

JAN 28 2015

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# A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT VEHICLES.

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

1 SECTION 1. Section 291-31.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) No person shall knowingly operate, affix or cause to  
4 be affixed, display, or possess any lamp, reflector, or  
5 illumination device that appears to be the color blue, or colors  
6 blue and red, upon any motor vehicle, motorcycle, motor scooter,  
7 bicycle, or moped except for:

8 (1) County law enforcement vehicles authorized and  
9 approved by the chief of police of the county in which  
10 the vehicle is operated;

11 (2) Department of public safety law enforcement vehicles  
12 with blue and red lamps, reflectors, or illumination  
13 devices authorized and approved by the director of  
14 public safety; [~~or~~]

15 (3) Department of land and natural resources division of  
16 conservation and resources enforcement vehicles with  
17 blue and red lamps, reflectors, or illumination

1 devices authorized and approved by the chairperson of  
2 the board of land and natural resources[-];

3 (4) Department of the attorney general law enforcement  
4 vehicles with blue and red lamps, reflectors, or  
5 illumination devices authorized and approved by the  
6 attorney general; or

7 (5) Department of transportation division of harbors law  
8 enforcement vehicles with blue and red lamps,  
9 reflectors, or illumination devices authorized and  
10 approved by the director of transportation.

11 This prohibition shall not apply to factory-installed instrument  
12 illumination.

13 (b) Any violation of this section shall be punished by a  
14 fine not exceeding \$1,000, or by imprisonment not exceeding one  
15 year, or both."

16 SECTION 2. Section 291C-1, Hawaii Revised Statutes, is  
17 amended by amending the definition of "authorized emergency  
18 vehicle" to read as follows:

19 ""Authorized emergency vehicle" includes fire department  
20 vehicles, police vehicles, ambulances, ocean safety vehicles,  
21 public safety law enforcement vehicles, [~~and~~] conservation and  
22 resources enforcement vehicles, attorney general law enforcement  
23 vehicles, and department of transportation division of harbors

S.B. NO. 1070

1 law enforcement vehicles authorized and approved pursuant to  
2 section 291-31.5 that are publicly owned and other publicly or  
3 privately owned vehicles designated as such by a county  
4 council."

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

8 SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

13

BY REQUEST

S.B. NO. 1070

**Report Title:**

Law Enforcement Vehicles

**Description:**

Allows the Department of the Attorney General and the Harbors Division of the Department of Transportation to have law enforcement vehicles, with lights and sirens, that are recognized authorized emergency vehicles.

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

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES.

PURPOSE: To enable the Attorney General and the Harbors Division of the Department of Transportation to have law enforcement vehicles, with lights and sirens, that are recognized authorized emergency vehicles.

MEANS: Amend sections 291-31.5(a) and 291C-1, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Under chapter 28, HRS, the Attorney General is tasked with the responsibilities to investigate and prosecute violations of law. Investigators with the Department or the Attorney General have all the powers and authority of a police officer or a deputy sheriff. Under chapter 266, HRS, the Director of Transportation and any appointed enforcement officer are conferred the powers of police officers and are tasked with enforcing the laws and regulations for harbors in the State. Despite the law enforcement responsibility and authority, both departments do not have the official and explicit authority to use law enforcement vehicles with emergency response lights. This bill will provide the departments with that capability, which has already been granted to the county police, the Department of Public Safety, and the Department of Land and Natural Resources.

Impact on the public: The public will be able to easily identify and recognize the presence and action of law enforcement vehicles of the Department of the Attorney General and the Harbors Division of the

Department of Transportation. This will improve public safety.

Impact on the department and other agencies:  
This bill will allow for more effective enforcement by the law enforcement officers of both departments. It will also facilitate their interactions with other law enforcement and government agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: None.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.