

- (b) All devices, signs, signals and markings required for the purpose of traffic control shall be uniform as to type and location throughout the County.
 - (c) County consent to the placement of traffic-control signs or markings on a private street shall not be deemed to constitute ownership or control over that street.
- (1983 CC, c 24, art 2, sec 24-9; am 1988, ord 88-1, sec 2; am 1995, ord 95-112, sec 2; am 1998, ord 98-97, sec 3; am 2001, ord 01-108, sec 1.)

Section 24-10. Authority of chief of police to establish emergency and experimental regulations.

- (a) The chief of police is empowered to make regulations necessary to make effective the provisions of this chapter, and to make and enforce temporary or experimental regulations to cover emergencies or special conditions, and to post signs pertaining thereto. No such temporary or experimental regulation shall remain in effect for more than ninety days.
 - (b) The department of police and the department of public works of the County may test traffic-control devices under actual conditions of traffic.
- (1983 CC, c 24, art 2, sec 24-10.)

Section 24-11. Temporary changes to effectuate amendments.

The director of public works of the County is hereby empowered to make changes in parking and other traffic controls for a period of ninety days as a temporary measure to effectuate the provisions of an amendment to this chapter. The director of public works may have a single ninety-day extension of this period, if a bill to enact the so effectuated amendment of this chapter remains pending before the County council at the end of the initial ninety-day period. Any additional extensions of time shall require council approval.

(1983 CC, c 24, art 2, sec 24-11; am 2001, ord 01-108, sec 1; am 2007, ord 07-57, sec 2.)

Section 24-12. Duty of police to enforce traffic laws.

- (a) It shall be the duty of the officers of the police department and such officers as are assigned by the chief of police to enforce all street traffic laws of this County and all of the State vehicle laws applicable to street traffic in this County.
- (b) Any police officer citing or arresting any driver for the following traffic violations may have the motor vehicle towed to a private tow yard at the registered owner's expense pursuant to Hawai'i Revised Statutes ("HRS") 291C-165.5(a):
 - (1) Driving without a license pursuant to HRS 286-102;
 - (2) Driving while license is suspended or revoked pursuant to HRS 286-132;
 - (3) Operating a vehicle under the influence of an intoxicant pursuant to HRS 291E-61;
 - (4) Habitually operating a vehicle under the influence of an intoxicant pursuant to HRS 291E-61.5;

- (5) Operating a vehicle after license and privilege has been suspended or revoked for operating a vehicle under the influence of an intoxicant pursuant to HRS 291E-62;
- (6) Operating a vehicle after consuming a measurable amount of alcohol; persons under the age of twenty-one pursuant to HRS 291E-64; or
- (7) Fraudulent use plates, tags, or emblems pursuant to HRS 249-11.
- (c) Pursuant to HRS section 291C-165.5(b), tow companies shall give notice to the registered owners and lien holders for vehicles towed under this section.
- (d) Pursuant to HRS section 291C-165.5(b), any motor vehicle not recovered within thirty days of the notice being mailed for any violation of section (b) above, shall be deemed abandoned and may be sold or disposed of as junk.
- (e) Community caretaking considerations: Vehicles are not to be towed and/or impounded under the authority of this section under any of the following circumstances:
 - (1) The vehicle is parked on private property on which the registered owner or operator is legally residing, or the property owner does not object to the vehicle being left in the parked location;
 - (2) The registered owner and/or a passenger present in the vehicle at the time of the stop has a valid driver's license and are willing and legally able to drive the vehicle at the time after the stop; or
 - (3) The vehicle is legally parked at a time and place where the likelihood of it being subject to theft and/or vandalism is remote and traffic or public safety is not impeded.
- (f) The police department is not responsible to protect any vehicle left on any road or property after the driver has been arrested for a violation as provided in subsection (b).

(1983 CC, c 24, art 2, sec 24-12; am 2011, ord 11-102, sec 2.)

Section 24-13. Police to direct traffic; firemen at fire.

- (a) Officers of the police department, and officers as are assigned by the chief of police, are authorized to direct all traffic by voice, hand, or signal in conformance with the traffic laws.
- (b) In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- (c) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(1983 CC, c 24, art 2, sec 24-13.)