
A BILL FOR AN ACT

RELATING TO PROTECTION OF PUBLIC TRANSIT WORKERS.

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

1 SECTION 1. Section 707-700, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Public transit worker" means an operator of any
5 conveyance owned, leased, or under contract to the State or a
6 county for the purpose of transporting passengers, whether the
7 person is an employee of the State or a county or a contractor
8 providing passenger transportation services to the State or
9 county."

10 SECTION 2. Chapter 707, part III, Hawaii Revised Statutes,
11 is amended by adding two new sections to be appropriately
12 designated and to read as follows:

13 "§707- Assault against a public transit worker in the
14 first degree. (1) A person commits the offense of assault
15 against a public transit worker in the first degree if the
16 person:



1 (a) Intentionally or knowingly causes bodily injury to a
2 public transit worker who is engaged in the
3 performance of duty; or

4 (b) Recklessly or negligently causes, with a dangerous
5 instrument, bodily injury to a public transit worker
6 who is engaged in the performance of duty.

7 (2) Assault of a public transit worker in the first degree
8 is a class C felony. The court, at a minimum, shall sentence
9 the person who has been convicted of this offense to:

10 (a) An indeterminate term of imprisonment of five years,
11 pursuant to section 706-660; or

12 (b) Five years probation, with conditions to include a
13 term of imprisonment of not less than thirty days
14 without possibility of suspension of sentence.

15 **§707- Assault against a public transit worker in the**

16 **second degree.** (1) A person commits the offense of assault
17 against a public transit worker in the second degree if the
18 person recklessly causes bodily injury to a public transit
19 worker who is engaged in the performance of duty.

20 (2) Assault of a public transit worker in the second
21 degree is a misdemeanor. The court shall sentence the person
22 who has been convicted of this offense to a definite term of

1 imprisonment, pursuant to section 706-663, of not less than
2 thirty days without possibility of probation or suspension of
3 sentence."

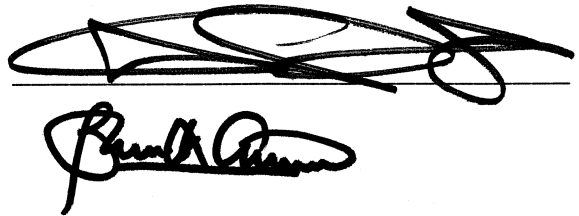
4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Paul Quinn", is written over a horizontal line. Above the signature, there are several large, overlapping scribbles in black ink.

JAN 25 2006



Report Title:

Crimes; Assault; Public Transit Worker

Description:

Establishes the class C felony and misdemeanor offenses of assault against a public transit worker in the first and second degrees, respectively.

