

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment

of the

RULES OF THE DISTRICT COURTS OF
THE STATE OF HAWAII

ORDER APPROVING TRAFFIC AND PARKING INFRACTION FORMS
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the Notice of Traffic Infraction(s) and Notice of Parking Infraction(s) forms approved by the Deputy Chief/Administrative Judges of the District Courts of the State of Hawaii (samples of which are attached hereto),

IT IS HEREBY ORDERED, pursuant to HRS § 291D-5(b) (Supp. 2004), that the forms are approved, effective January 1, 2006, and the samples shall be appended to the Rules of the District Courts of the State of Hawaii as Appendix A.

IT IS FURTHER ORDERED that, without further order of this court, the Administrative Director of the Courts or the Administrative Director's designee, is authorized to vary

(1) the circuit numbers in the title of the court and in the citation number designation to accurately reflect the citations for each circuit;

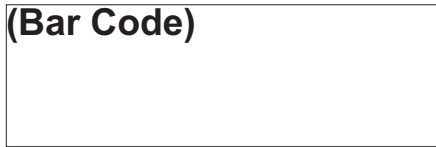
(2) the pre-printed list of common traffic offenses to fit the need of each circuit as determined in consultation with the

Deputy Chief/Administrative Judge of each circuit or the Deputy Chief/Administrative Judge's designee; and

(3) the pre-printed fees or monetary assessments in accordance with the fines and infractions schedule and relevant law.

DATED: Honolulu, Hawaii, October 21, 2005.

State of Hawai'i - Notice of Parking Infraction(s) In the District Court of the First Circuit (Bar Code)



CITATION NO.

1DTP-XX-XXXXXX

COMPLAINT: The undersigned officer, on behalf of Plaintiff State of Hawai'i, states that he/she has reasonable grounds to believe and does believe that on the date, at the time, and under the conditions indicated, the vehicle identified below was unlawfully parked in violation of the section(s) of the Hawaii Revised Statutes (HRS), the Revised Ordinances of Honolulu (ROH), and/or the Hawaii Administrative Rules (HAR) noted below.

VEHICLE INFORMATION form with fields for License Plate/VIN, State, Make, Model, Type, Color, Year, Name of Operator/Registered Owner(s), Operator License Number, State, Address of Operator/Registered Owner(s), and Companion Citation(s)/Notice(s).

DETAILS REGARDING THE INFRACTION(S) CHARGED form with fields for Date, Time, District, Beat, Location of Infraction(s), and Meter No.

ISSUING OFFICER: If citing for an Abandoned or Derelict Vehicle infraction, note the circumstances below. Otherwise, completion of DIAGRAM and COMMENTS sections are optional.

DIAGRAM - Vehicle should be represented by a symbol

COMMENTS section for providing additional details about the infraction.

PARKING INFRACTION(S) COMMITTED & MONETARY ASSESSMENT(S) PAYABLE (INCLUDING FEES)

- List of parking infractions and monetary assessments including HRS 291-57(a)(1) No Display of Disabled, ROH 10-1.2 Prohibited Activities Within Public Parks, HRS 107-11 STATE PARKING RULES, and HRS 261-12 AIRPORT PARKING RULES.

OTHER INFRACTION(S) table with columns for SECTION, DESCRIPTION, and amount.

COMPLAINING OFFICER INFORMATION form with fields for Print Rank, First Initial, Last Name, ID No., Officer's Signature, and Date of Issuance.

NOTE TO DEFENDANT: Please read the instructions on the reverse side carefully, then complete and return your Answer to this Notice (tear-away flap on the preprinted envelope), along with any payment or written statement in support of your Answer, within 21 calendar days from the date of this Notice, either by mail, in person, via the Internet, or by telephone.

TOTAL DUE box for entering the total amount due.

