

DEPARTMENT OF TRANSPORTATION

Repeal of The Rules and Regulations Governing
Police Traffic Services Procedures
and Adoption of Chapter 19-125,
Hawaii Administrative Rules
June 4, 1986

SUMMARY

1. The Rules and Regulations Governing Police Traffic Services Procedures are repealed.
2. Chapter 19-125, Hawaii Administrative Rules, entitled "Police Traffic Services Procedures", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 19
DEPARTMENT OF TRANSPORTATION

SUBTITLE 5
MOTOR VEHICLE SAFETY OFFICE

CHAPTER 125
POLICE TRAFFIC SERVICES PROCEDURES

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\$19-125-2	Definitions
\$19-125-3	Training of new officers
\$19-125-4	Training of supervisory personnel
\$19-125-5	Refresher training
\$19-125-6	Assignment of trained officers
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\$19-125-8	Accident investigation
\$19-125-9	Severability
\$19-125-10	Repeal

Historical note. This chapter is based substantially upon the Rules and Regulations Governing Police Traffic Services Procedures. [Eff 7/20/70; R AUG 18 1986]

\$19-125-1 Purpose. An organized police traffic services program can reduce the number of traffic accidents and minimize the adverse consequences of accidents which do occur. Each county police department in the State shall therefore develop a program to insure efficient and effective police traffic services, utilizing traffic controls, to enforce traffic laws, to prevent accidents, to aid those injured in highway crashes, to document the facts surrounding highway crashes, to supervise accident cleanup, and to restore safe and orderly traffic movement pursuant to this chapter. [Eff AUG 18 1986] (Auth: HRS §§286-3, 286-8) (Imp: HRS §§286-3, 286-8)

\$19-125-2 Definitions. As used in this chapter: "Police traffic services program" means a program of police activities in traffic safety which includes, but are not limited to, enforcement of traffic laws, minimizing traffic accidents, aiding the injured, documenting particulars to individual accidents,

supervising accident cleanup, and restoring safe and orderly traffic movement.

"Police officer assigned to traffic duties" means a police officer whose primary duties or assignments are traffic related. [Eff AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)

§19-125-3 Training of new officers. Each county police department shall establish procedures and conduct police traffic services training for all new police officers. Each new police officer shall be required to take a minimum of fifty instructional hours in the following subjects:

- (1) Highway transportation system;
- (2) State and county motor vehicle laws and ordinances;
- (3) Relationship of violations and accidents;
- (4) Patrol procedures;
- (5) Traffic law enforcement techniques;
- (6) Arrest procedures;
- (7) Laws of evidence;
- (8) Traffic direction and control techniques;
- (9) Report writing;
- (10) Accident investigation;
- (11) Police-court relations;
- (12) Police driver training; and
- (13) First aid. [Eff AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)

§19-125-4 Training of supervisory personnel. Each county police department shall establish procedures and conduct advanced traffic supervision training for all supervisory personnel assigned or to be assigned traffic duties. Depending on their specific assignment, appropriate supervisors shall be required to take courses in:

- (1) Crash reconstruction techniques;
- (2) Basic traffic engineering for police, including:
 - (A) Highway design
 - (B) Traffic control devices
- (3) Additional first aid;
- (4) Accident record keeping and analysis;
- (5) Special equipment training, e.g., chemical test equipment, speed measuring devices, etc.;
- (6) Detailed study of the traffic laws;
- (7) Speed estimation from physical evidence;
- (8) Hit-and-run investigation;
- (9) Accident prevention;

- (10) Safety education;
- (11) Municipal traffic ordinances;
- (12) Special events traffic planning and control;
- (13) Assistance to motorists; and
- (14) Relationship of human factors to highway safety. [Eff AUG 18 1986] (Auth: HRS \$286-8) (Imp: HRS \$286-8)

