

JAN 21 2010

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# A BILL FOR AN ACT

RELATING TO SHARK TOURS.

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

1           SECTION 1. Chapter 188, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§188-     Shark tours; prohibitions; exceptions. (a)  
5 Except as otherwise provided by law, it shall be unlawful for  
6 any person to use any state boating facility, as defined in  
7 section 200-2.5, or a state park to operate a shark tour.

8           (b) Except as otherwise provided by law, it shall be  
9 unlawful for any person to use or transport a diving cage,  
10 including a floating or bottom cage, or other similar device in  
11 state waters for the primary purpose of placing humans in close  
12 proximity with a shark or within a known shark habitat.

13           (c) The department of land and natural resources may issue  
14 permits to engage in activities otherwise prohibited by this  
15 section, in accordance with section 187A-6, or as may be  
16 otherwise authorized by law.

17           (d) As used in this section:



1        "Shark tour" means to engage in any action relating to  
 2        sharks or to attempt to engage in any action relating to sharks  
 3        for compensation, as defined in section 188-40.6, in any form.  
 4        The action or actions may include providing, or attempting to  
 5        provide, guide services, charters, tours, and transportation to  
 6        and from the location or locations for which the services are  
 7        provided."

8        SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Shark Tours; Prohibitions

**Description:**

Prohibits the use of state boating facilities and state parks for shark tours. Prohibits the use or transportation of diving cages used for placing humans in close proximity with sharks. Authorizes the issuance of permits for educational, scientific, or propagation purposes.

