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David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

August 15, 2024

Mr. John Pelletier, Chief of Police  
Department of Police  
County of Maui  
Wailuku, Hawaii 96793

Dear Chief Pelletier:

**SUBJECT: BILL 65 (2023), AMENDING THE TRAFFIC CODE BY  
EXPANDING THE VOLUNTEER PARKING  
ENFORCEMENT PROGRAM (WASSP-6)**

The Water Authority, Social Services, and Parks Committee met on March 4, 2024, to discuss Bill 65 (2023), entitled "A BILL FOR AN ORDINANCE TO AMEND THE TRAFFIC CODE BY EXPANDING THE VOLUNTEER PARKING ENFORCEMENT PROGRAM."

During the meeting, the Committee discussed Senate Bill 2832, Session Laws of Hawaii 2024. SB2832 sought to expand the Chief of Police's discretion by allowing designated individuals to issue infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on highways and County property. The Committee agreed to defer Bill 65 until the State legislative session concluded and the outcome of SB2832 was known.

On June 21, 2024, Governor Green signed the companion bill, House Bill 2295 HD1 SD1, into law as Act 65. Please find a copy of Act 65 attached.

In preparation for the Committee's discussion of Bill 65 at an upcoming meeting, may I please request you review the attached proposed CD1 version of Bill 65. The proposed CD1 version contains revisions that were discussed during the March 4, 2024, Committee meeting. Please also provide comments or suggested revisions in writing, if any.

Chief John Pelletier  
August 15, 2024  
Page 2

May I further request your response to the following:

1. Does the Department need to inform the State of Hawai'i Organization of Police Officers Union about this program? If so, please explain and state potential concerns.
2. Has the Department spoken to the Honolulu Police Department about their Volunteer Special Enforcement Officer Program? If so, please provide a summary of their program.
3. Does the Department expect more funding will be needed in the Fiscal Year 2025 budget to implement or manage this program? Would additional funding be required if the Department offered mileage reimbursements for volunteers?
4. If this program is implemented, would the Department conduct background checks on applicants? Please provide some preliminary criteria the Department would use to choose program volunteers.

May I further request you transmit your response to [wassp.committee@mauicounty.us](mailto:wassp.committee@mauicounty.us) by **September 6, 2024**. To ensure efficient processing, please include the Committee item number in the subject line.

Should you have any questions, please contact me or the Committee staff (Clarissa MacDonald at ext. 7135, or Criselda Paranada at ext. 7668).

Sincerely,



SHANE M. SINENCI, Chair  
Water Authority, Social Services, and  
Parks Committee

wassp:ltr:006apd01:clm

Attachments

cc: Mayor Richard T. Bissen, Jr.  
Deputy Chief of Police

ORDINANCE NO. \_\_\_\_\_

BILL NO. 65, CD1 (2023)

A BILL FOR AN ORDINANCE TO AMEND THE TRAFFIC CODE BY EXPANDING  
THE VOLUNTEER PARKING ENFORCEMENT PROGRAM

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. This Ordinance's purpose is to enhance the County's ability to enforce parking laws in accordance with Act 65, Session Laws of Hawaii 2024, by expanding the Volunteer Disabled Parking Enforcement Pilot Program to allow the Chief of Police to designate volunteers to enforce all parking laws.

SECTION 2. Section 10.48.106, Maui County Code, is amended to read as follows:

**"10.48.106 - Volunteer [disabled] parking enforcement pilot program.** A. Definitions. For the purposes of this section:

[1.] "Department" means the department of police [; and].

[2.] "Volunteer" means a person who is willing to provide services on behalf of the County without any compensation.

B. Volunteer [disabled] parking enforcement pilot program.

1. There is established within the department, and under the supervision of the chief of police or the chief's designee, a program to utilize volunteers to assist the department in enforcing [the] County and State [disabled] parking laws.

2. The chief of police [is authorized to] may appoint part-time volunteers from a community plan area as special [disabled] parking officers to issue citations on public and private property to persons violating County or State [disabled] parking laws[.] in the community plan area. Any special [disabled] parking officer is authorized to issue citations if [such] the officer witnesses a violation of County or

State [disabled] parking laws or has probable cause to believe that a person has violated [such] parking laws.

3. The chief of police or the chief's designee [shall:] may:

a. Establish minimum qualifications for persons wishing to volunteer their services to become special [disabled] parking officers and application procedures for volunteers[;].

b. Provide a required training program for volunteers that [shall include, but not be limited to:] includes:

i. Knowledge of County and State [disabled] parking laws[;] the chief of police determines volunteers may enforce.

ii. Identifying violators and issuing citations[;].

iii. Use of communication and other necessary equipment[;].

iv. Procedures to follow in the event of confrontations with suspected violators[;].

v. Providing testimony in court to enforce citations[; and].

c. Appoint volunteers who have successfully completed the training program and who are qualified, as determined by the chief of police, to become special [disabled] parking officers.

4. Each special [disabled] parking officer [shall] must agree to:

a. Work a minimum number of hours per week, as determined by the chief of police or the chief's designee[;].

b. Serve at locations designated by the chief of police or the chief's designee[;].

c. Serve without any compensation, but [shall] be entitled to reimbursement for necessary expenses while in the discharge of [his or her] their duties and responsibilities, as allowed by the rules to implement this program.

5. The chief of police may refuse to appoint any volunteer whose qualifications are found to be unacceptable to the chief and may revoke the appointment of any volunteer whose performance is found to be unacceptable to the chief.

