

H.B. NO. 2399

A BILL FOR AN ACT

RELATING TO INTER-ISLAND FERRY SERVICE.

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

1 SECTION 1. Section 200-9, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Notwithstanding any limitations on commercial permits
4 for [~~Lahaina and Maalaea~~] Maui county small boat [~~harbors,~~]
5 facilities, vessels engaging in inter-island ferry service
6 [~~between the islands of Maui and Molokai~~] within Maui county
7 shall be afforded preferential consideration for both ferry
8 landings and other commercial purposes, including the issuance
9 of a commercial operating permit and the waiver of any
10 applicable fees, at [~~Lahaina and Maalaea~~] Maui county small boat
11 [~~harbors,~~] facilities; provided that:

12 (1) The vessel operator has been issued a certificate of
13 public convenience and necessity for the purpose of
14 engaging in inter-island ferry service that includes a
15 route [~~between the islands of Maui and Molokai,~~]
16 within Maui county;

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1 (2) The design and performance characteristics of the
2 vessel will permit safe navigation within the
3 [~~Lahaina~~] harbor entrance channel and safe docking
4 [~~along the north face of the Lahaina pier,~~] within
5 Maui county small boat facilities;

6 (3) The vessel operations will not result in unreasonable
7 interference with the use of [~~Lahaina or Maalaea small~~
8 ~~boat harbors~~] Maui county small boat facilities by
9 other vessels; and

10 (4) All preferential consideration and waivers, including
11 any commercial permits issued under this section,
12 shall cease upon the vessel operator's termination of
13 inter-island ferry service [~~route between the islands~~
14 ~~of Maui and Molokai.~~] within Maui county."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

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19 INTRODUCED BY: Celso K.Y. Ay
20 BY REQUEST
21 JAN 23 2006
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JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO INTER-ISLAND FERRY SERVICE.

PURPOSE: To expand preferential consideration for ferry landings to all state small boat facilities within the County of Maui.

MEANS: Amend section 200-9(c), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Currently, preferential consideration for ferry landing is limited to inter-island ferry service between the Islands of Molokai and Maui. With federal funding available to upgrade Maalaea Small Boat Harbor for ferry operations, the State would like to expand inter-island ferry services to the Island of Lanai. This bill would encourage additional routes of service by expanding preferential consideration for ferry landings to all state small boat facilities within the County of Maui, where practicable.

Impact on the public: Improved convenience through the expanded operations of inter-island ferry services to and from additional state small boat facilities within the County of Maui.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: LNR 801.

OTHER AFFECTED AGENCIES: None.

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EFFECTIVE DATE: Upon approval.