

JAN 20 2012

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# A BILL FOR AN ACT

RELATING TO SHIPPING CONTAINER INSPECTIONS.

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

1           SECTION 1. The legislature finds that the department of  
2 public safety lacks the statutory authority to inspect incoming  
3 shipping containers.

4           Currently, a private third-party entity in Hawaii provides  
5 inspection services for shipping companies, inspecting shipping  
6 containers to ensure that the cargo matches the manifest. The  
7 legislature believes that this private third-party entity could  
8 serve as a model for state authorities in formulating procedures  
9 for inspecting shipping containers.

10           The legislature further finds that the inspection of  
11 shipping containers, whether by the State or counties, is a  
12 major element in the fight against terrorism and illegal  
13 fireworks. Particularly in light of the State's geographical  
14 isolation and the numerous containers arriving by ship, it is  
15 imperative that the State broaden its inspection of incoming  
16 shipping containers.

17           The purpose of this Act is to broaden the State's  
18 inspection of shipping containers through random inspections



1 without impeding the flow or movement of containers at our  
2 ports.

3 SECTION 2. Chapter 266, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§266- Power to inspect shipping containers. (a) In  
7 addition to any other powers provided by law, the department of  
8 public safety, sheriff division, may in its discretion inspect  
9 any shipping container situated anywhere at any commercial  
10 harbor, as defined in section 266-1, or work site to detect and  
11 confiscate any material constituting a threat directly or  
12 indirectly to the security of life or property in Hawaii,  
13 including explosives, but excluding fireworks regulated under  
14 chapter 132D. Explosive-sniffing dogs may be used during the  
15 random inspections.

16 (b) The department of public safety, sheriff division, may  
17 collaborate with any federal agency, including any of the United  
18 States armed services, and state and county agencies to  
19 effectuate this section. The department of public safety shall  
20 serve as the lead state agency to coordinate the inspection of  
21 shipping containers pursuant to this section.



1        (c) This section shall supersede any labor work rules or  
2 contracts that are contrary to the intent of this section."

3        SECTION 3.    New statutory material is underscored.

4        SECTION 4.    This Act shall take effect on July 1, 2013.

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INTRODUCED BY: Will Egan



# S.B. NO. 2246

**Report Title:**

Harbors; Inspection of Shipping Containers

**Description:**

Authorizes the department of public safety, sheriff division, to randomly inspect shipping containers for dangerous materials, including explosives but excluding fireworks. Effective 7/1/2013.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

