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MEMO TO: WASSP-6 File

F R O M: Shane M. Sinenci, Chair   
Water Authority, Social Services, and Parks Committee

SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO  
BILL 65 (2023), AMENDING THE TRAFFIC CODE BY EXPANDING  
THE VOLUNTEER PARKING ENFORCEMENT PROGRAM**  
(WASSP-6)

The attached informational document pertains to Item 6 on the Committee's agenda.

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Attachment

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# A BILL FOR AN ACT

RELATING TO THE TRAFFIC CODE.

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

1 SECTION 1. Section 291C-111, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) With respect to highways under their respective  
4 jurisdictions, the director of transportation is authorized to  
5 and the counties by ordinance may prohibit or restrict the  
6 stopping, standing, or parking of vehicles where the stopping,  
7 standing, or parking is dangerous to those using the highway or  
8 where the stopping, standing, or parking of vehicles would  
9 interfere unduly with the free movement of traffic; provided  
10 that the violation of any law or any ordinance, regardless of  
11 whether established under this or any other section, prohibiting  
12 or restricting the stopping, standing, or parking of vehicles  
13 shall constitute a traffic infraction. The counties may issue  
14 traffic infractions for violations of any law prohibiting or  
15 restricting the stopping, standing, or parking of vehicles on  
16 all highways. The counties shall not provide any other penalty,  
17 civil or criminal, or any other charge, in the form of rental or



1 otherwise, in place of or in addition to the fine to be imposed  
2 by the district court for any violation of any ordinance  
3 prohibiting or restricting the stopping, standing, or parking of  
4 vehicles.

5 This section shall not be construed as prohibiting the  
6 authority of the director of transportation or the counties to  
7 allow the stopping, standing, or parking of motor vehicles at a  
8 "T-shaped" intersection on highways under their respective  
9 jurisdictions; provided that [~~such~~] the stopping, standing, or  
10 parking of motor vehicles is not dangerous to those using the  
11 highway or where the stopping, standing, or parking of motor  
12 vehicles would not unduly interfere with the free movement of  
13 traffic.

14 The appropriate police department or their designee, and  
15 county or prosecuting attorney of the various counties shall  
16 enforce any law or ordinance prohibiting or restricting the  
17 stopping, standing, or parking of vehicles, including but not  
18 limited to the issuance of parking tickets. Any person  
19 committing a violation of any law or ordinance, regardless of  
20 whether established under this or any other section, prohibiting  
21 or restricting the stopping, standing, or parking of vehicles



1 shall be subject to a fine to be enforced and collected by the  
2 district courts of this State and to be deposited into the state  
3 general fund for state use."

4 SECTION 2. Section 291C-165, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6 "(a) There shall be provided for use by authorized police  
7 officers, or [~~county employees designated by~~] designees of the  
8 county chiefs of police, a form of summons or citation for use  
9 in citing violators of those traffic laws that do not mandate  
10 the physical arrest of violators. The form and content of the  
11 summons or citation shall be as adopted or prescribed by the  
12 administrative judge of the district courts and shall be printed  
13 on a form commensurate with the form of other summonses or  
14 citations used in modern methods of arrest, so designed to  
15 include all necessary information to make the same valid within  
16 the laws and regulations of the State."

17 SECTION 3. Section 291C-167, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§291C-167 Summons or citation on illegally parked**  
20 **vehicle.** Whenever any motor vehicle without a driver is found  
21 parked or stopped in violation of any of the restrictions



1 contained in the state traffic laws, the officer or [~~designated~~  
2 ~~county-employee~~] designee finding the vehicle shall take its  
3 registration number and may take any other information displayed  
4 on the vehicle that may identify its registered owner and  
5 conspicuously shall affix to the vehicle a citation, as  
6 described in section 291C-165, for the registered owner of  
7 record to answer as provided in chapter 291D."

8 SECTION 4. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on January 1, 2050.



**Report Title:**

DOT; Counties; Traffic Code; Rules of the Road; Stopping, Standing, and Parking; Traffic Infractions

**Description:**

Specifies that the counties may issue traffic infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways. Authorizes stopping, standing, and parking restrictions and prohibitions on property under jurisdiction of the Director of Transportation and the counties, respectively. Takes effect 1/1/2050. (SD1)

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

