

## ACT 121

H.B. NO. 2011

A Bill for an Act Relating to Motor Vehicles.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 291C-131, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Violations of this section shall subject the owner or driver of the vehicle, or both, to the following penalties without possibility of probation or suspension of sentence [except paragraph (1)(A)]:

- (1) For a first violation, by:
  - (A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for five working days;
  - (B) A fine of not less than [~~\$100~~] \$250 and not more than \$500.
- (2) For a second violation involving a vehicle or driver previously cited under this section, within one year:
  - (A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for not less than five working days but not more than ten working days; and
  - (B) A fine of not less than [~~\$250~~] \$500 and not more than [~~\$500~~] \$750.
- (3) For a third or subsequent violation involving a vehicle or driver previously cited under this section within one year:
  - (A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for a period of thirty calendar days; and
  - (B) A fine of not less than [~~\$500~~] \$750 and not more than \$1,000.

In imposing a fine under this subsection, the court, in its discretion, may apportion payment of the fine between the driver of the vehicle and the owner of the vehicle according to the court’s determination of the degree of fault for the violation.

For the purposes of this subsection, a truck-trailer combination and tractor-semitrailer combination, as they are defined in section 286-2, shall be considered as one vehicle.”

SECTION 2. This Act shall not apply to acts which occurred before its effective date.

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 15, 1990.)