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CARLOTTA AMERINO  
DIRECTOR

January 13, 2026

VIA EMAIL

Mr. J. Roger Morton  
Director  
Department of Transportation Services  
City and County of Honolulu

Re: Request for Assistance to Access Records (U RFA-P 26-108)

Dear Mr. Morton:

The Office of Information Practices (OIP) received a request for assistance from Mr. Brian Black of the Public First Law Center regarding a record request made under parts II and III of the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (HRS) (the UIPA), for copies of the following:

[I]nformation about the Department's use of red light and speed enforcement cameras ("cameras"). Specifically, I would like a copy of:

- The Department's policies, procedures, or rules regarding cameras, including documents sufficient to describe who may use cameras, what cameras may be used for, the collection and retention process for data from cameras, the process for data sharing from cameras, and the oversight process for use of cameras.
- Documents sufficient to identify the Department's data sharing relationships with other federal or state agencies or other third parties regarding cameras, e.g., agreements or memoranda of understanding.
- All records maintained by the Department that were obtained from a camera regarding my registered vehicle [REDACTED]. To the extent that the Department is unable to verify my registration independently, I can provide proof of ownership at the Department's offices.

Mr. Black indicated that the City and County of Honolulu Department of Transportation (TRANS-HON) did not respond to his written record request dated December 22, 2025. Enclosed are copies of Mr. Black's request to OIP and record request to TRANS-HON.

Based on the description of the requested records, it appears that Mr. Black is seeking copies of both government records<sup>1</sup> and personal records,<sup>2</sup> *i.e.*, a record that is “about” Mr. Black. Under parts II and III of the UIPA, such records should be available for inspection and copying unless access is restricted or closed by law. HRS §§ 92F-11, -23.

For personal record requests made under part III of the UIPA, an agency that maintains an accessible personal record shall make that record available to the individual to whom it pertains within ten working days following the date of receipt of the request.<sup>3</sup> Responsive records identified as “personal records” may only be withheld if a part III exemption under section 92F-22, HRS, applies. HRS §§ 92F-21 to -28; see OIP Op. Ltr. No. F13-01 (describing the analytical framework for responding to a personal record request); Off. of Info Practices, Quick Review: Responding to a Personal Record Request, <https://oip.hawaii.gov/wp-content/uploads/2021/11/Apr13-Responding-to-a-Personal-Record-Request.pdf>.

Similarly, for government record requests made under part II of the UIPA, an agency must respond to a written UIPA request for a copy of a government record within a reasonable time, not to exceed ten business days. Hawaii Administrative Rules (HAR) § 2-71-13. However, responsive records identified as “government records” may be withheld only if a part II exception to disclosure under section 92F-13, HRS, applies. See HRS §§ 92F-11 to -19.

If TRANS-HON maintains the requested records and no exemption under 92F-22, HRS (for personal records), or section 92F-13, HRS (for government records), applies, please provide Mr. Black with copies of the records within ten business days from the date of this letter. If TRANS-HON intends to deny access to all or part of the requested record, please provide Mr. Black with a written notice of its basis for the denial within that same timeframe. HRS §§ 92F-23,- 15; HAR § 2-71-14. Specifically, TRANS-HON’s notice should: (1) identify the specific record, or parts, that will not be disclosed; (2) if denying access to a **personal record**, cite to the applicable exemption(s) under section **92F-22, HRS**, and other relevant laws, allowing access to be denied; and (3) if denying access to a **government record**, cite to the applicable exception(s) under section **92F-13, HRS**,<sup>4</sup> and other relevant laws, allowing access to be denied. HAR § 2-71-14.

**Please also provide OIP with notice of the action taken by TRANS-HON so that this issue can be resolved promptly.**

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<sup>1</sup> “Government record” is defined as “information maintained by an agency in written, auditory, visual, electronic, or other physical form.” HRS § 92F-3.

<sup>2</sup> “Personal record” is defined as “any item, collection, or grouping of information about an individual that is maintained by an agency.” HRS § 92F-3. Individual is defined “a natural person.” Id.

<sup>3</sup> This ten-day period “may be extended for an additional twenty working days if the agency provides to the individual, within the initial ten working days, a written explanation of unusual circumstances causing the delay.” HRS § 92F-23.

<sup>4</sup> When compliance with a provision of the UIPA would cause an agency to lose federal funding or other assistance from the federal government, compliance with that provision may be waived but only to the extent necessary to protect eligibility for such federal assistance. HRS § 92F-4.

By copy of this letter Mr. Black is informed that record requesters may appeal a denial of access to OIP in accordance with chapter 2-73, HAR. HRS § 92F-15.5. Record requesters who have appealed a denial of access to OIP need not wait for a ruling by OIP and are entitled to file a lawsuit for access.

Personal record requesters are entitled to seek assistance directly from the courts after the procedures set forth in section 92F-23, HRS are complete. HRS §§ 92F-27(a), 92F-42(1). An action against the agency denying access to personal records must be brought within two years of the denial of access (or where applicable, receipt of a final OIP ruling). HRS § 92F-27(f). If the court finds that the agency knowingly or intentionally violated a provision under Part III, the personal records section of the UIPA, the agency will be liable for: (1) actual damages (but in no case less than \$1,000); and (2) costs in bringing the action and reasonable attorney's fees. HRS § 92F-27(d). The court may also assess attorney's fees and costs against the agency when a requester substantially prevails, or it may assess fees and costs against the requester when it finds the charges brought against the agency were frivolous. HRS § 92F-27(e).

Government record requesters are entitled to file a lawsuit for access within two years of a denial of access to government records. HRS §§ 92F-15, 92F-42(1). If the requester decides to file a lawsuit, the requester must notify OIP in writing at the time the action is filed. HRS § 92F-15.3. An action for access to records is heard on an expedited basis, and, if the requester is the prevailing party, the requester is entitled to recover reasonable attorney's fees and costs. HRS §§ 92F-15(d), (f).

If a requester decides to file a lawsuit, the requester must notify OIP in writing at the time the action is filed. HRS § 92F-15.3.

This letter also serves as notice that OIP is not representing anyone in this request for assistance. OIP's role herein is as a neutral third party.

Thank you in advance for your cooperation and assistance in this matter. Please do not hesitate to contact OIP if you have any questions or require assistance.

Very truly yours,



Lori K. Kato  
Staff Attorney

LKK:rw  
Enclosure

cc: Mr. Brian Black (without enclosure)