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## A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. Chapter 127, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§127-    Closing of businesses during tidal wave or  
5 tsunami warning. (a) In case of a civil defense warning  
6 relating to a tsunami or tidal wave, businesses located in  
7 tsunami evacuation areas as indicated on tsunami evacuation maps  
8 shall close after the first siren warnings are sounded and until  
9 further notice from the appropriate civil defense agency. The  
10 applicable businesses shall close no later than            hours  
11 prior to the estimated arrival of the first wave reaching the  
12 shoreline; provided that:

13           (1) Any of the classes of retail trade, as defined in  
14 section 486J-1, that operate a station shall exercise  
15 prudent discretion and judgment in determining whether  
16 to close during a tsunami or tidal wave warning in the  
17 interests of providing liquid fuel, as defined in  
18 section 486J-1, to the public to facilitate an



1           evacuation; provided further that if the station  
2           remains open, it shall have a sufficient number of  
3           workers on duty to assist with traffic flow in and out  
4           of the business; and

5           (2) Any business that sells staples such as food, water,  
6           blankets, and batteries, shall exercise prudent  
7           discretion and judgment in determining whether to  
8           close during a tsunami or tidal wave warning in the  
9           interests of providing staples to the general public  
10           during an evacuation.

11           (b) This section shall not apply to a health care provider  
12           who is located in a tsunami evacuation area as indicated on  
13           tsunami evacuation maps; provided that the health care provider  
14           has a current emergency management plan."

15           SECTION 2. Section 127-1, Hawaii Revised Statutes, is  
16           amended by amending the definition of "disaster relief" to read  
17           as follows:

18           ""Disaster relief" means the preparation for and the  
19           carrying out of all emergency functions, other than functions  
20           for which military forces are primarily responsible, to minimize  
21           and repair injury and damage resulting from disasters caused by  
22           fire, flood, tidal wave, tsunami, volcanic eruption, earthquake,



1 or other natural causes, or by enemy attack, sabotage, or other  
 2 hostile action. These functions include, without limitation,  
 3 firefighting services, police services, medical and health  
 4 services, rescue, engineering, air raid warning services,  
 5 communications, radiological, chemical, and other special  
 6 weapons defense, evacuation of persons from stricken areas,  
 7 emergency welfare services, emergency transportation, protection  
 8 of important installations, temporary restoration of public  
 9 utility services, and other functions related to civilian  
 10 protection, together with all other activities necessary or  
 11 incidental to the preparation for and carrying out of the  
 12 foregoing functions."

13 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:           *[Signature]*          

JAN 23 2013



# H.B. NO. 1044

**Report Title:**

Disaster Relief; Tsunami Evacuation

**Description:**

Requires businesses located in tsunami evacuation areas to close at an unspecified period of time following first sounding of tidal wave or tsunami warning sirens until further notice. Makes qualifications for gas stations, businesses that sell staple goods, and health care providers.

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

