
A BILL FOR AN ACT

RELATING TO GROUNDED VESSELS.

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

1 SECTION 1. Chapter 200, Hawaii Revised Statutes, is
2 amended by adding to part III a new section to be designated and
3 to read as follows:

4 "§200- Vessel aground on state property. (a) Except as
5 provided in subsection (c), any vessel running aground on
6 submerged lands of the State, a state shoreline, or a state
7 coral reef shall be removed immediately by the owner or operator
8 at the owner's expense. This section shall apply whether the
9 vessel is attended to or deemed derelict under section 200-48.

10 (b) Vessels grounded on a sand beach, sandbar, or mudflats
11 and not in imminent danger of breaking up, shall be removed in a
12 reasonable time but not to exceed seventy-two hours, unless
13 otherwise agreed to by the department. Damages to state or
14 private property shall be the sole responsibility of the vessel
15 owner.

16 (c) For vessels grounded on a coral reef or in imminent
17 danger of breaking up, time is of the essence. If the
18 department determines that the owner or operator cannot achieve



1 the immediate removal of the vessel in a manner that is
2 reasonably safe, a state official on site may assume control of
3 the vessel solely for the purposes of removal and with no
4 liability to the official or the State, and shall direct the
5 removal of the vessel to a safer location. All costs and
6 expenses of the removal and damages to state or private property
7 shall be the sole responsibility of the vessel owner.

8 (d) The department may take legal action to collect any
9 costs or expenses incurred by the department for any removal
10 under this section. All moneys collected shall be deposited in
11 the boating special fund."

12 SECTION 2. New statutory material is underscored.

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



HB 2397

HD1

Report Title:

Conservation; vessel removal

Description:

Allows the State to take more immediate action in the case of a vessel grounded on a living reef or other critical areas where prompt action may minimize the damage to State property and ocean resources. (HB2397 HD1)

HB2397 HD1 HMS 2006-2267

