

JAN 19 2007

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# 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.



1           §291C-B Transmittal of fines; from July 1, 2007; from July  
2 1, 2008. (a) The state director of finance shall transmit to  
3 each county, not more than thirty days after the end of each  
4 fiscal quarter, the following percentages of the fines and  
5 forfeitures collected for uncontested traffic infractions  
6 committed in that county that are in excess of amounts required  
7 by the State to pay the administrative costs of the traffic  
8 violations 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 county shall be entitled to any portion of the fines and  
20 forfeitures described in this subsection."

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



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.

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

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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.

