



GOV. MSG. NO. 1148

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

May 6, 2015

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 210  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on May 6, 2015, the following bill was signed into law:

SB2 SD2 HD2

RELATING TO PILOTAGE  
**ACT 048 (15)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

RECEIVED  
THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

15 MAY -6 P5 23

15 MAY -6 P4:10

RECEIVED  
SENATE  
OFFICE OF THE PRESIDENT

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# A BILL FOR AN ACT

RELATING TO PILOTAGE.

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

1           SECTION 1. Section 462A-3, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§462A-3 Powers and duties of the director. In addition  
4 to any other powers and duties authorized by law, the director  
5 shall:

6           (1) Grant licenses to port pilots and deputy port pilots  
7 pursuant to this chapter, when the need arises;

8           (2) Adopt, amend, or repeal rules in accordance with  
9 chapter 91 as may be necessary to carry out the  
10 purposes of this chapter which are to provide for  
11 maximum efficiency in navigating vessels entering or  
12 leaving the waters of this State; maintain a pilotage  
13 system devoted to the preservation, and protection of  
14 lives, property, and vessels entering or leaving  
15 waters of the State; and ensure an adequate supply of  
16 qualified pilots in aid of commerce and navigation;



- 1           (3) Develop appropriate standards for licensure and  
2           renewal of licensure to maintain an adequate supply of  
3           pilots based on the needs of users of pilotage  
4           services or the department of transportation's harbors  
5           division. Licensing requirements shall include  
6           examinations and investigations to determine whether  
7           persons applying for full port pilot, or deputy port  
8           pilot licenses are qualified;
- 9           (4) Enforce this chapter and rules adopted pursuant  
10          thereto;
- 11          (5) Suspend, revoke or deny the issuance of any license  
12          for any cause prescribed by this chapter, or for any  
13          violation of the rules;
- 14          (6) Investigate any person for violations of any  
15          provisions of this chapter;
- 16          (7) Adopt methods to improve disciplinary and enforcement  
17          programs against violations of this chapter; and
- 18          (8) Do all things reasonable, necessary, and expedient to  
19          insure proper and safe pilotage and to facilitate the  
20          efficient administration of this chapter."



1 SECTION 2. Section 462A-6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§462A-6 Duration and renewal of license. All licenses  
4 shall expire on June 30 of even-numbered years. All applicants  
5 for renewal of license shall submit a renewal application  
6 pursuant to section 436B-13 and comply with all applicable rules  
7 of the department. No applicant shall be denied a renewal of  
8 the applicant's license, except as provided in this chapter, as  
9 long as the applicant possesses the qualifications established  
10 by the department and remains in active service as a pilot in  
11 the State."

12 SECTION 3. Section 462A-18, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "§462A-18 Vessels required to take a pilot. Every vessel  
15 [~~involved in trade or commerce~~], other than an exempt vessel,  
16 entering or departing from any port in or traversing the waters  
17 of the State designated as pilotage waters shall employ a pilot  
18 licensed under this chapter; provided that a vessel declared by  
19 the director of transportation to be in immediate danger of  
20 destruction or which poses an immediate hazard to public safety



1 by its presence in the harbor may be moved without a pilot when  
2 a pilot is not immediately available."

3 SECTION 4. Section 462A-19, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§462A-19 Exempt vessels. This chapter does not apply to:

6 (1) Any vessel required by the laws of the United States  
7 of America to be under the direction and control of a  
8 federally licensed pilot;

9 (2) Public vessels of the United States of America;

10 (3) Fishing vessels that have been issued a fishery  
11 license or appropriately endorsed registry under the  
12 laws of the United States of America; [~~or~~]

13 (4) Tugs or towboats of 1,600 gross tons or less which are  
14 registered in the United States if the master, mate,  
15 or operator is licensed in the United States and has  
16 made a minimum of six round trips into and out of the  
17 pilotage water which the vessel is traversing[~~-~~]; or

18 (5) Vessels under 300 gross tons.

19 This section provides minimum pilotage requirements, and is  
20 not intended to negate the department of transportation's  
21 responsibility for the safety of all ports and shore waters in



1 the State, nor does it limit the department's right to require  
2 additional pilotage should that department determine it is  
3 necessary to ensure safety in the ports or shore waters of the  
4 State."

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

7 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 6 day of MAY, 2015

  
GOVERNOR OF THE STATE OF HAWAII