State of Hawai'i - Notice of Parking Infraction(s) In the District Court of the First Circuit

IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF PARKING INFRACTION(S)

This Notice of Parking Infraction(s) (Notice) charges you with committing one or more civil traffic (parking) infractions. **YOU MUST ANSWER THIS NOTICE WITHIN 21 CALENDAR DAYS FROM THE DATE OF THE NOTICE by choosing Option 1, 2, or 3, below.** If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a registration stopper, preventing you from acquiring/renewing your motor vehicle registration, or from transferring title to the motor vehicle, until all obligations are paid in full. **YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.**

OPTION 1: ADMIT & PAY – If you admit committing the parking infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A 3% convenience fee will be added for credit card payments and may be added for debit card payments. A \$15 service fee plus interest will be charged for dishonored checks and money orders.

- **By Mail** – Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. **DO NOT SEND CASH.** Imprinted checks or money orders (U.S. dollars only, payable to “DISTRICT COURT”) and credit or debit cards (MasterCard & VISA) are accepted.
- **In Person** – Pay at any district court statewide within 21 calendar days. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M. to 4:00 P.M. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 A.M. to 9:00 P.M. on Wednesdays. Counter service hours for all other district courts are 8:00 A.M. to 4:00 P.M. Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to “DISTRICT COURT”), and credit or debit cards (MasterCard & VISA) are accepted.
- **Via Internet** – Pay via the Internet at <http://www.courts.state.hi.us> (click on “Pay Fines”) within 21 calendar days. Credit or debit cards (MasterCard & VISA) are accepted.
- **By Telephone** – Call 1-800-679-5949 within 21 calendar days. Credit or debit cards (MasterCard & VISA) are accepted.

OPTION 2: DENY – If you deny committing the parking infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this notice, and any written statement, within 21 calendar days, either by mail, using the preprinted envelope, or in person at any district court.

- **Contest In Person** – If you request a hearing to contest the infraction(s) in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you

must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge’s decision after the hearing. If you disagree with the judge’s decision, you may request a trial.

- **Contest By Written Statement** – If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. You will be notified by mail of the judge’s decision. If you disagree with the judge’s decision, you may request a trial.

OPTION 3: ADMIT BUT EXPLAIN CIRCUMSTANCES

If you admit committing the parking infraction(s) but wish to explain circumstances, you may either (1) request a hearing and appear in person to explain circumstances, or (2) submit a written statement explaining the circumstances. In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days, either by mail, using the preprinted envelope, or in person at any district court.

- **Explain Circumstances In Person** – If you request a hearing to explain circumstances in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. If you fail to appear at the hearing, you must pay the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge’s decision after the hearing. **The judge’s decision is FINAL and cannot be appealed.**
- **Explain Circumstances By Written Statement** – If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. You will be notified by mail of the judge’s decision. **The judge’s decision is FINAL and cannot be appealed.**

IMPORTANT NOTE FOR JUVENILES UNDER AGE 18

Your parent or legal guardian must accompany you when appearing before the court and co-sign any payment or written statement submitted to the court.

ADDRESSES FOR THE DISTRICT COURT OF THE FIRST CIRCUIT

HONOLULU

Traffic Violations Bureau
1111 Alakea Street
Honolulu, Hawai'i 96813

WAHIAWĀ

District Court, Wahiawā Division
1034 Kilani Avenue
Wahiawā, Hawai'i 96786

KĀNE'OHE

District Court, Kāne'ohe Division
45-939 Po'okela Street
Kāne'ohe, Hawai'i 96744

WAI'ANAE (Nānākuli)

District Court, Wai'anae Division
87-1784 Farrington Highway
Wai'anae, Hawai'i 96792

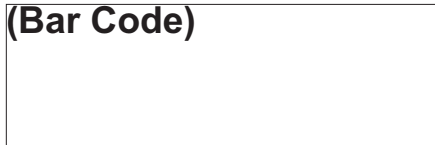
'EWA

District Court, 'Ewa Division
870 Fourth Street
Pearl City, Hawai'i 96782



If you require an accommodation for a disability, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.

State of Hawai'i - Notice of Traffic Infraction(s)
In the District Court of the First Circuit
(Bar Code)



CITATION NO.
1DTI-XX-XXXXXX

COMPLAINT: The undersigned officer, on behalf of Plaintiff State of Hawai'i, states that he/she has reasonable grounds to believe and does believe that on the date, at the time, and under the conditions indicated, the named defendant did commit the civil traffic infraction(s) noted below.

