

JAN 19 2007

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# A BILL FOR AN ACT

RELATING TO CIVIL DEFENSE.

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

1           SECTION 1. The massive 6.7 earthquake off the coast of the  
2 Big Island on October 15, 2006, caused several generators on  
3 Oahu to shut down because of the shaking, setting off a chain of  
4 events that led to an extended power outage for the whole  
5 island. Most television and radio stations lost power, causing  
6 an inability to transmit vital civil defense messages and other  
7 public information. The legislature finds that the lack of  
8 information caused a heightened public fear of the unknown.

9           The purpose of this Act is to require radio and television  
10 stations to be equipped with emergency back up power in times of  
11 power outages.

12           SECTION 2. Section 128-2, Hawaii Revised Statutes, is  
13 amended by adding a new definition to be appropriately inserted  
14 and to read as follows:

15           "Power outage" means a failure in the supply of  
16 electricity, including but not limited to a blackout, causing a  
17 temporary cessation in the supply of power."



1 SECTION 3. Chapter 128, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§128- Power outage; duty of radio and television  
5 stations; emergency power supply. (a) Beginning November 1,  
6 2007, a radio or television station shall maintain an emergency  
7 supply of electrical power, in the event of a power outage, to  
8 enable the continuous transmission of civil defense broadcasts  
9 and other public information during the power outage for at  
10 least a twenty-four hour period.

11 (b) It is only a violation of this section if a television  
12 or radio station fails to transmit during an outage due to  
13 failure to install or maintain an emergency supply, or human  
14 error in failure to activate the system. Failure to transmit  
15 due to physical damage caused by the emergency is not a  
16 violation.

17 (c) Notwithstanding section 128-33, a violation of this  
18 section shall be punishable by a fine of \$1,000 for each day or  
19 fraction thereof, of the violation. The director of civil  
20 defense shall enforce this law."

21 SECTION 4. Section 128-33, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           "§128-33 Penalties prescribed by this chapter additional  
2 to other penalties. If conduct prohibited by or under the  
3 authority of this chapter is also made unlawful by another or  
4 other laws, the offender may be convicted as provided in section  
5 128-32 or for the violation of the other law or laws[-], except  
6 as provided in section 128- ."

7           SECTION 5. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9           SECTION 6. This Act shall take effect upon its approval,  
10 and shall apply to televisions and radio stations beginning  
11 September 1, 2007.

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INTRODUCED BY:           *Ronny H. Bell*            
*By Request*



**Report Title:**

Civil Defense; Power Outages

**Description:**

Requires radio and television stations to maintain emergency electrical generators in times of power outages.

