailed to the
7 registered owner of the motor vehicle at the address on record
8 at the vehicle licensing division [~~in lieu of a summons or~~
9 ~~citation pursuant to section 291L-5~~]."

10 SECTION 17. Section 291L-4, Hawaii Revised Statutes, is
11 amended by amending subsections (c) through (e) to read as
12 follows:

13 "(c) Proof of a violation of section 291C-108 shall be
14 evidenced by information obtained from an automated speed
15 enforcement system authorized pursuant to this chapter. A
16 certificate, sworn to or affirmed by the reviewing [~~county~~
17 ~~police department,~~] entity, or a facsimile thereof, based upon
18 inspection of any clear and unobstructed photographs,
19 microphotographs, video, or other recorded images produced by
20 the system, shall be prima facie evidence of the facts contained
21 therein. Any photographs, microphotographs, video, or other



1 recorded images shall be available for inspection in any
2 administrative proceeding to adjudicate the liability for that
3 violation.

4 (d) It shall be a defense [~~to any prosecution~~] in a
5 requested administrative hearing for a violation of exceeding
6 the maximum motor vehicle speed limits pursuant to this chapter
7 and section 291C-108 that the automated speed enforcement system
8 was malfunctioning at the time of the alleged violation.

9 (e) The conditions specified in this section shall not
10 apply when the information gathered is used for highway safety
11 research or to issue warning citations not involving [~~a fine~~] an
12 administrative penalty or court appearance."

13 SECTION 18. Section 291L-5, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§291L-5 Summons or citation.** (a) Notwithstanding any
16 law to the contrary and except as otherwise provided in this
17 chapter, beginning January 1, 2025, whenever any motor vehicle
18 is determined, by means of an automated speed enforcement
19 system, to have violated section 291C-108, the State's third-
20 party contractor shall cause a summons or citation, as described
21 in this section, to be sent by first-class mail to the



1 registered owner of the motor vehicle. The summons or citation
2 shall be mailed to the registered owner's address on record at
3 the vehicle licensing division and submitted to the post office
4 within ten calendar days after the date of the incident. The
5 State, the county, or the State's or county's third-party
6 contractor shall implement a process to record the date on which
7 the summons or citation was submitted to the post office, and
8 the record shall be prima facie evidence of the date the summons
9 or citation was submitted to the post office. If the end of the
10 ten-calendar-day period falls on a Saturday, Sunday, or holiday,
11 then the ending period shall run until the end of the next day
12 that is not a Saturday, Sunday, or holiday. The registered
13 owner shall be determined by the identification of the motor
14 vehicle license plate.

15 (b) The form and content of the summons or citation shall
16 be adopted or prescribed by the [~~administrative judge of the~~
17 ~~district courts~~] director and printed on a form commensurate
18 with the form of other summonses or citations [~~used in modern~~
19 ~~methods of arrest~~] that are designed to include all necessary
20 information to make the summons or citation valid within the
21 laws of the State; provided that any summons or citation issued



1 pursuant to the automated speed enforcement systems program
2 shall contain a clear and unobstructed photographic, digital, or
3 other visual image of the motor vehicle license plate, and speed
4 units measured by the speed reader that shall be used as
5 evidence of the violation.

6 (c) Every summons or citation shall be consecutively
7 numbered and each copy thereof shall bear the number of its
8 respective original.

9 (d) Before mailing the summons or citation [~~for a traffic~~
10 ~~infraction~~] pursuant to subsection (a), the applicable [~~county~~
11 ~~police department~~] reviewing entity shall review and verify the
12 clear and unobstructed photographic, digital, or other visual
13 image of the license plate of the motor vehicle required under
14 this section.

15 (e) Upon receipt of the summons or citation, the
16 registered owner shall respond [~~as provided for in section 291D-~~
17 ~~6-~~] in accordance with the rules designated by the department as
18 the director deems necessary for the purposes of carrying out
19 this chapter. A record of the mailing of the summons or
20 citation prepared in the ordinary course of business shall be
21 prima facie evidence of notification.



1 (f) Procedures regarding answering a notice, [~~court~~
2 ~~actions, and court hearings~~] administrative actions, and
3 administrative hearings shall be [~~pursuant to sections 291D-6,~~
4 ~~291D-7, 291D-8, and 291D-13;~~] set by the department as the
5 director deems necessary for the purposes of carrying out this
6 chapter; provided that it shall not be a defense to any citation
7 issued pursuant to this chapter that another person was driving
8 the defendant's motor vehicle at the time of incident, unless
9 the motor vehicle was stolen as documented by a police report;
10 provided further that any reference to the defendant's
11 commission of the [~~traffic infraction~~] administrative violation
12 or similar language shall be interpreted to mean commission of
13 the [~~traffic infraction.~~] administrative violation.

14 [~~(g) Any summons or citations issued or convictions~~
15 ~~resulting from this chapter shall not be recorded on a person's~~
16 ~~traffic abstract and shall not be used for insurance purposes in~~
17 ~~the provision of motor vehicle insurance coverage.]"~~

18 PART IV

19 SECTION 19. Section 291J-8, Hawaii Revised Statutes, is
20 repealed.



1 photo red light imaging detector systems program and automated
2 speed enforcement systems program.

3 The sum appropriated shall be expended by the department of
4 transportation for the purposes of this Act.

5 SECTION 22. This Act does not affect rights and duties
6 that matured, penalties that were incurred, and proceedings that
7 were begun before its effective date.

8 SECTION 23. In codifying the new sections added by
9 sections 3 and 4 of this Act, the revisor of statutes shall
10 substitute appropriate section numbers for the letters used in
11 designating the new sections in this Act.

12 SECTION 24. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 25. This Act shall take effect on July 1, 3000.



Report Title:

DOT; DLE; Administrative Hearings Division; Administrative Hearings; Transportation Network Companies; Photo Red Light Imaging Detector Systems; Speed Enforcement Systems; Commercial Driver's Licenses

Description:

Establishes the Administrative Hearings Division within the Department of Transportation and transfers certain administrative hearing powers to the Division, including matters related to transportation network company permit appeals, automated red light camera and speed enforcement traffic citations, and commercial driver's license appeals. Specifies that a person aggrieved by an administrative decision related to red light camera and speed enforcement traffic citations may petition for judicial review. Allows authorized employees of the Department of Law Enforcement to review images produced by the automated red light camera and speed enforcement systems. Effective 7/1/3000. (SD1)

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

