THE SENATE TWENTY-FOURTH LEGISLATURE, 2007 STATE OF HAWAII S.B. NO. 727

JAN 1 9 2007

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
5	AND FORFEITURES TO 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 notified under section 291D-5 does not
12	contest the infraction. A person "does not contest" an
13	infraction if, in accordance with section 291D-6(b)(1), the
14	person admits the commission of the infraction without
15	requesting a hearing to explain mitigating circumstances and
16	pays or remits bail forfeiture by mail, via the Internet, or by
17	telephone within thirty days.



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1	§291	C-B Transmittal of fines; from July 1, 2007; from July
2	1, 2008.	(a) The state director of finance shall transmit to
3	each coun	ty, not more than thirty days after the end of each
4	fiscal qu	arter, the following percentages of the fines and
5	forfeitur	es collected for uncontested traffic infractions
6	committed	I in that county that are in excess of amounts required
7	by the St	ate to pay the administrative costs of the traffic
8	violation	s bureau:
9	(1)	Beginning July 1, 2007, to June 30, 2008: fifty per
10		cent;
11	(2)	Beginning July 1, 2008: one hundred per cent.
12	(b)	This section shall not apply to:
13	(1)	Fines and forfeitures for violations that occur on
14		off-street parking facilities, parks, airports, and
15		harbors that are subject to enforcement by the State;
16		and
17	(2)	Fines and forfeitures that are required by law to be
18		paid into a special, revolving, or trust fund.
19	No c	county shall be entitled to any portion of the fines and
20	forfeitur	es described in this subsection."
21	SECT	ION 2. Section 291C-171, Hawaii Revised Statutes, is
22	amended b	y amending subsection (a) to read as follows:



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1	"(a) All fines and forfeitures collected upon conviction
2	or upon the forfeiture of bail of any person charged with a
3	violation of any section or provision of the state traffic laws
4	and all assessments collected relating to the commission of
5	traffic infractions shall be paid to the director of finance of
6	the State. The judiciary shall identify those fines paid for
7	uncontested traffic infractions as defined in section 291C-A.
8	The disposition of fines and forfeitures paid to the state
9	director of finance shall be subject to section 291C-B."
10	SECTION 3. In codifying the new sections added by section
11	1 of this Act, the revisor of statutes shall substitute
12	appropriate section numbers for the letters used in designating
13	the new sections in this Act.
14	SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2007. 15

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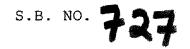
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Report Title: Unadjudicated Traffic Fines; Transfer to Counties

Description:

Transfers 50% and 100% of all fines and forfeitures collected for uncontested traffic infractions to the counties beginning 7/1/2007 to 6/30/2008, and from 7/1/2008, respectively.

