



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-EIGHTH LEGISLATURE, 2016

ON THE FOLLOWING MEASURE:

H.B. NO. 901, S.D. 1, RELATING TO LAW ENFORCEMENT VEHICLES.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Monday, March 28, 2016

TIME: 9:10 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General (the Department) supports this bill with amendments.

The purpose of this bill is to enable the Harbors Division of the Department of Transportation to have law enforcement vehicles that are recognized authorized emergency vehicles under the law, with lights and sirens, by amending sections 291-31.5(a) and 291C-1, Hawaii Revised Statutes (HRS). The original version of the bill also included law enforcement vehicles of the Department of the Attorney General.

The Department respectfully requests that the Committee amend the bill to re-insert the law enforcement vehicles of the Department of the Attorney General in both sections 1 and 2 of this bill, as reflected in House Bill No. 901, prior to the S.D. 1 amendments that deleted them from the measure.

Under chapter 28, HRS, the Attorney General is tasked with investigating and prosecuting 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 that law enforcement responsibility and authority, neither department has 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.

The Department needs authorized emergency vehicles to engage in law enforcement efforts and operations related to criminal investigations, disaster response, critical or major events, and joint law enforcement operations with state, federal, and/or county agencies.

The Department respectfully requests the passage of this bill with the specified amendments.