

SB 170

RELATING TO SHIPPING CONTAINER INSPECTIONS.

Authorizes the department of transportation and department of defense to inspect shipping containers for dangerous materials, including explosives.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 170
A BILL RELATING TO SHIPPING CONTAINER INSPECTIONS

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

BY

MAJOR GENERAL DARRYLL WONG
INTERIM DIRECTOR OF CIVIL DEFENSE

February 1, 2011

Chair Espero, Chair English, and Committee Members:

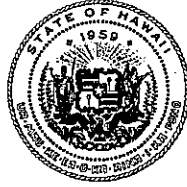
I am Major General Darryll Wong, Interim Director of Civil Defense, State Department of Defense. I am providing testimony on Senate Bill 170.

We appreciate the legislature's interest in broadening the State's inspection of shipping containers as a means to prevent or interdict the smuggling of explosives including the potential use of explosives by domestic or transnational terrorists and terrorist groups.

The Department of Defense, specifically State Civil Defense, continues to coordinate State Homeland Security activities which in the past have involved port security operations involving support for federal, state, and local law enforcement agencies. We are concerned that the proposed addition to Chapter 128 giving the Department of Defense the statutory authority to inspect shipping containers including the responsibility to coordinate the inspection of shipping containers implies the need for more staffing and funding beyond what can be obtained from U.S. Department of Homeland Security Grant Program funds.

Thank you for the opportunity to testify on Senate Bill 170. Do you have any questions?

NEIL ABERCROMBIE
GOVERNOR



GLENN M. OKIMOTO
INTERIM DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
JAN S. GOUVEIA
RANDY GRUNE
JADINE URASAKI

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 1, 2011

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SENATE BILL NO. 170

COMMITTEE ON PUBLIC SAFETY, GOVERNMENTAL OPERATIONS
AND MILITARY AFFAIRS

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Thank you for the opportunity to comment on Senate Bill No. 170, which authorizes the Department of Transportation, along with the Department of Defense, to inspect any shipping container to detect and confiscate any material constituting a threat to life and security, including explosives but excluding fireworks. While the Department of Transportation understands the reasons underlying this bill, it does not support the DOT's involvement for the following reasons.

An inspection program cannot be implemented without the support of additional resources in terms of funding, manpower and equipment. The confiscation of explosive devices, in particular, requires specialized training and expertise. Implementation of such inspections also will require coordination and long-range operational planning with our harbor users. The magnitude of effort involved is considerable with many details to be worked out with industry.

We recommend that the bill be deferred and a resolution be considered for appropriate agencies and industry to look further into the issue and determine reasonable courses of action.

TESTIMONY OF MAR LABRADOR

VICE PRESIDENT – HORIZON LINES, LLC.

ON FEBRUARY 2, 2011

BEFORE THE COMMITTEES ON PUBLIC SAFETY, GOVERNMENT OPERATIONS AND MILITARY
AFFAIRS; AND TRANSPORTATION AND INTERNATIONAL AFFAIRS

In regards to SB170 – RELATING TO SHIPPING CONTAINER INSPECTIONS

Chair Espero, Chair English and your respective committee members,

I am Mar Labrador, Vice President of Hawaii/Guam/Micronesia for Horizon Lines, LLC.,
testifying in support of SB170 with amendments.

We understand and support the intent of the bill, but would like to respectfully request that a
single State agency take the lead on container inspections, preferably the Department of
Transportation. As neither of DOT nor the Department of Defense currently have any
inspectors or inspection programs, we would like to defer authority to the department with the
most familiarity with operations of the harbors and its users.

Each enforcement agency that currently has inspection authority has specific contraband that
they are tasked to detect. The current language in this bill will cause redundant work for the
state, as it tasks two different agencies to do the exact same thing.

Thank you for consideration of my testimony.