OPERATOR INFORMATION
LAST NAME
FIRST NAME MIDDLE INITIAL(S)
PARENT'S NAME (if juvenile operator)
OPERATOR LICENSE NO. STATE EXP. DATE CLASS CDL
RESTRICTIONS SSN-Last 4 digits (optional for ID purposes)
HEIGHT WEIGHT HAIR COLOR EYE COLOR SEX
DATE OF BIRTH (Month / Day / Year) U.S. CITIZEN ETHNICITY (optional)
HOME ADDRESS (Street, City, State, Zip Code)
HOME PHONE MOBILE PHONE BUSINESS PHONE
EMPLOYER / SCHOOL / BRANCH OF SERVICE
JOB TITLE / YEAR IN SCHOOL / RANK
BUSINESS ADDRESS (Street, City, State, Zip Code)

VEHICLE INFORMATION
LICENSE PLATE/VIN STATE HAZ MAT
MAKE MODEL TYPE COLOR YEAR CMV

TRAFFIC INFRACTION(S) COMMITTED & MONETARY ASSESSMENT(S) PAYABLE (INCLUDING FEES)
HRS 249-2 Delinquent Motor Vehicle Tax; (exp.) \$70
HRS 249-7 (No / Obstructed / Unclean) License Plate;(Front / Rear) \$70
HRS 249-11(a) Fraudulent Use of (Plates / Tags / Emblems) \$280
HRS 286-25 (No / Expired) Certificate of Inspection; (exp.) \$70
HRS 286-47(3) No Certificate of Registration in Vehicle \$70
HRS 286-85 No Reconstruction Permit \$70
HRS 291-11.5(a) No Child Passenger Restraint COURT
HRS 291-11.6(a)(1) No Seat Belt; (Operator / Passenger 4-14 yrs old) .. \$92
HRS 291-11.6(a)(2) No Seat Belt; Front Seat Passenger 15+ yrs old .. \$92
HRS 291-21.5(a) Tinted Glaze Glass - Owner; (specify window(s):) .. \$287
HRS 291C-15 Duty Upon Striking Unattended (Vehicle / Property) \$247
HRS 291C-32(a)(3)(A) Disregarding Red Signal \$97
HRS 291C-32(a)(3)(B) Prohibited Right Turn Against Red Signal \$97
HRS 291C-38 Disregarding () Traffic Lane Lines ... \$97
HRS 291C-49 Multi-Lane Roadway Violation \$97
HRS 291C-63(b) Disregarding Stop Sign \$97
HRS 291C-81(3) Disregarding Traffic Control Device at Intersection \$97
HRS 291C-101 Speed Restrictions Under Certain Conditions \$97
HRS 291C-102 Exceeding the Speed Limit
1-10 MPH Over Limit \$
11-30 MPH Over Limit \$
31+ MPH Over Limit COURT
HRS 291C-104 Speeding in (School Zone / Construction Area) \$297
ROH 15-19.22(b) Unauthorized Use of (Red / Green / Blue) Light \$57
SLH 2005, ACT 72, Section 1 Violation of Provisional License Requirements COURT

Table with 3 columns: SECTION, DESCRIPTION, \$

DETAILS REGARDING THE INFRACTION(S) CHARGED
DATE (Month / Day / Year) TIME DISTRICT BEAT
WEATHER CLEAR OVERCAST DRIZZLE RAIN
ROAD DRY WET CONCRETE ASPHALT DIRT
TRAFFIC LIGHT MEDIUM HEAVY
LIGHTING DAWN DAYLIGHT DUSK DARKNESS
NO. OF OCCUPANTS: ADULT MALE(S) ADULT FEMALE(S) CHILDREN
LOCATION OF STOP
VANTAGE POINT
LANE OF TRAVEL
SIGNS POSTED
ACTUAL SPEED POSTED SPEED SPEED VIOLATION MEASURED BY
I WAS CERTIFIED IN THE ABOVE DEVICE
DEVICE/SPEEDOMETER WAS ACCURATE, TESTED, & WORKING PROPERLY
COMPANION CITATION(S)/NOTICE(S)(list no.) ACCIDENT INJURY
PROPERTY DAMAGE REPORT NO.
OBSERVATIONS (optional)

