



The Judiciary, State of Hawai'i

**Testimony to the
Senate Committee on Transportation**
The Honorable Lorraine R. Inouye, Chair
The Honorable Breene Harimoto, Vice Chair

and

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
The Honorable Calrence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair

Wednesday, February 13, 2019, 1:15 p.m.
State Capitol, Conference Room 225

By

Calvin C. Ching,
Deputy Chief Court Administrator
District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 164, Relating to Unadjudicated Traffic Fines.

Purpose: Transfers certain fines and forfeitures collected for uncontested traffic infractions to the counties.

Judiciary's Position:

The Judiciary takes no position as to the merits of this bill, but wishes to comment on certain operational and technical aspects. The Judiciary respectfully recommends that reference to paying the "administrative costs of the traffic violations bureau" be removed, and, should this bill move forward, a specific amount to be transferred be established.

Determining the exact "administrative costs" incurred in operating the TVB in four different circuits would be extremely complex and the accounting to do this would be expensive and time consuming. With respect to staff salaries, it is easy to identify the amounts for positions that are identified as dedicated to TVB positions; however, many of the District Court personnel, court



Senate Bill No. 164, Relating to Unadjudicated Traffic Fines
Senate Committees on Transportation and Public Safety, Intergovernmental, and
Military Affairs

Wednesday, February 13, 2019

Page 2

administrators, and judges work in traffic violation activities but are not dedicated to those functions alone. With regard to support costs, they would include a large element of the Judiciary Information Management System (JIMS), the primary computer database for handling traffic offenses. In addition, there is the non-District Court “support staff” which plays an important role in TVB functions, such as JIMS staff, Information Technology and Communications Division staff, and fiscal officers. It should also be noted that the costs related to the printing of statewide traffic citations was \$175,005.48 in 2018.

Thank you for the opportunity to testify on Senate Bill No. 164.

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
DIRECTOR

ROBERT YU
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

TESTIMONY BY RODERICK K. BECKER
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON TRANSPORTATION AND
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
ON
SENATE BILL NO. 164

**February 13, 2019
1:15 p.m.
Room 225**

LATE

RELATING TO UNADJUDICATED TRAFFIC FINES

Senate Bill No. 164 adds a new part to Chapter 291C that authorizes the Director of Finance to transfer fines and forfeitures collected from uncontested traffic infractions less administrative costs to the counties.

We have a concern that this bill will be difficult to administer. The Judiciary will have to determine administrative costs related to uncontested traffic infractions as well as track uncontested traffic infractions by county.

Thank you for your consideration of our comments.

COUNTY COUNCIL

Arryl Kaneshiro, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Felicia Cowden
Luke A. Evslin
KipuKai Kualii



OFFICE OF THE COUNTY CLERK

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Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 11, 2019

**TESTIMONY OF FELICIA COWDEN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

SB 164, RELATING TO UNADJUDICATED TRAFFIC FINES

Senate Committee on Transportation

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Wednesday, February 13, 2019

1:15 p.m.

Conference Room 225

Dear Chair Inouye, Chair Nishihara, and Members of the Committees:

Thank you for this opportunity to provide testimony in support of SB 164, Relating to Unadjudicated Traffic Fines, which is included in the Hawai'i State Association of Counties (HSAC) Legislative Package. My testimony is submitted in my individual capacity as a Member of the Kaua'i County Council.

I support SB 164 to redirect unadjudicated traffic fines to the counties. Currently, I am researching methods by which the County can utilize these funds to potentially offer some type of assistance program that would be targeted towards those citizens struggling financially. This redirection of funds would very much lighten the load on the state court system. These would typically be people who fail to obtain a vehicle safety check, thus stimulating a poverty cycle that includes not being able to get registration, insurance, etc. These are often the people who have to attend multiple court hearings or meet community service requirements that can cause job loss and further the cycle of poverty. There are many ways this diversion could not only alleviate court time, but also many other layers of state costs.

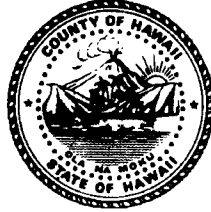
Thank you again for this opportunity to provide testimony in support of SB 164. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

FELICIA COWDEN
Councilmember, Kaua'i County Council

AMK:dmc

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 12, 2019

Senator Lorraine R. Inouye, Chair
Committee on Transportation

Senator Clarence K. Nishihara, Chair
Committee on Public Safety, Intergovernmental, and Military Affairs

Dear Chair Inouye, Chair Nishihara, and Committee Members:

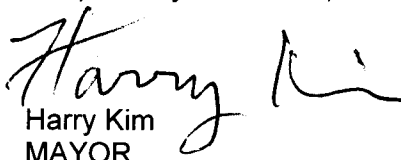
RE: SB 164 Relating to Unadjudicated Traffic Fines

Thank you for hearing SB 164.

As you well know, this is an annual bill of great merit, which has not enjoyed much support at the Legislature. For those of you who previously served as Mayor or on a County Council, you probably shared the position that HSAC is taking once again, that unadjudicated fines—in other words, those that are generated by County law enforcement and require no State effort other than collecting the money—ought to go to that level of government that created the revenue.

Perhaps this year, things will be different. I urge you to support SB 164.

Respectfully Submitted,


Harry Kim
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.police.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE
AP-GR

February 13, 2019

The Honorable Lorraine R. Inouye, Chair
and Members
Committee on Transportation
The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 225
Honolulu, Hawaii 96813

LATE

Dear Chairs Inouye and Nishihara and Members:

SUBJECT: Senate Bill No. 164, Relating to Unadjudicated Traffic Fines

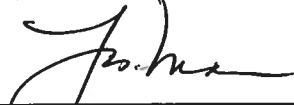
I am Andre Peters, Acting Captain of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu. The HPD supports the passage of Senate Bill No. 164, Relating to Unadjudicated Traffic Fines.

The passage of this bill would generate funds for the respective counties. The counties use their resources to issue traffic-related citations and should be able to recover some of the fines and forfeiture funds to reimburse them for this expense.


The HPD urges you to support Senate Bill No. 164, Relating to Unadjudicated Traffic Fines.

Thank you for the opportunity to testify.

APPROVED:


fr: Susan Ballard
Chief of Police

Sincerely,


Andre Peters, Acting Captain
Traffic Division

Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i and City & County of Honolulu

25 Aupuni Street, Hilo, Hawai'i 96720 (808) 961-8828 www.hawaiicounties.com



February 11, 2019

To: The Honorable Lorraine R. Inouye, Chair
Senate Committee on Transportation

The Honorable Clarence K. Nishihara, Chair
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Valerie T. Poindexter
HSAC President

SUBJECT: HEARING OF FEBRUARY 13, 2019; TESTIMONY IN SUPPORT OF SB164,
RELATING TO UNADJUDICATED TRAFFIC FINES

Thank you for the opportunity to testify on behalf of the Hawai'i State Association of Counties. Therefore, I submit this testimony on HSAC's behalf.

This bill transfers certain fines and forfeitures collected for uncontested traffic infractions to the counties.

I strongly support and urge the enactment of SB164. Mahalo for your time and consideration.