

JAN 28 2015

A BILL FOR AN ACT

RELATING TO USE PERMITS FOR SMALL BOAT HARBORS.

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

1 SECTION 1. Section 200-10, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) In order to obtain a permit~~[r]~~ or a permit renewal,
4 ~~[or to be placed on a waitlist for a permit,~~] the owner of a
5 vessel shall provide, at the owner's own expense:

6 (1) A marine surveyor's inspection no more than two years
7 old, certifying that the surveyor has inspected the
8 vessel and considers it to fulfill the requirements
9 set by the department;

10 (2) Documentation that the person is the owner of the
11 vessel. The documentation shall meet requirements
12 established by the department; and

13 (3) Satisfactory proof that the person has attained the
14 age of eighteen years~~[r]~~ prior to obtaining a permit
15 or being placed on the waitlist for a permit."

16 SECTION 2. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

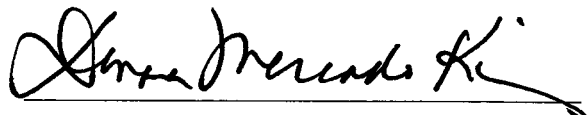
S.B. NO. 1124

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

6

BY REQUEST

S.B. NO. 1124

Report Title:

Small Boat Harbors; Permit; Waitlist

Description:

Clarifies that a person at least eighteen years of age need not obtain a marine surveyor's inspection nor provide documentation that the person is the owner of a vessel in order to be placed on a waitlist for a use permit to moor a vessel in a state small boat harbor.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT HARBORS.

PURPOSE: To clarify that a person, at least eighteen years of age, need not obtain a marine surveyor's inspection, nor provide documentation that the person is the owner of a vessel, in order to be placed on a waitlist for a use permit to moor a vessel in a state small boat harbor.

MEANS: Amend section 200-10(b), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Act 10, Session Laws of Hawaii 2014, amended section 200-10(b), HRS, requiring that a person must be at least eighteen years of age prior to obtaining a use permit or being placed on a waitlist for a use permit.

However, the manner in which the statutory language in the Act was structured has the unintended consequence of requiring that a person at least eighteen years of age:

- (1) Obtain a marine surveyor's inspection no more than two years old, certifying that the surveyor has inspected the vessel and considers it to fulfill the requirements set by the Department, and
- (2) Provide documentation that the person is the owner of a vessel,

prior to being placed on the waitlist for a use permit. This is unrealistic as the majority of people requesting to be placed on the waitlist do not own a vessel at the time since they do not have a place to moor the vessel.

Impact on the public: Persons at least eighteen years of age applying to be placed on the waitlist would not be required to first obtain a marine surveyor's inspection

nor provide documentation that the person is the owner of a vessel.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: LNR 801.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.