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IN REPLY REFER TO:

DIR 20.006

May 5, 2020

Senator Donovan Dela Cruz
Senator Jarrett Keohokalole
Senator Michelle N. Kidani
Senator Donna Mercado Kim
Senator Sharon Moriwaki
Senator Kurt Fevella

Dear Senators:

In response to your letter dated May 1, 2020, please refer to the below which include our responses in bold:

- In enforcing the 14-day quarantine, is the Department following the same procedures as the Hawaii Tourism Authority? If not, please explain in detail why these procedures are not being followed and how your procedures are different from the procedures provided to this committee by the Hawaii Tourism Authority.

Please find the Department of Transportation (DOT) Standard Operating Procedures (SOP) which we have attached to this response. The DOT is following the same procedures as the Hawaii Tourism Authority (HTA) which is also attached for your review. As we operationalized the process, we made modifications to further improve on what was provided. In addition, the DOT developed the step-by-step procedures for the Inter-Island screening process.

- Please provide us in writing the standard operating procedures used by the Department, Hawaii Tourism Authority, National Guard, HIEMA, and all County law enforcement entities to enforce the 14-day quarantine requirements.

Please find the HTA's process flow chart and procedures that were established and revised since the start of the screening program. In addition to DOT's SOPs provided in the first bullet, please find DOT'S SOP for temperature screening in which the SOP is shared with National Guard whom provides temperature screening. As for the SOP's requested for HI-EMA and ALL COUNTY LAW ENFORCMENTS, we defer to the respective agencies to provide their SOPs.

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- Please provide us with a copy of the list of short-term rentals provided to you by the City and County of Honolulu's Department of Planning and Permitting.

The list can be found at the website at <https://www.honolulu.gov/dppstr/approved-strs.html>.

<https://www.mauicounty.gov/DocumentCenter/View/14762/Approved-Short-Term-Rental-Homes-List?bidId=>

https://www.kauai.gov/Portals/0/Planning/TVR/r1_4_23_20.pdf?ver=2020-04-23-130853-243

http://www.hiplanningdept.com/wp-content/uploads/2019/11/PUBNOT_PD_NUC_2019-09.pdf

For your convenience, we have also attached the lists of short-term rentals from the neighbor island counties.

- Please provide us in writing your proposed procedures using the list of short-term rentals for verification purposes.

The procedure that we propose to implement is to verify if the address is listed on the website and/or lists provided. If so, the traveler will be turned over to the Airport Law Enforcement Officer.

- Please provide us with a daily report of how many passengers have been referred to law enforcement, and of those passengers how many of those were later released and allowed to leave the airport.

According to our records, 336 parties have been escalated for action. 252 on Oahu, 22 on Maui, 13 on Kauai and 49 on Hawaii Island. We are working on retrieving the daily reports from our AGs office as this relates to law enforcement.

To date, there have been 38 passengers who were sent back to their original destination by Visitor Aloha Society of Hawaii (VASH) and there have been dozens where the passenger just returned paid for by the airline or passengers bought another ticket to return home.

Please note that there have been several passengers that should have been sent back from the airport, but were not, as there were no return flights available. In those few instances, VASH provided overnight hotel lodging. Once state and/or local law enforcement is involved, DOT does not track the outcome of the referral(s);

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however, there have been numerous media reports on visitors that have been taken into custody for violations of the mandatory self-quarantine order.

- For each day since the national guard has been assisting with the airport screening, please provide us with the:
 - * Times that the national guard checks in and checks out; and
 - * A list with dates and times of all arriving and department flights.

The National Guard related information is summarized as follows:

Districts	Number of HIANG Staff	Work shifts	Hours and schedule
Oahu	48	3 platoons of 16 personnel; two shifts per day AM/PM	AM 4AM to 1PM; PM 1PM to 10PM, adjusted by flight time
Maui	24, with 12 each day	6 on the AM crew and 6 on the PM crew	7AM to 9PM
Hawaii	16	3 shifts: 4 from 0645 to 1100, 6 from 1100 to 1530, and 4 from 1530 to 2000	0645 to 2000
Kauai	6	Two shifts	AM 7AM to 1PM and PM 3PM to 8PM

Please find the attached in-bound flights schedules. The average daily flights are 10-12 flights daily with approximately 50 to 70 passengers, which includes flight crew.

