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# A BILL FOR AN ACT

RELATING TO THE NATURAL AREA RESERVE SYSTEM.

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

1           SECTION 1. The legislature finds that the Kaena point  
2 area, at the western-most tip of the island and comprising of  
3 approximately thirty-four acres, represents the last relatively  
4 intact coastal dune ecosystem remaining on Oahu. Prior to the  
5 inclusion of the area into the natural area reserve system  
6 managed by the department of land and natural resources, it was  
7 a favored spot for off-road driving that severely degraded the  
8 value of the ecosystem. The simple traversing of the area in a  
9 vehicle on a then existing narrow jeep trail caused extreme  
10 degradation to the resources of the area. Soon after the  
11 department of land and natural resources closed the area to  
12 vehicular access, the vegetation began to recover.

13           The purpose of this Act is to prohibit all public vehicular  
14 access within the Kaena point natural area reserve.

15           SECTION 2. Chapter 195, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:



1           "§195-   Kaena point natural area reserve; vehicular  
 2 access prohibited.   (a) The use of any vehicle within or  
 3 traversing the Kaena point natural area reserve is prohibited,  
 4 except as provided in this section. Any violation of this  
 5 section shall be subject to section 195-8.

6           (b) The department may adopt rules pursuant to chapter 91  
 7 to allow a limited number of persons vehicular access to the  
 8 Kaena point natural area reserve for department-permitted  
 9 fishing and camping activities.

10          (c) This prohibition shall not apply to:

11          (1) Vehicles operated by personnel or agents of the  
 12           department of land and natural resources necessary for  
 13           the management and maintenance of the Kaena point  
 14           natural area reserve and its resources; and

15          (2) Emergency vehicles, including emergency medical  
 16           ambulances, police department vehicles, and fire  
 17           department vehicles.

18          (d) For purposes of this section, "vehicle" means every  
 19 motorized device in, upon, or by which any person or property is  
 20 or may be transported or drawn, including all-terrain vehicles  
 21 and mopeds."

22          SECTION 3. New statutory material is underscored.

1 SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 5. This Act shall take effect upon its approval.



HB2133, SD1

**Report Title:**

Kaena Point; Natural Area Reserve System

**Description:**

Prohibits public vehicular access in Kaena Point natural area reserve. (SD1)

