A BILL FOR AN ACT

RELATING TO UNADJUDICATED TRAFFIC FINES.

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

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

"PART 1. TRANSMITTAL OF TRAFFIC FINES AND FORFEITURES TO COUNTIES

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

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

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

§291C-B Transmittal of fines and forfeitures. Beginning on July 1, 2019, no more than thirty days after the end of each
fiscal quarter, the director of finance shall transmit to each county no less than $ of all the fines and forfeitures collected during the previous fiscal quarter for uncontested traffic infractions committed in that county. The amount of the fines and forfeitures set aside pursuant to this subsection shall be transmitted to the county in which the citations were issued. This section shall not apply to:

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

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

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

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

"(a) All fines and forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any section or provision of the state traffic laws
and all assessments collected relating to the commission of
traffic infractions shall be paid to the director of finance of
the State. The judiciary shall identify those fines paid for
uncontested traffic infractions as defined in section 291C-A.
The disposition of fines and forfeitures paid to the director of
finance shall be subject to section 291C-B."

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

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2019.
Report Title:
Hawaii State Association of Counties Package; Uncontested Traffic Fines; Transfer to Counties

Description:
Transfers certain fines and forfeitures collected for uncontested traffic infractions to the counties. (SD1)