The airline operation schedule is published in an online databased called Official Airline Guide, which is constantly being updated by the airlines. Based on the 5/4/2020 data, the daily average overseas flights in the week of 5/2/2020 to 5/8/2020 is 14. There are also 54 daily scheduled interisland flights by Hawaiian Airlines and Southwest Airlines, plus more than 60 daily scheduled interisland flights by Southern Airline Express/Mokulele using 9-seat turboprop.

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- How many contract workers did Hawaii Tourism Authority initially have to man the 14-day quarantine screenings at the airport?

According to HTA, initially, there were approximately 49 contractors assisting the DOT with the screening and scanning process throughout the State of Hawaii. Of the 49 contractors, 41 were directly involved in the screening operations and 8 were involved in the scanning and processing of the collected documents. Here is the breakdown by airport and screening area:

Daniel K. Inouye International Airport:

CONUS: 13

Inter-Island: 7

Kahului Airport:

CONUS: 7

Inter-Island: 3

Kona International Airport:

CONUS: 2

Inter-Island: 4

Hilo Airport:

CONUS: 2

Inter-Island: 3

Lihue Airport: None – handled by DOT

- How many of those contract workers has the Department replaced with state workers and from which department did these workers come from?

Currently, the manpower needed for the screening process is:

Daniel K. Inouye International Airport:

CONUS: 13

Inter-Island: 7

Kahului Airport:

CONUS/Inter-Island: 5

Kona International Airport:

CONUS/Inter-Island: 4

Hilo Airport:

Inter-Island: 3

Lihue Airport:

CONUS/Inter-Island: 4

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Of the initial 41 contract workers, it was reduced to 36. 22 DOT employees were redeployed from their normal visitor information program duties to conduct the information verification screenings at our airports.

- **When will you complete the replacement process?**

DOT's goal is to minimize contractor support at all of our Airports and to maximize the use of our State workforce as much as possible by the end of this week. There will still be a necessity to utilize a contract workforce because of inconsistent fluctuations in the arrival numbers into the State and Administrative issues.

We are vetting several issues with the HGEA that were recently brought to our attention last week. We are currently in formal consultation with them. Some of the issues stem from their members having to sign-off as a witness on the Order for Self-Quarantine, changes in their work duties and new shift assignments.

Furthermore, although this issue has not been formally raised by the FAA, the use of airport employees and contractors to provide screening services of passenger forms at the airport may be considered a federal diversion of airport revenue by the FAA.

- **Provide us with the number of flights and the associated airline that the Department expects to arrive at each airport in the State of Hawaii each day in May and June as well as the flights' points of origin, including the number of flights between islands.**

The airlines' schedule in May and June is dependent on the actions that the State will undertake. Since the existing 14-day quarantine was extended, we anticipate the schedule to stay flat through the end of May. If the quarantine is not extended, the number of incoming flights may increase significantly in June.

The Official Airline Guide (OAG), as mentioned in the hearing, is normally utilized for tracking flights and for gate utilization purposes, but not an accurate data base to use for this exercise due to COVID19 and the proclamation in place. Under current conditions and based on the rolling nature of the Governor's Emergency Orders for the mandatory 14-day quarantine for all travelers into the state, schedules are not reflected accurately in the OAG. If you review the month of April 2020 you would find an average of 10 mainland flights. The 14-day mandatory quarantine for all travelers into the state was extended to May 31, 2020. The order was issued on April 20th. If you looked at the OAG on April 20th you would have seen normal flight schedules (pre COVID-19) for flights operating in May. The fact is once the Governor extended the mandatory 14-day quarantine to May 31st the airlines began to modify the May flight schedules downward and in large measure

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mirrored what was flown in April. It should be noted that there is lag time between a flight reduction and that reduction being posted and reflected on the OAG which has caused additional confusion.

Going forward we will obtain the intended month by month flight schedules for each of the airlines until such time that the Governor's orders for travelers has been lifted.

- **Please provide the human resources that would be necessary to maintain the 14-day quarantine process for the expected flights in May and June.**

As the 14-day quarantine process is public health related and involves various agencies, we are in the midst of discussing such human resources requirements in planning meetings which include agencies such as the Department of Health and HIEMA.

