

A Bill for an Act Relating to Airports.

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

SECTION 1. Chapter 261, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read:

“Section 261- . Arrest or citation. Except when required by State law to take immediately before a magistrate a person arrested for a violation of any provision of this chapter, including any rule or regulation adopted and promulgated pursuant to this chapter, any person authorized to enforce the provisions of this chapter, hereinafter referred to as enforcement officer, upon arresting a person for violation of any provision of this chapter, including any rule or regulation adopted and promulgated pursuant to this chapter shall, in the discretion of the enforcement officer, either (1) issue to the purported violator a sum-

mons or citation, printed in the form hereinafter described, warning him to appear and answer to the charge against him at a certain place and at a time within seven (7) days after such arrest, or (2) take him without unnecessary delay before a magistrate.

“Said summons or citation shall be printed in a form comparable to the form of other summonses and citations used for arresting offenders and shall be designed to provide for inclusion of all necessary information. The form and content of such summons or citation shall be adopted or prescribed by the district courts.

“The original of a summons or citation shall be given to the purported violator and the other copy or copies distributed in the manner prescribed by the district courts; provided that, the district courts may prescribe alternative methods of distribution for the original and any other copies.

“Summonses and citations shall be consecutively numbered and the carbon copy or copies of each shall bear the same number.

“Any person who fails to appear at the place and within the time specified in the summons or citation issued to him by the enforcement officer, upon his arrest for violation of any provision of this chapter, including any rule or regulation promulgated pursuant to this chapter, shall be guilty of a misdemeanor and, on conviction, shall be fined not more than \$1,000, or be imprisoned not more than six months, or both.

“In the event any person fails to comply with a summons or citation issued to such person, or if any person fails or refuses to deposit bail as required, the enforcement officer shall cause a complaint to be entered against such person and secure the issuance of a warrant for his arrest.”

SECTION 2. Severability. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes may exclude the brackets, the bracketed material, or the underscoring.*

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

(Approved June 23, 1970.)

* Edited accordingly