
A BILL FOR AN ACT

RELATING TO MANTA RAYS.

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

1 SECTION 1. The legislature finds that continuous and
2 excessive exposure to the public affects the health of manta
3 rays and increases the likelihood of disease. Without oversight
4 and control of commercial and recreational boaters at manta ray
5 aggregation sites, the manta rays, the seabed, and public safety
6 are compromised.

7 The purpose of this Act is to expand existing protections
8 of manta rays by establishing a system to limit the number of
9 boats and people who interact with manta rays.

10 SECTION 2. Section 188-39.5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**[+]§188-39.5[+]** **Manta rays; prohibitions, penalties and**
13 **fin~~es~~[-]; permits.** (a) No person shall knowingly capture or
14 kill a manta ray within state marine waters.

15 (b) Any person violating this section or any rule adopted
16 pursuant to this section shall be guilty of a misdemeanor and
17 shall be fined:

18 (1) \$500 for a first offense;



- 1 (2) \$2,000 for a second offense; and
- 2 (3) \$10,000 for a third or subsequent offense.
- 3 (c) In addition to any other penalty imposed under this
- 4 section, a person violating this section shall be subject to:
- 5 (1) An administrative fine of not more than \$10,000 for
- 6 each manta ray captured or killed in violation of this
- 7 section;
- 8 (2) Seizure and forfeiture of any captured manta rays,
- 9 commercial marine license, vessel, and fishing
- 10 equipment; and
- 11 (3) Assessment of administrative fees and costs, and
- 12 attorney's fees and costs.
- 13 (d) The criminal penalties and administrative fines and
- 14 costs shall be assessed per manta ray captured or killed in
- 15 violation of this section.
- 16 (e) This section shall not prohibit special activity
- 17 permits allowed under section 187A-6; provided that the permit
- 18 issued does not allow a take that exceeds the potential
- 19 biological removal level; and provided further that the
- 20 department shall adopt rules to define a "take" and determine
- 21 when a take exceeds the potential biological removal level.



1 (f) The department of land and natural resources shall
2 adopt rules, pursuant to chapter 91, that establish a permit
3 system limiting the number and capacity of boats and number of
4 people present at specified manta ray aggregation sites."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2030.



Report Title:

Manta Rays; Aggregation Sites; Limitation on Access

Description:

Requires DLNR to adopt rules limiting visitor capacity at manta ray aggregation sites. Effective July 1, 2030. (HB1684 HD1)

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

