

MAR 08 2012

SENATE RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW
AND PROVIDE RECOMMENDATIONS TO STRENGTHEN STATE BOATING
LAWS AND RELATED ADMINISTRATIVE RULES.

1 WHEREAS, section 13-245-9, Hawaii Administrative Rules
2 (HAR), requires any person engaged in underwater swimming or
3 diving in navigable waters of the State to mark the person's
4 position with a diver flag; and

5
6 WHEREAS, section 13-244-9, HAR, limits all vessels on the
7 waters of the State to a slow-no-wake speed, as to avoid
8 creating a wake of appreciable wave height within two hundred
9 feet of any diver's flag; and

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11 WHEREAS, despite these existing safety regulations, on
12 July 31, 2011, a diver was fatally hit by a motorized inflatable
13 commercial zodiac outside the breakwater of Kaunapali Harbor on
14 the island of Lanai; and

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16 WHEREAS, on December 29, 2011, a swimmer preparing lanes
17 for a high school canoe paddling race was fatally hit by a boat
18 at Canoe Beach, Kaanapali, on the island of Maui; now,
19 therefore,

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21 BE IT RESOLVED by the Senate of the Twenty-sixth
22 Legislature of the State of Hawaii, Regular Session of 2012,
23 that the Department of Land and Natural Resources is urged to
24 review and provide recommendations to strengthen state boating
25 laws and the related administrative rules; and

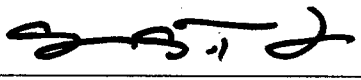
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27 BE IT FURTHER RESOLVED that the Department of Land and
28 Natural Resources is urged to hold public hearings on the
29 islands of Lanai, Maui, Molokai, Hawaii, Oahu, and Kauai to
30 review the state boating law, as well as to promote ocean
31 safety, health, and welfare; and

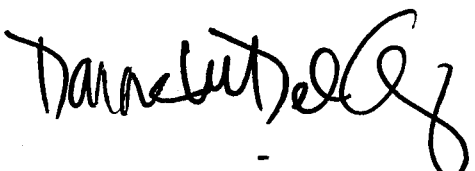
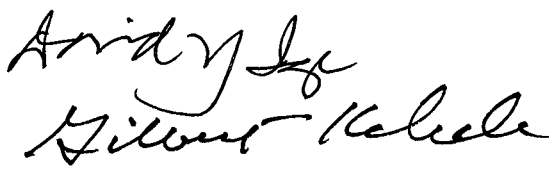

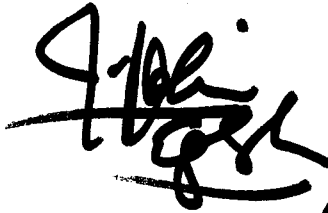
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33 BE IT FURTHER RESOLVED that the Department of Land and
34 Natural Resources submit a report to the Legislature with its
35 findings and recommendations, including proposed legislation, no



1 later than twenty days prior to the convening of the Regular
2 Session of 2013; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the President of the Senate and the
6 Chairperson of the Board of Land and Natural Resources.
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OFFERED BY: 

	
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