Please note recent guidance from the FAA on April 4, 2020 relating to COVID-19 notated that the use of airport employees for public health screening is generally not considered a proper use of airport revenue. Furthermore, the use of airport employees and contractors to provide screening services of passenger forms at the airport may be considered a federal diversion of airport revenue by the FAA.

- **How often is the Department raising the issue of lack of law enforcement for the 14-day quarantine in the governor's cabinet meetings? When and how have you raised these issues with HIEMA and Alan Oshima?**

Instead of cabinet meetings, the more appropriate venue to discuss such needs that also relate and impact our counties is during our daily video teleconference calls which include Governor David Ige, HIEMA, General Ken Hara, and the four county mayors, managing directors, and the emergency management agency administrators, as well as law enforcement departments responsible for enforcing the 14-day quarantine and stay at home orders.

As an example, when Kauai County made its first arrest of a traveler violating the quarantine order, the AG chimed in when a representative from the City & County of Honolulu (C&C) said that they did not have the resources to enforce the order in addition to his understanding that the traveler still had not violated any law. Of course, the AG informed everyone the legality of the quarantine order. As a result, ESF 13 volunteered to follow up and have done the enforcement actions in the C&C and have pursued self-quarantine order violators.

As for sharing such concerns with Alan Oshima, we stressed to him and his Economic and Community Resiliency Task Force members at a recent meeting that

the airports are only one component of the recovery, but how we deal with our airport infrastructure will be a crucial factor in the long-term travel competitiveness of the State.

Issues such as the following are being discussed and considered:

- **When things go back to the new normal, how do we screen 30,000 passengers a day?**
- **Are we still going to be doing intrusive temperature screenings?**
- **Hawaii is known as the Aloha state. How do we make sure that we don't put at risk or damage the very asset that make Hawaii special and a great travel destination?**
- **No amount of screening at the airports will identify a contagious-but-asymptomatic person afflicted with the COVID-19. How do we handle if someone has a fever?**

At another meeting with stakeholders from attractions, hotels, and airlines, we shared the view that it is critical to look at the entire value chain in order to recover and rebuild a sustainable tourism. Dr. Mugiishi noted that restrictions on visitors are not necessarily helpful as most confirmed cases of COVID-19 in the state are local residents. Many expressed concerns about increased quarantine restrictions on visitors, including draconian measures such as ankle bracelets and setting up quarantine lodging for all incoming travelers.

- **Please provide us with an estimate of resources needed to process arriving passengers through the current 14-day quarantine for each of the remaining months of 2020.**

As previously stated, the passenger volume depends on the State's decision regarding quarantine and the airlines' route decision, which, in turn, depends on the development of coronavirus in the U.S. and worldwide. We expect relatively flat traffic when the quarantine is in place, and much higher traffic when the 14-day mandatory quarantine requirements cease.

Currently 140 workers are involved to process 1,300 visitors (700 overseas and 600 interisland), which is approximately a 9 to 1 ratio. As an example, 2,150 workers would be required to process 20,000 visitors, and even more workers will be required if visitors arrive within a peak period during the day. The labor requirement may be reduced, if and when the State obtains and uses thermal camera scanning equipment.

Also, as the number of arriving passengers increase, it is imperative for the State to look at a predictive dialer system to avoid our HDOT employees from calling and having to leave a voicemail. If a predictive dialer system is utilized, a limited

number of callers will be able to connect and communicate with more returning residents much more efficiently. Another long-term option is to outsource the calling to a private call center; this option would allow our HDOT employees to resume their normal HDOT job duties on a full-time basis, as opposed to the status quo when a few hours are devoted to making calls to the returning residents to monitor their compliance with the 14-day quarantine.

- Please provide us with any proposals to amend current or create new statutory powers to deal with this pandemic.

SHORT-TERM

Require all arriving passengers to complete both sides of the State of Hawaii, Department of Agriculture, Plants and Animals Declaration Form.

Require all arriving passengers be required to utilize the current Safe Travels web-based application (APP). DBEDT and the HTA have been working diligently to improve the application and further enhance its usefulness in the overall process.

If used effectively the program could serve as a pre-arrival clearance and healthy journey/contact tracing tool. Making manual calls and checking databases as travelers disembark airplanes is inefficient and not scalable.

