



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 23, 2009

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 1165, RELATING TO HARBORS.

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

The Department of Transportation (DOT) **supports** this Administration Initiative, which will authorize the Director of Transportation to adopt rules to regulate traffic and activities in the State's commercial harbors.

The State has encountered situations wherein an individual or individuals, separate and apart from vessel traffic, have conducted activities in the commercial harbors, including the waters of the commercial harbors, which threaten the safety and/or security of the individual(s) or the vessels. To ensure the free, safe, and secure flow of commercial traffic, the Director of Transportation needs the clear and expressed authority to regulate traffic and activities that threaten the safety of individuals and/or vessels within our harbors, including the waters of the commercial harbors.

HRS Section 266-3 authorizes the Director of Transportation to adopt rules to regulate vessels, passengers, freight, carriers, shippers, and consignees. It also authorizes the Director to adopt rules for the safety of docks, wharves, piers, quays, bulkheads, and landings affecting the DOT's commercial harbors and waterfront improvements controlled by the State. This bill will amend HRS Section 266-3 to provide the Director of Transportation with clear and expressed authority to adopt rules to regulate traffic and activities in the State's commercial harbors, including the waters of the commercial harbors. The proposed amendments will help the DOT facilitate the free, safe, and secure flow of commercial traffic into and out of the State's commercial harbors and protect the general public, as well as the owners, operators and passengers of vessels and harbor property.

Accordingly, we ask for your favorable consideration of this bill.