



*The Judiciary, State of Hawaii*

**Testimony to the House Committee on Transportation**

Representative Ryan I. Yamane, Chair  
Representative Linda Ichiyama, Vice Chair

Wednesday, January 30, 2103, 10:00 a.m.  
State Capitol, Conference Room 309

by  
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**Bill No. and Title:** House Bill No. 214, Relating to Traffic Infractions

**Purpose:** Requires the state director of finance to transmit to each county a percentage of all fines and forfeitures collected for uncontested traffic infractions committed in that county, with certain exceptions. Effective July 1, 2013.

**Judiciary's Position:**

The Judiciary takes no position as to the merits of this bill, but wishes to comment on certain operational and technical aspects. The Judiciary respectfully recommends that reference to paying the “administrative costs of the traffic violations bureau” be removed, and, should this bill move forward, a specific percentage to be transferred, as provided for in the bill, be established.

House Bill No. 214 states:

“...the state director of finance shall transmit to each county not more than thirty days after the end of each fiscal quarter \_\_\_\_ percent of all fines and forfeitures collected for uncontested traffic infractions committed in that county which are in excess of amounts required by the State to pay the administrative costs of the traffic violations bureau.” (page 2)



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Essentially, determining the exact “administrative costs” incurred in operating the TVB in four different circuits would be extremely complex and the accounting to do this would be expensive and time consuming. As noted in the Legislative Reference Bureau’s report, “Stop, Go, Caution: the Feasibility of Transferring the Traffic Violations Bureau to the Counties, Report No. 4, 1996”:

“It is unclear exactly what costs are associated with operating and supporting the TVBs. While the Judiciary was able to supply the Bureau with figures as to the most recent fiscal year’s realizations, it is not set up to pull out all of the costs associated with running the system. It can pull up staff salaries, for example, but not benefits, nor can it isolate all the costs for support services.”

With respect to staff salaries, it is easy to identify the amounts for positions that are identified as dedicated to TVB positions; however, many of the District Court personnel, court administrators, and judges work in traffic violation activities but are not dedicated to those functions alone. With regard to support costs, they would include a large element of the Judiciary Information Management System (JIMS), the primary computer database for handling traffic offenses. In addition, there is the non-District Court “support staff” which plays an important role in TVB functions, such as JIMS staff, Information Technology and Communications Division staff, and fiscal officers.

Therefore, reference to the “administrative costs of the traffic violations bureau” should be removed and discussion limited to establishing a specific percentage to be transferred to the counties.

Thank you for the opportunity to comment on this measure.