

A Bill for an Act Relating to the Driver Education and Training Fund.

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

SECTION 1. Section 286G-3, Hawaii Revised Statutes, is amended to read as follows:

“**§286G-3 Fines.** (a) A fine of [~~\$5~~] \$7 shall be levied on a finding that a violation [occurred] of a statute or county ordinance relating to vehicles or their drivers or owners[,], occurred, except for:

- (1) [~~offenses~~] Offenses relating to stopping (when prohibited), standing, or parking;
- (2) [~~offenses~~] Offenses relating to registration; and
- (3) [~~offenses~~] Offenses by pedestrians.

In addition, a fine of \$100 shall be levied on persons convicted under section 291-4 to defray costs of services provided by the driver education and training program.

(b) The [~~fine~~] fines levied by subsection (a) shall be paid for each violation in addition to any fine imposed by the court, and regardless of whether [or not such] a fine is suspended[.]; provided that the fine of \$100 levied on a person convicted under section 291-4 may be waived by the court if the court determines that the person is unable to pay the fine.

(c) The amount of [~~the~~] each fine levied by subsection (a) shall be transmitted by the clerk of the court for deposit in the driver education and training fund.”

SECTION 2. Section 431:10C-115, Hawaii Revised Statutes, is amended as follows:

“**§431:10C-115 Drivers education fund underwriters fee.** (a) The commissioner shall assess and levy upon each insurer, and self-insurer, a drivers education fund underwriters fee of [~~\$2~~] \$1.50 a year on each motor vehicle insured by each insurer or self-insurer. This fee is due and payable in full on an annual basis by means and at a time to be determined by the commissioner.

(b) The commissioner shall deposit the fees into a special drivers education fund account.

(c) The commissioner shall allocate the fees deposited for each fiscal year in the following manner:

- (1) Fifty per cent to the commissioner to be expended for the operation of the drivers education program provided in section 286-128(m); and
- (2) Fifty per cent to the director of commerce and consumer affairs for:
 - (A) The drivers education program administered by the department of education for high school students; and
 - (B) The traffic safety education program established and administered by the department of education pursuant to section 299-5.

(d) The commissioner shall [~~make all necessary~~] adopt rules [~~and regulations~~] in accordance with chapter 91 for the execution of this section and the distribution of this fund.”

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

SECTION 4. This Act shall take effect on July 1, 1995.

(Approved June 19, 1995.)