

ORDINANCE NO. _____

BILL NO. 65 (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 by expanding the Volunteer Disabled Parking Enforcement Pilot Program to allow 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] must appoint part-time volunteers from each 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. 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] must:

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] must include[, but not be limited to]:

i. Knowledge of County and State [disabled] parking laws[;].

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 upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Shane M. Sinenci", written over a horizontal line.

SHANE M. SINENCI