
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 291C-105, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Any person who violates this section shall be guilty
4 of a petty misdemeanor and shall be sentenced as follows without
5 the possibility of probation or suspension of sentence:

6 (1) For a first offense not preceded by a prior conviction
7 for an offense under this section in the preceding
8 five years:

9 (A) A fine of not less than [~~\$500~~] \$1,500 and not
10 more than [~~\$1,000~~] \$3,000;

11 (B) Thirty-day prompt suspension of license and
12 privilege to operate a vehicle during the
13 suspension period, or the court may impose, in
14 lieu of the thirty-day prompt suspension of
15 license, a minimum fifteen-day prompt suspension
16 of license with absolute prohibition from
17 operating a vehicle and, for the remainder of the



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- 1 thirty-day period, a restriction on the license
2 that allows the person to drive for limited work-
3 related purposes;
- 4 (C) Attendance in a course of instruction in driver
5 retraining;
- 6 (D) A surcharge of \$25 to be deposited into the
7 neurotrauma special fund;
- 8 (E) May be charged a surcharge of up to \$100 to be
9 deposited into the trauma system special fund if
10 the court so orders;
- 11 (F) An assessment for driver education pursuant to
12 section 286G-3; and
- 13 (G) Either one of the following:
- 14 (i) Thirty-six hours of community service work;
15 or
- 16 (ii) Not less than forty-eight hours and not more
17 than five days of imprisonment;
- 18 (2) For an offense that occurs within five years of a
19 prior conviction for an offense under this section,
20 by:



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- 1 (A) A fine of not less than [~~\$750~~] \$2,250 and not
2 more than [~~\$1,000~~] \$3,000;
- 3 (B) Prompt suspension of license and privilege to
4 operate a vehicle for a period of thirty days
5 with an absolute prohibition from operating a
6 vehicle during the suspension period;
- 7 (C) Attendance in a course of instruction in driver
8 retraining;
- 9 (D) A surcharge of \$25 to be deposited into the
10 neurotrauma special fund;
- 11 (E) May be charged a surcharge of up to \$100 to be
12 deposited into the trauma system special fund if
13 the court so orders;
- 14 (F) An assessment for driver education pursuant to
15 section 286G-3; and
- 16 (G) Either one of the following:
 - 17 (i) Not less than one hundred twenty hours of
18 community service work; or
 - 19 (ii) Not less than five days but not more than
20 fourteen days of imprisonment of which at



- 1 least forty-eight hours shall be served
2 consecutively; and
- 3 (3) For an offense that occurs within five years of two
4 prior convictions for offenses under this section, by:
- 5 (A) A fine of [~~\$1,000,~~] \$3,000;
6 (B) Revocation of license and privilege to operate a
7 vehicle for a period of not less than ninety days
8 but not more than one year;
9 (C) Attendance in a course of instruction in driver
10 retraining;
11 (D) No fewer than ten days but no more than thirty
12 days of imprisonment of which at least forty-
13 eight hours shall be served consecutively;
14 (E) A surcharge of \$25 to be deposited into the
15 neurotrauma special fund;
16 (F) May be charged a surcharge of up to \$100 to be
17 deposited into the trauma system special fund if
18 the court so orders; and
19 (G) An assessment for driver education pursuant to
20 section 286G-3."



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1 SECTION 2. This Act does not affect rights and duties that
 2 matured, penalties that were incurred, and proceedings that were
 3 begun before its effective date.

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

6 SECTION 4. This Act shall take effect upon its approval.
 7

INTRODUCED BY:

[Handwritten signatures and names]
 Calvin McBay
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 Mark [unclear]

JAN 20 2017



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Report Title:

Highway Safety

Description:

Increases the fines for violations of driving a motor vehicle at an excessive speed.

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