

ACT 231

H.B. NO. 2294

A Bill for an Act Relating to Fees for Administrative Costs in Traffic Cases.

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

SECTION 1. Section 601-3.7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established in the state treasury a special fund to be known as the judiciary computer system special fund. Moneys collected from administrative fees pursuant to section 287-3(a) and fees pursuant to sections 607-4(b)(10) and 607-5(c)(32) shall be deposited into the fund. One-half of the fees collected pursuant to paragraphs (7), (8), and (9) of section 607-4(b) also shall be deposited into the fund.”

SECTION 2. Section 607-4, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) The fees prescribed by subsection (b) shall be paid to the clerk of the district court as costs of court by the person instituting the action or proceeding, or offering the paper for filing, or causing the document to be issued or the services to be performed in the district court; provided that nothing in subsection (b) shall apply to cases of adults charged with commission of a crime, or minors referred to the district court by the family court; provided further that for the purposes of subsection (b), “judgment” includes an order from which an appeal lies; and provided further

that one-half of the fees [~~prescribed by subsection (b)(10)~~] collected pursuant to paragraphs (7), (8), and (9) of subsection (b) shall be deposited by the clerk of the district court into the judiciary computer system special fund pursuant to section 601-3.7.

- (b) The fees referred to in subsection (a) are:
 - (1) Except for petitions for temporary restraining order under section 604-10.5, the fee for which shall be the same as that provided in section 607-5(b)(19), for the institution of each action or proceeding, to include all charges except as provided by paragraphs (2) to (6) \$100
 - (2) Intervention; answer containing one or more cross-claims or counterclaims; third-party complaint, for each such matter \$10
 - (3) Demand for jury trial Fee prescribed by section 607-5
 - (4) Filing of notice of appeal to the supreme court, to be paid in addition to the deposit of appellate court costs \$100
 - (5) Making of a copy; comparing of copy with original Fees prescribed by section 92-21
 - (6) Posting notice; service fees; garnishee fees; mileage charges; or other services actually performed Amounts necessary to cover actual costs or disbursements
 - (7) Administrative costs associated with the processing of traffic citations that involve stopping (when prohibited), standing, or parking [~~\$5~~] \$10 for each violation in addition to any fine imposed by the court, and whether or not such fine is suspended
 - (8) Administrative costs associated with the processing of traffic citations which do not involve stopping, standing, or parking [~~\$20~~] \$40 for each violation in addition to any fine imposed by the court, and whether or not such fine is suspended
 - (9) Administrative costs associated with the processing of traffic citations issued for violations of a statute or ordinance relating to vehicles or their drivers, or owners, except those as provided by paragraphs (7) and (8) [~~\$15~~] \$30 for each violation in addition to any fine imposed by the court, and whether or not such fine is suspended
 - (10) Administrative costs associated with the processing of all civil filings except those brought by the State or any of the various counties and political subdivisions of the State, those commenced by a petition for temporary restraining order under section 604-10.5, and those commenced and conducted in the small claims division of the district court \$20.”

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

SECTION 4. This Act shall take effect on January 1, 2005.

(Became law on July 13, 2004, without the Governor’s signature, pursuant to Art III, §16, State Constitution.)