6. The chief of police [shall] must adopt rules to implement this program."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Ordinance takes effect on approval.

wassp:misc:006abill01:clm

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Shane M. Sinenci". The signature is written in a cursive style with a large initial 'S' and a stylized 'M'.

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SHANE M. SINENCI



**GOV. MSG. NO. 1166**

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

June 21, 2024

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 21, 2024, the following bill was signed into law:

HB2295 HD1 SD1

RELATING TO THE TRAFFIC CODE.  
**ACT 065**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

HOUSE OF REPRESENTATIVES  
THIRTY-SECOND LEGISLATURE, 2024  
STATE OF HAWAII

**H.B. NO.** 2295  
H.D. 1  
S.D. 1

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## A BILL FOR AN ACT

RELATING TO THE TRAFFIC CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 291C-111, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3       "(a) With respect to highways and property under their  
4 respective jurisdictions, the director of transportation [~~is~~]  
5 shall be authorized to and the counties by ordinance may  
6 prohibit or restrict the stopping, standing, or parking of  
7 vehicles where the stopping, standing, or parking is dangerous  
8 to those using the highway or where the stopping, standing, or  
9 parking of vehicles would unduly interfere [~~unduly~~] with the  
10 free movement of traffic; provided that the violation of any law  
11 or any ordinance, regardless of whether established under this  
12 or any other section, prohibiting or restricting the stopping,  
13 standing, or parking of vehicles shall constitute a traffic  
14 infraction. The counties may issue traffic infractions for  
15 violations of any law prohibiting or restricting the stopping,  
16 standing, or parking of vehicles on all highways and county  
17 property. The counties shall not provide any other penalty,





1 civil or criminal, or any other charge, in the form of rental or  
2 otherwise, in place of or in addition to the fine to be imposed  
3 by the district court for any violation of any ordinance  
4 prohibiting or restricting the stopping, standing, or parking of  
5 vehicles.

6 This section shall not be construed as prohibiting the  
7 authority of the director of transportation or the counties to  
8 allow the stopping, standing, or parking of motor vehicles at a  
9 "T-shaped" intersection on highways under their respective  
10 jurisdictions; provided that ~~[such]~~ the stopping, standing, or  
11 parking of motor vehicles is not dangerous to those using the  
12 highway or where the stopping, standing, or parking of motor  
13 vehicles would not unduly interfere with the free movement of  
14 traffic.

15 The appropriate police department or their designee, and  
16 county or prosecuting attorney of the various counties shall  
17 enforce any law or ordinance prohibiting or restricting the  
18 stopping, standing, or parking of vehicles, including but not  
19 limited to the issuance of parking tickets. Any person  
20 committing a violation of any law or ordinance, regardless of  
21 whether established under this or any other section, prohibiting



1 or restricting the stopping, standing, or parking of vehicles  
2 shall be subject to a fine to be enforced and collected by the  
3 district courts of this State and to be deposited into the state  
4 general fund for state use."

5 SECTION 2. Section 291C-165, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) There shall be provided for use by authorized police  
8 officers, or [~~county employees designated by~~] designees of the  
9 county chiefs of police, a form of summons or citation for use  
10 in citing violators of those traffic laws that do not mandate  
11 the physical arrest of violators. The form and content of the  
12 summons or citation shall be as adopted or prescribed by the  
13 administrative judge of the district courts and shall be printed  
14 on a form commensurate with the form of other summonses or  
15 citations used in modern methods of arrest, so designed to  
16 include all necessary information to make the same valid within  
17 the laws and regulations of the State."

18 SECTION 3. Section 291C-167, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§291C-167 Summons or citation on illegally parked**  
21 **vehicle.** Whenever any motor vehicle without a driver is found



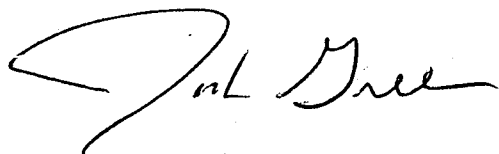
1 parked or stopped in violation of any of the restrictions  
2 contained in the state traffic laws, the officer or [~~designated~~  
3 ~~county employee~~] designee finding the vehicle shall take its  
4 registration number and may take any other information displayed  
5 on the vehicle that may identify its registered owner and  
6 [~~conspicuously~~] shall conspicuously affix to the vehicle a  
7 citation, as described in section 291C-165, for the registered  
8 owner of record to answer as provided in chapter 291D."

9 SECTION 4. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 21st day of June , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 2295, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 18, 2024  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki  
Speaker  
House of Representatives

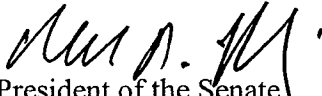



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 9, 2024  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate  
of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.

  
President of the Senate

  
Clerk of the Senate

## WASSP Committee

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**From:** WASSP Committee  
**Sent:** Thursday, August 15, 2024 3:08 PM  
**To:** John Pelletier  
**Cc:** Wade Maeda; Angela Andrade; 'Michelle Santos'; 'Zeke Kalua'; WASSP Committee  
**Subject:** Bill 65 (2023), Amending the Traffic Code by Expanding the Volunteer Parking Enforcement Program (WASSP-6)  
**Attachments:** 006apd01.pdf

**Chief Pelletier:** Please refer to the attached letter from WASSP Committee Chair Sinenci, dated 08/15/2024. **Please respond by September 6, 2024.**

**Mayor's Office:** Please forward the attached letter to Mayor Bissen.

Mahalo,  
Committee Staff