

ACT 104

H.B. NO. 1190

A Bill for an Act Relating to Traffic Accident Investigation.

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

SECTION 1. The legislature finds that traffic accident management is of utmost public importance, especially when a fatality occurs. Although the evidence collected at traffic accident scenes may be crucial to determining the cause of the accident, these accident investigations proceed at a slower rate in Hawaii than in comparable metropolitan areas in the United States. The average length of time for lane closures in Hawaii ranges from two to four hours for major traffic accidents to over eight hours when a fatality occurs.

The legislature also finds that these prolonged closures of traffic lanes adversely affect the public and our economy because students cannot reach school and school activities or return home afterwards; employees cannot reach their place of work or attend meetings at remote locations; and businesses cannot receive or deliver products necessary to conduct business.

The purpose of this Act is to expedite the investigation of major, especially fatal, traffic accidents.

SECTION 2. (a) The police department of each county shall:

- (1) Identify the roadways, or class of roadways, that are most critical to the free movement of persons and commerce; and
- (2) Establish protocols necessary to coordinate major traffic accident investigations by law enforcement and other authorities having jurisdiction over the location of a major traffic accident, including immediately notifying the medical examiner in the case of fatal traffic accidents so that the medical examiner or coroner can conduct the appropriate accident scene investigation simultaneously with law enforcement, to the extent practical.

(b) Nothing in this Act shall be construed to restrict a police department's authority to enforce any of the powers otherwise granted to it by law.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 13, 2010.)