\$19-125-5 Refresher training. Each county police department shall establish procedures and conduct periodic recall or refresher training for all personnel assigned to traffic duties. The training shall relate to:

- (1) Emergency first aid;
- (2) New laws and changes in existing laws;
- (3) Implications of current court decisions;
- (4) New equipment utilization;
- (5) New policies and procedures;
- (6) Recent traffic related research;
- (7) New or improved police traffic techniques; and
- (8) Police-traffic court relationships. [Eff AUG 18 1986] (Auth: HRS \$286-8) (Imp: HRS \$286-8)

\$19-125-6 Assignment of trained officers. Each county police department shall establish procedures for the selective assignment of trained police personnel to supervise vehicular and pedestrian traffic duties, including enforcement patrols in hazardous or congested areas based on the time and location of:

- (1) Traffic volume;
- (2) Accident experience;
- (3) Traffic violation frequency; and
- (4) Emergency and service needs. [Eff AUG 18 1986] (Auth: HRS \$286-8) (Imp: HRS \$286-8)

\$19-125-7 Recognition and reporting of hazards. Each county police department shall establish procedures for recognizing and reporting to the appropriate agencies, the director of transportation when state highways are involved and the counties with respect to highways under their respective jurisdictions, any hazardous highway defects and conditions, including:

- (1) Condition of drivers;

- (2) Operational condition of motor vehicles; and
- (3) Defective signs, signal controls, construction, and maintenance deficiencies.
[Eff AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)

§19-125-8 Accident investigation. (a) Each county police department shall establish procedures for the investigating, recording, and reporting of traffic accidents. The procedures shall require the investigation, recording, and reporting of:

- (1) All of the human, vehicular, and highway causative factors of individual accidents, injuries, and deaths, including the failure to use safety belts;
 - (2) All accidents identified as reportable under section 291C-16, Hawaii Revised Statutes. Information gathered shall be consistent with the police mission of detecting and apprehending law violators and shall include, but not be limited to the following:
 - (A) Violation, if any occurred, cited by section, subsection, or title of the state or county code, that:
 - (i) Contributed to the accident where the investigating officer has reason to believe that violations were committed regardless of whether the officer has sufficient evidence to prove the violation; and
 - (ii) For which the driver was arrested or cited.
 - (B) Information necessary to prove each of the elements of the offense for which the driver was arrested or cited.
 - (3) The efficiency of post-accident response.
- (b) All accident reports submitted to the Department of Transportation by the county police departments in accordance with section 19-126-4, shall be for confidential use by the department and other state or federal agencies involved in accident prevention programs. No report shall be used for evidence in any trial, civil or criminal, to recover damages for parties involved in an accident. [Eff AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)

DEPARTMENT OF TRANSPORTATION

The Rules and Regulations Governing Police Traffic
Services Procedures, REPEALED

[AUG 18 1986]


§19-125-9 Severability. If any section or part of this chapter is held invalid for any reason, the invalidity shall not affect the validity of the remaining sections or parts of this chapter. [Eff AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)

§19-125-10 Repeal. All rules relating to or governing police traffic services procedures in effect prior to the effective date of this chapter are repealed. [EFF AUG 18 1986] (Auth: HRS §286-8) (Imp: HRS §286-8)


DEPARTMENT OF TRANSPORTATION

Chapter 19-125, Hawaii Administrative Rules, on the Summary Page dated June 4, 1986, was adopted on June 4, 1986, following a public hearing held on May 20, 1986 after public notice was given in the Honolulu Advertiser on April 24, 1986 and in the Hawaii Tribune-Herald, Maui News, and Garden Island News on April 25, 1986.


These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.


WAYNE J. YAMASAKI
Director of Transportation

APPROVED AS TO FORM:


Deputy Attorney General

APPROVED:


GEORGE R. ARIYOSHI
Governor
State of Hawaii

Date: 8-6-86

Filed

REC'D. BY

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L. GOVERNOR'S OFFICE