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# A BILL FOR AN ACT

RELATING TO SHIPPING CONTAINER INSPECTIONS.

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

1           SECTION 1. The legislature finds that the state  
2 departments of transportation and defense lack the statutory  
3 authority to inspect incoming shipping containers. Most  
4 containers are inspected by shipping companies who match the  
5 cargo with the shipping manifest for billing purposes.

6           Currently, a private third-party entity in Hawaii provides  
7 inspection services for shipping companies, inspecting shipping  
8 containers to ensure that the cargo matches the manifest. The  
9 legislature believes that this private third-party entity could  
10 serve as a model for state authorities in formulating procedures  
11 for inspecting shipping containers.

12           The legislature further finds that the inspection of  
13 shipping containers is a major element in the fight against  
14 terrorism. Particularly in light of the State's geographical  
15 isolation and the numerous containers arriving by ship, it is  
16 imperative that the State broaden its inspection of incoming  
17 shipping containers.



1 The purpose of this Act is to broaden the State's  
2 inspection of shipping containers.

3 SECTION 2. Chapter 128, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§128- Power to inspect shipping containers. (a) In  
7 addition to any other powers provided by law, the director of  
8 civil defense may in its discretion inspect any shipping  
9 container situated anywhere at any commercial harbor, as defined  
10 in section 266-1, to detect and confiscate any material  
11 constituting a threat directly or indirectly to the security of  
12 life and property in Hawaii, including explosives, but excluding  
13 fireworks regulated in chapter 132D.

14 (b) The director of civil defense may collaborate with any  
15 federal agencies, including any of the United States armed  
16 services, and state and county agencies to effectuate this  
17 section. The state civil defense shall serve as the lead state  
18 agency to coordinate the inspection of shipping containers.

19 (c) This section shall supersede any labor work rules or  
20 contracts that are contrary to the intent of this section."



1 SECTION 3. Chapter 266, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§266- Power to inspect shipping containers. (a) In  
5 addition to any other powers provided by law, the department of  
6 transportation may in its discretion inspect any shipping  
7 container situated anywhere at any commercial harbor, as defined  
8 in section 266-1, to detect and confiscate any material  
9 constituting a threat directly or indirectly to the security of  
10 life and property in Hawaii, including explosives, but excluding  
11 fireworks regulated in chapter 132D.

12 (b) The department of transportation may collaborate with  
13 any federal agencies, including any of the United States armed  
14 services, and state and county agencies to effectuate this  
15 section. The state civil defense shall serve as the lead state  
16 agency to coordinate the inspection of shipping containers.

17 (c) This section shall supersede any labor work rules or  
18 contracts that are contrary to the intent of this section."

19 SECTION 4. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Harbors; Inspection of Shipping Containers

**Description:**

Authorizes the Department of Transportation and state civil defense to inspect shipping containers for dangerous materials, including explosives. Effective July 1, 2050. (SB170 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