The APP must be mandatory. The airline passenger is notified by their airline of the ability/need to pre-clear arrival using the app. This can be done via the 24-hour pre trip notification that many airlines already provide.

HTA can download the reports from the system for each flight and validate the information, including place of lodging and contact information PRIOR to each flights arrival. If clear the passenger is expedited through the arrival process. They would be given the Order for Self- Quarantine legal notice form to fill out onboard the aircraft before arrival and notified to read and complete the form and to wait to sign it in front of an official upon disembarking the aircraft. Their temperature is checked, and they are on their way. By opting into the app, they agree to check in daily that they are complying with the quarantine and providing a status of their general health.

If they don't utilize the app, they are subject to the current cumbersome process.

MID TO LONG-TERM

The following approach (very rough draft) is subject to review by the Attorney General:

- A traveler will use the app to register the trip, obtain a verification code separately from the place of quarantine in Hawaii accommodating the traveler (hotel for non-resident, or a Hawaii resident for the returning resident), and input the verification code in the APP.
 - The State will crosscheck the codes in the app to the codes provided separately by the place of quarantine to the State, and approve the travel in the APP.
 - The airlines, partnering with the State of Hawaii, will not issue a boarding pass unless the APP is completed and approved by the State.
 - This must be completed 72 hours prior to travel. If the travel needs to be expedited, an expedition fee shall be charged.
- **Detailed Process for overseas travelers**
 1. A traveler purchases a ticket from the airlines
 2. The airline sends the confirmation and notifies the passenger about the app and the pre-clearance process is mandated.
 3. The traveler downloads the APP, inputs the needed information, and obtains a registration code.
 4. The traveler provides the registration code to the place of quarantine, and receives a verification code
 - Hotels or long-term B&B will provide verification for non-resident, certifying that the non-resident has a reservation
 - The Hawaii resident must obtain a verification code from registering with the STATE and provides the verification code for the resident traveler, certifying that he/she is responsible for the return resident's self-quarantine orders
 - Breach of self-quarantine must be a minimum \$5,000 fine to the traveler as well as the place of quarantine providing the verification code
 5. The place of quarantine provides the registration code and the verification code to the State.
 6. The traveler input the verification code in the APP.
 7. The State, through a verification center, crosschecks the codes from the traveler and the place of quarantine, and approves the travel in apps.
 8. The airline receives a notification or a set of data from the State, listing approved travelers for each flight.

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9. The airline marks their system that a boarding pass can now be issued to the traveler.
 10. The State may still conduct temperature check using thermometer or thermal scanning upon traveler arrival
 - A non-resident boards an approved private bus/van and the traveler must bear the fee. Bus provider will ensure the traveler checks into hotel. The hotel front desk must read self-quarantine order to the traveler, and issues a key that is only good for one entrance
 - Pax must call front desk with room phone to prove the traveler is in room
 - A resident may need to sign a form in the APP agreeing that their cellphone will be tracked and can leave the airport in private vehicles.
- Same process for interisland travel, unless you are an exempt traveler.
 - As HIEMA is planning on reducing its efforts in the state's response to the pandemic, the Department and Hawaii Tourism Authority must come up with a plan to replace the functions currently performed by HIEMA. Please provide us with a copy of this proposed plan.

We believe that the HTA's initial involvement and continued support of the overall efforts at the airports was very beneficial. They served as a valuable resource in helping the process get to where it is today, and we would like to see the HTA be one of the lead agencies in the preparation of a replacement plan. We also note that the FAA considers using airport employees for public health screening is generally not considered proper use of airport revenue.

With that being said, we are aware that HI-EMA is currently gathering information on the various pieces that makeup the entire overall process. We understand that this generally includes:

- Airport medical screening;
- Passenger form screening/verification;
- Scanning/data processing;
- Call center/contact efforts; and,
- Law enforcement

Numerous departments, agencies, and levels of government are involved; HI-EMA is the lead to develop a unified plan. Under the Governor's Emergency

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Proclamations, the Director of HIEMA has the authority to coordinate plans and processes across the state. HIEMA is the glue that holds all of these COVID-19 efforts together.

Thank you for the opportunity to hear our perspective.

Sincerely,

A handwritten signature in black ink, appearing to read "Jade T. Butay", written in a cursive style.

JADE T. BUTAY

Director of Transportation