



Testimony for:
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INTERIM DIRECTOR

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IN REPLY REFER TO:

LATE

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

February 13, 2018
1:15 p.m.
State Capitol, Room 229

S.B. 2429
RELATING TO GUARDS

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
and
Senate Committee on Labor

The Department of Transportation (DOT) **supports** and requests amendments to S.B. 2429 relating to guards which amends Section 463-1, Hawaii Revised Statutes to prohibit security guards from possessing a firearm in the course of employment if the guard was discharged from employment as a law enforcement officer due to poor employment standing.

The DOT is responsible for Hawaii's airports, harbors and highways. Each of our airports are regulated by the U.S. Department of Homeland Security, Transportation Security Administration (TSA) and we are required to develop and comply with an Airport Security Plan (ASP). The ASP requires law enforcement and security personnel to be assigned to secured and non-secured areas of the airport to prevent breaches and introduction of explosive devices and prohibited items into these areas.

Each of our harbor ports are also regulated by the U.S. Coast Guard (USCG) and required to develop and comply with an Facility Security Plan (FSP). Each FSP has similar security requirements to provide for law enforcement and security services to ensure our harbor ports are safe and secured.

To comply with the provisions of the ASP under 49 C.F.R. 1542 for Airports and with the provisions of the FSP under 33 C.F.R. Subchapter H and the Maritime Transportation Security Act (MTSA) of 2002 under 33 C.F.R. Part 105 for Harbors, the Director has been authorized under HRS §261-17 for Airports and HRS §266-24 for Harbors to commission qualified trained private contract security personnel with law enforcement and security powers specific to the designated facility and its premises. Their law enforcement authority, commission, firearm, and other related law enforcement equipment is restricted to the premises of the Airports and Harbors during official work hours.

Given these law enforcement duties, DOT respectfully requests that the Section 463-B (d) be amended to read as follows:

"(a) The department of public safety **and department of transportation** and any police department of the several counties, upon request from an employer seeking information relevant to section (c) (1), shall disclose whether the prospective employee was discharged from employment with the department due to poor employment standing."

DOT further respectfully requests that the Section 463-9 (b) be amended to read as follows:

"(b) The department of public safety **and department of transportation** and any police department of the several counties, for the purposes of subsection (a) (1), shall provide relevant information on request to the director of commerce and consumer affairs."

Thank you for the opportunity to provide testimony.

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SB-2429

Submitted on: 2/12/2018 10:36:09 PM

Testimony for PSM on 2/13/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments: