
A BILL FOR AN ACT

RELATING TO CHILD ENDANGERMENT.

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 section to be appropriately designated
3 and to read as follows:

4 "§291C- Leaving a child unsupervised in a motor
5 vehicle. (a) Notwithstanding chapter 571 or any other law to
6 the contrary, a person commits the offense of leaving a child
7 unsupervised in a motor vehicle if the person, whether or not
8 charged with the care or custody of a child, leaves a child
9 unsupervised in a motor vehicle.

10 (b) Any law enforcement officer, firefighter, or rescue
11 team personnel who observes a child left unsupervised in a motor
12 vehicle and determines that the unsupervised child is in
13 physical danger, or poses a danger to others, may use whatever
14 means are reasonably necessary to protect the child or others
15 and remove the child from the motor vehicle.

16 (c) If the person who left the unsupervised child in the
17 motor vehicle cannot be located within a reasonable time, the
18 law enforcement officer, firefighter, or rescue team personnel,



1 upon removing the child from the motor vehicle, shall attach a
2 written notification of the child's removal to the motor vehicle
3 and deliver the child to the custody of the child protective
4 services agency of the department of human services.

5 (d) Law enforcement officers, firefighters, and rescue
6 team personnel shall not be liable in any civil action to any
7 party for any act performed in good faith under this section.

8 (e) As used in this section:

9 "Child" means a person under the age of nine.

10 "Rescue team personnel" means physicians, basic life
11 support personnel, advanced life support personnel, surgeons,
12 nurses, volunteers, or employees of the owners or operators of a
13 hospital or authorized emergency vehicle who have been trained
14 in basic or advanced life support and have been charged by the
15 owners or operators of the hospital or authorized emergency
16 vehicle with providing life support and resuscitation to persons
17 who are in immediate danger of loss of life in cases of
18 emergency.

19 "Unsupervised" means leaving a child in a motor vehicle
20 without a person at least twelve years of age."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on January 1, 2096.



Report Title:

Child Endangerment

Description:

Establishes the offense of leaving a child unsupervised in a motor vehicle. Effective 1/1/2096. (HB1787 HD1)