COMPLAINING OFFICER INFORMATION
PRINT RANK, FIRST INITIAL, & LAST NAME ID NO.
OFFICER'S SIGNATURE DATE OF ISSUANCE

DEFENDANT'S ACKNOWLEDGMENT: By signing below, I acknowledge service of this Notice. I understand that my signature is not an admission of responsibility.

X Defendant's Signature DEFENDANT REFUSES TO SIGN

NOTE TO DEFENDANT: Please read the instructions on the reverse side carefully, then complete and return your Answer to this Notice (tear-away flap on the preprinted envelope), along with any payment or written statement in support of your Answer, within 21 calendar days from the date of this Notice, either by mail, in person, via the Internet, or by telephone. If you choose to mail an Answer, payment, or written statement, please use the preprinted envelope, seal the contents, affix postage, and be sure your mailing is postmarked within 21 calendar days from the date of this Notice. The Post Office will not deliver without proper postage. Please calculate the total amount due by adding the monetary assessments for each infraction charged and enter the total in the box at right.

TOTAL DUE

If the word "COURT" is listed next to an infraction that you are charged with committing, you are hereby directed to appear before the District Court of the First Circuit on the date and at the time and location designated below (see reverse side for address) to answer the charge(s). Failure to obey this Notice and Summons may result in a fine, imprisonment, arrest on other charges, and other penalties.

SUMMONS
COURT LOCATION (addresses on reverse side)
HONOLULU KANE'OHE EWA WAHIAWA WAI'ANAHE
DATE TIME COURTROOM

State of Hawai'i - Notice of Traffic Infraction(s) In the District Court of the First Circuit

IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF TRAFFIC INFRACTION(S)

This Notice of Traffic Infraction(s) (Notice) charges you with committing one or more civil traffic infractions. **IF THE WORD "COURT" IS LISTED NEXT TO AN INFRACTION THAT YOU ARE CHARGED WITH COMMITTING, YOU MUST APPEAR BEFORE THE DISTRICT COURT OF THE FIRST CIRCUIT ON THE DATE AND AT THE TIME AND LOCATION DESIGNATED IN THE SUMMONS ON THE FRONT OF THIS NOTICE. Failure to appear in court as summoned may result in your arrest for other offenses and/or imposition of other penalties, including fines, court costs, fees, and imprisonment.**

If you are charged with committing an infraction with a listed monetary assessment, you must answer this Notice within 21 calendar days from the date of the Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a license stopper, preventing you from acquiring/renewing your driver's license until all obligations are paid in full. **YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.**

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present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial.

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IMPORTANT NOTE FOR JUVENILES UNDER AGE 18

Your parent or legal guardian must accompany you when appearing before the court and co-sign any payment or written statement submitted to the court.

INFORMATION ABOUT YOUR PRIVACY

Disclosure of the last four digits of your Social Security Number (SSN) on this Notice is optional. The information will be used for identification purposes in administering Hawai'i's driver's license and motor vehicle laws.

ADDRESSES FOR THE DISTRICT COURT OF THE FIRST CIRCUIT

HONOLULU

Traffic Violations Bureau
1111 Alakea Street
Honolulu, Hawai'i 96813

WAHIAWĀ

District Court, Wahiawā Division
1034 Kilani Avenue
Wahiawā, Hawai'i 96786

KĀNE'OHE

District Court, Kāne'ohe Division
45-939 Po'okela Street
Kāne'ohe, Hawai'i 96744

WAI'ANAE (Nānākuli)

District Court, Wai'anae Division
87-1784 Farrington Highway
Wai'anae, Hawai'i 96792

'EWA

District Court, 'Ewa Division
870 Fourth Street
Pearl City, Hawai'i 96782



If you require an accommodation for a disability, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.