
A BILL FOR AN ACT

RELATING TO PROPELLER GUARDS.

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

1 SECTION 1. The legislature finds that in 2011, Hawaii had
2 the second-worst record of boating-related fatalities in the
3 nation, at a rate of forty-four boating related deaths per one
4 hundred thousand registered ocean vessels. Boats, especially
5 those operated for recreational purposes in nearshore waters,
6 frequently come into contact with other ocean users who are
7 engaging in recreational or subsistence activities. In recent
8 years, several individuals statewide have been critically
9 injured or killed by the boat propellers under these
10 circumstances.

11 Most boat propellers are designed as sharp, exposed,
12 spinning blades. When they come into contact with swimmers,
13 divers, surfers, snorkelers, and paddlers in the water due to
14 operator error, disregard for ocean safety standards, or
15 naturally occurring conditions like strong currents, the result
16 is almost always critical or fatal injury.



1 Boat propellers can also cause environmental damage. While
2 a boat is underway, its propeller may strike and injure marine
3 animals, including protected species such as sharks, dolphins,
4 and sea turtles, even when the boat's operator is aware of
5 hazards and makes efforts to avoid them. Propellers can also
6 seriously damage aquatic plant life, which is a necessary
7 component of healthy reef ecosystems, a critical food source for
8 herbivorous marine animals, and an important cultural resource
9 for many of Hawaii's people. Additionally, turbulence and wake
10 caused by propellers can harm small marine species, increase
11 shoreline erosion, and damage critical shoreline habitat.

12 The legislature finds that propeller guards mitigate damage
13 to human and marine life and the ocean ecosystem by serving as a
14 barrier surrounding propeller blades and reducing turbulence and
15 wake. Propeller guards provide additional benefits to boat
16 owners by protecting propeller blades from damage, increasing
17 boat performance, deterring propeller theft, and qualifying boat
18 owners for insurance discounts.

19 The purpose of this Act is to protect ocean users as well
20 as ocean and shoreline ecosystems by requiring all motorized



1 recreational vessels that operate in nearshore waters to have
2 propeller guards or similar technology installed.

3 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§200- Propeller guards required. (a) It shall be
7 unlawful to operate a motorized recreational vessel in the
8 waters of the State within five hundred meters of shore unless
9 the vessel is equipped with a properly functioning propeller
10 guard.

11 (b) For purposes of this section, "propeller guard" means:

12 (1) An after-market physical barrier including a cage,
13 screen, vane guard, shroud, ring, deflector, or
14 similar technology that is designed to be installed on
15 a vessel's propeller for the purpose of protecting the
16 propeller, marine life, or persons from damage or
17 harm; or

18 (2) A propeller that is manufactured to incorporate a
19 physical barrier or rounded leading blade edges as a
20 design feature for the purpose of protecting marine
21 life or persons from damage or harm."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Kelley*

Cal St

JAN 20 2017



H.B. NO. 436

Report Title:

Marine Life; Recreational Vessels; Propeller Guards

Description:

Requires all motorized recreational vessels operating in nearshore waters to have properly functioning propeller guards.

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