

Honolulu, Hawaii

April 26, 2007

RE: H.B. No. 714
H.D. 2
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 714, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to assist the Department of Land and Natural Resources (DLNR) in the enforcement of laws protecting and conserving the state's natural resources and to protect its law enforcement personnel by:

- (1) Allowing the use of blue and red lights on approved law enforcement vehicles of its Division of Conservation and Resource Enforcement Division (DOCARE); and
- (2) Amending the definition of "authorized emergency vehicles" to include DOCARE vehicles.



Under state law, DOCARE officers are provided with full police powers to enforce all state laws and county ordinances within all lands and waters of the state under the jurisdiction of DLNR. However, patrol vehicles currently used by DOCARE are not authorized to use emergency lights that would designate their vehicles as law enforcement vehicles. Your Committee on Conference finds that the use of blue and red colored lights would not only act as a deterrent to criminal activity on state lands but also provide safety for DOCARE officers as they would be easily identified as law enforcement personnel.

However, your Committee on Conference has been notified by the Department of Public Safety (DPS) that vehicles used by their officers already use blue and red lights and that as currently written, it is unclear as to whether these law enforcement vehicles would not be authorized to use blue and red lights. Accordingly, your Committee on Conference has amended this measure by:

- (1) Amending section 291-31.5, Hawaii Revised Statutes (HRS), to allow DOCARE vehicles to operate, affix, display, or possess a lamp, reflector, or illumination device that appears to be the color blue and red rather than creating an entirely new section under Chapter 291, HRS;
- (2) Clarifying that DPS law enforcement vehicles are also allowed to use blue and red lamps, reflectors, or illumination devices that are authorized by the Director of Public Safety;
- (3) Including DPS and DOCARE vehicles under the definition of "authorized emergency vehicle" in section 291C-1, HRS; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

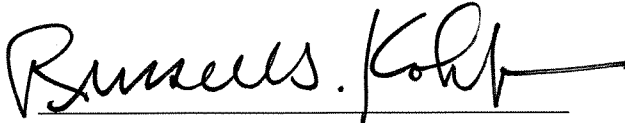
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 714, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 714, H.D. 2, S.D. 1, C.D. 1.



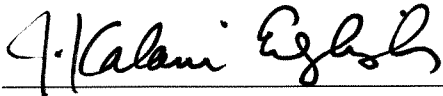
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

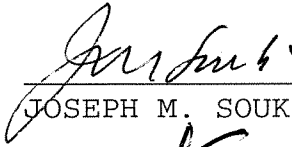
ON THE PART OF THE HOUSE



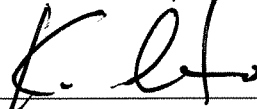
RUSSELL S. KOKUBUN, Chair



J. KALANI ENGLISH, Co-Chair



JOSEPH M. SOUKI, Co-Chair



KEN ITO, Co-Chair



TOMMY WATER, Co-Chair



