

JAN 27 2016

A BILL FOR AN ACT

RELATING TO AIRPORT SECURITY.

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

1 SECTION 1. The legislature finds that law enforcement and
2 security are critically important considerations at Hawaii's
3 airports. However, the legislature further finds that only
4 Honolulu International Airport has deputy sheriffs on duty,
5 while other state airports rely on private security companies.

6 The legislature notes that the department of transportation
7 is currently authorized to hire private security personnel to
8 provide security services at the State's airports. These
9 privately contracted individuals are considered active law
10 enforcement officers while on duty at the airport, with the same
11 powers as state and county law enforcement officers.

12 The legislature additionally finds that to ensure the
13 safety of visitors and residents of Hawaii who use Hawaii's
14 airports, airport security within the State should only be
15 provided by properly trained state law enforcement officers.

16 Accordingly, the purpose of this Act is to:



1 (1) Prohibit the department of transportation from using
2 private contracted agents and representatives to
3 provide law enforcement and armed security services at
4 the State's airports; and

5 (2) Require the sheriff division of the department of
6 public safety to provide law enforcement and armed
7 security services at all state airports.

8 SECTION 2. Section 261-17, Hawaii Revised Statutes, is
9 amended by amending subsections (a) and (b) to read as follows:

10 "(a) The director of transportation, officers, and
11 employees of the department of transportation, and every state
12 and county officer charged with the enforcement of state laws
13 and ordinances, shall enforce and assist in the enforcement of
14 this chapter and of all rules and orders issued pursuant thereto
15 and of all other laws of the State; and in that connection each
16 of the persons may inspect and examine at reasonable hours any
17 premises, and the buildings and other structures thereon, where
18 airports, air navigation facilities, or other aeronautical
19 activities are operated or conducted. In aid of the enforcement
20 of this chapter, the rules and orders issued pursuant thereto,
21 and all other laws of the State, the powers of police officers



1 are conferred upon the director, and such of the officers~~[7]~~ and
2 employees [~~agents, and representatives~~] of the department as
3 may be designated by the director to exercise such powers,
4 including the power to serve and execute warrants and arrest
5 offenders, and the power to serve notices and orders. [~~For the~~
6 ~~purposes of this subsection the term "agents and~~
7 ~~representatives" includes persons performing services at~~
8 ~~airports under contract with the department.~~]

9 (b) The sheriff division of the department of public
10 safety shall provide law enforcement and armed security services
11 at all airports within the State. No person shall be employed
12 by the department of public safety to provide [~~or be hired to~~
13 ~~provide~~] law enforcement and armed security services at airports
14 within the State without first submitting statements signed
15 under penalty of false swearing by the person indicating whether
16 the person has ever been convicted of a crime which, by law,
17 would preclude the person from carrying or using a firearm in
18 the course of the person's employment, including a felony
19 conviction in the State or elsewhere, and providing consent to
20 the department to have a criminal history record check conducted
21 by the Federal Bureau of Investigation to obtain criminal



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1 history record information. The person shall also be
2 fingerprinted for the purpose of a Federal Bureau of
3 Investigation criminal history record check. [~~The Hawaii~~
4 ~~criminal justice data center may also assess the existing~~
5 ~~providers of armed security services at airports within the~~
6 ~~State, or their employees or applicants for employment, or any~~
7 ~~applicant for employment to provide armed security services at~~
8 ~~airports within the State, a reasonable fee for each criminal~~
9 ~~history record check performed by the Federal Bureau of~~
10 ~~Investigation.] "~~

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY: *Rosslyn H. Baker*



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Report Title:

Airports; Department of Transportation; Department of Public Safety; Sheriffs Division; Law Enforcement; Armed Security Services

Description:

Prohibits the department of transportation from using private contracted agents and representatives to provide law enforcement and armed security services at the State's airports. Requires the sheriff division of the department of public safety to provide law enforcement and armed security services at all state airports.

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