

JAN 18 2019

---

# A BILL FOR AN ACT

---

RELATING TO UNADJUDICATED TRAFFIC FINES.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4           "PART       .   TRANSMITTAL OF TRAFFIC FINES AND FORFEITURES TO  
5    COUNTIES

6           §291C-A Definitions. As used in this part, unless the  
7 context clearly requires otherwise:

8           "Traffic infraction" means the same as defined under  
9 section 291D-2.

10           "Uncontested traffic infraction" means a traffic infraction  
11 for which the person noticed under section 291D-5 admits the  
12 commission of the infraction without requesting a hearing to  
13 explain mitigating circumstances and pays or remits bail  
14 forfeiture by mail, via the Internet, or by telephone within  
15 thirty days in accordance with section 291D-6(b)(1).

16           §291C-B Transmittal of fines and forfeitures from July 1,  
17 2019. Beginning July 1, 2019, the director of finance shall



1 transmit to each county, not more than thirty days after the end  
2 of each fiscal quarter, all the fines and forfeitures collected  
3 for uncontested traffic infractions committed in that county  
4 that are in excess of amounts required by the State to pay the  
5 administrative costs of the traffic violations bureau. The fines  
6 and forfeitures deemed excess pursuant to this subsection shall  
7 be transmitted to the county in which the citations were issued.

8 This section shall not apply to:

9 (1) Fines and forfeitures for violations that occur on  
10 state off-street parking facilities, parks, airports,  
11 and harbors that are subject to enforcement by the  
12 State; and

13 (2) Fines and forfeitures that are required by law to be  
14 paid into a special, revolving, or trust fund.

15 Except as provided by this section, no county shall be  
16 entitled to any portion of the fines and forfeitures described  
17 in this subsection."

18 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20 "(a) All fines and forfeitures collected upon conviction  
21 or upon the forfeiture of bail of any person charged with a



# S.B. NO. 176

1 violation of any section or provision of the state traffic laws  
2 and all assessments collected relating to the commission of  
3 traffic infractions shall be paid to the director of finance of  
4 the State. The judiciary shall identify those fines paid for  
5 uncontested traffic infractions as defined in section 291C-A.  
6 The disposition of fines and forfeitures paid to the director of  
7 finance shall be subject to section 291C-B."

8 SECTION 3. In codifying the new sections added by section  
9 1 of this Act, the revisor of statutes shall substitute  
10 appropriate section numbers for the letters used in designating  
11 the new sections in this Act.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2019.

14

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mark A. ...", is written over a horizontal line.

By Request



# S.B. NO. 176

**Report Title:**

Kauai County Package; Uncontested Traffic Fines; Transfer to Counties

**Description:**

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

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

