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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF TRANSPORTATION.

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

1           SECTION 1. The legislature finds that all users and  
2 tenants of state harbor and other harbor facilities are required  
3 to comply with all applicable federal, state, or county laws,  
4 ordinances, and rules. If a harbor user or tenant is  
5 responsible for a violation of applicable laws that results in a  
6 fine assessed against the State, the harbor user or tenant  
7 should pay the fine.

8           SECTION 2. Chapter 266, Hawaii Revised Statutes, is  
9 amended by adding a new section to part I to be appropriately  
10 designated and to read as follows:

11           "§266-        Environmental fines.   Notwithstanding any other  
12 law to the contrary, any commercial harbor tenant or user,  
13 including shippers and shipping agents, who violates any  
14 federal, state, or county environmental law or rule which, in  
15 turn, causes an environmental fine to be levied upon the  
16 department, shall be liable to the department for the amount of  
17 the fine up to the maximum amount specified by the federal,  
18 state, or county environmental law or rule. The department may



1 take legal action to collect the amount owed and any costs or  
2 expenses incurred by the department resulting from enforcement  
3 of this section."

4 SECTION 3. New statutory material is underscored.

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



**REPORT Title:**

Department of Transportation

**Description:**

Imposes liability for fines on any commercial harbor tenant or user who violates any federal, state, or county environmental law or rule which in turn causes an environmental fine to be levied upon the Department of Transportation. (SB1515 HD1)

