

**ACT 73**

S. B. 859.

A Bill for an Act Relating to Industrial Safety and Amending Chapter 96, Revised Laws of Hawaii 1955.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 96, Revised Laws of Hawaii 1955, is amended in the following respects:

- a. Section 96-9 is repealed.
- b. Section 96-31 is amended to read:

**“Section 96-31. Violations; penalty.** Any person who violates this chapter or any rule or regulation issued under the authority of this chapter, or who violates or fails to comply with any notice or order made under or by virtue of this chapter or under or by virtue of any rule or regulation of the department, or who defaces, destroys, or removes without the authority of the department any notice or warning required by this chapter or any rule or regulation of the department shall be fined not more than \$1,000 or imprisoned not more than one year, or both. Each day a violation continues shall constitute a separate offense.”

c. Section 96-32 is amended to read:

**“Section 96-32. Arrest; summons or citations.** (a) In addition to any other power and authority of the department under this chapter, the director or his authorized subordinate may arrest any person for violation of this chapter or any rule or regulation promulgated pursuant to this chapter. Upon arresting any person for the violation, the director or his authorized subordinate shall take the name and address of the person and shall issue to him a summons or citation, printed in the form hereinafter described, directing him to appear and answer to the charge against him at a certain place and at a time within seven days after the arrest.

(b) There shall be a form of summons or citation for use in citing violators of this chapter or rules or regulations promulgated thereunder which does not require the physical arrest of the violators. The summons or citation shall be printed in a form commensurate with the form of other summonses or citations used in modern methods of arrest, and shall be so designed to include all necessary information to make the same valid and legal. The form and content of the summons or citation shall be as adopted or prescribed by the district court.

In every case when a summons or citation is issued the original shall be given to the violator; provided that the district court may prescribe the issuance to the violator of a carbon copy of the summons or citation and provide for the disposition of the original and any other copies.

Every summons or citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original.

(c) If any person fails to comply with a summons or citation given on him or fails or refuses to deposit bail as required and within the time permitted, the department shall cause a complaint to be entered against the person and secure the issuance of a warrant for his arrest.”

d. The following section is added:

**“Section 96-33. Rules and regulations.** The director may prescribe rules and regulations as may be necessary for carrying out the purposes and provisions of this chapter. When approved by the governor and prescribed in accordance with chapter 6C, the rules and regulations shall have the force and effect of law.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 15, 1967.)