

JAN 22 2007

A BILL FOR AN ACT

RELATING TO COUNTIES.

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**
5 **AND FORFEITURES TO COUNTIES**

6 **§291C-A Definitions.** For purposes of this chapter, unless
7 the context clearly requires otherwise:

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

10 "Uncontested traffic infraction" means a traffic infraction
11 which the person noticed under section 291D-5 does not contest.

12 A person "does not contest" an infraction if, in accordance with
13 section 291D-6(b)(1), the person admits the commission of the
14 infraction without requesting a hearing to explain mitigating
15 circumstances and pays or remits bail forfeiture by mail within
16 thirty days.

17 **§291C-B Transmittal of fines and forfeitures from July 1,**
18 **2007, through June 30, 2008.** (a) From July 1, 2007, through



1 June 30, 2008, the state director of finance shall transmit to
2 each county, not more than thirty days after the end of each
3 fiscal quarter, fifty per cent of all the fines and forfeitures
4 collected for uncontested traffic infractions committed in that
5 county that are in excess of amounts required by the State to
6 pay the administrative costs of the traffic violations bureau.

7 (b) Subsection (a) shall not apply to:

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

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

14 No county shall be entitled to any portion of the fines and
15 forfeitures described in this subsection.

16 **§291C-C Transmittal of fines and forfeitures from July 1,**

17 **2008.** (a) From July 1, 2008, the state director of finance
18 shall transmit to each county, not more than thirty days after
19 the end of each fiscal quarter, all the fines and forfeitures
20 collected for uncontested traffic infractions committed in that
21 county that are in excess of amounts required by the State to
22 pay the administrative costs of the traffic violations bureau.



1 (b) Subsection (a) shall not apply to:

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

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

8 No county shall be entitled to any portion of the fines and
9 forfeitures described in this subsection."

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

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

21 SECTION 3. In codifying the new sections added by section
22 1 of this Act, the revisor of statutes shall substitute



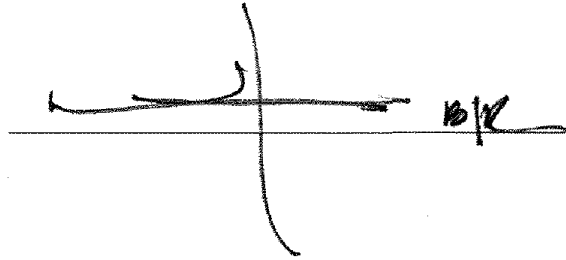
1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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Report Title:

Uncontested Traffic Infractions; Counties

Description:

Requires the judiciary to forward 50% of the net proceeds of uncontested traffic infractions to the county in which the infraction was committed from 7/1/07, to 6/30/08, and 100% of the net proceeds after July 2008.

