

Honolulu, Hawaii

MAR 22 , 2018

RE: S.B. No. 2087
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian
Affairs, to which was referred S.B. No. 2087, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY RESCUE DEVICES,"

begs leave to report as follows:

The purpose of this measure is to amend the Good Samaritan Law to provide vicarious liability exemptions for owners and operators of any premises, property, or facility where rescue tubes are located for the storage, maintenance, or use of the rescue tubes. This measure also provides liability exemptions for rescuers who attempt to rescue a person with a rescue tube.

The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Ocean Tourism Coalition, Rescue Tube Foundation, Fair Wind Big Island Ocean Guides, Quicksilver Charters, and a few individuals testified in support of this measure. The AED Institute, Hawaii Association for Justice, and one concerned individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Adding a provision that the owner or operator of any premises, property, or facility where an automated external defibrillator is located shall not be liable



for any civil damages resulting from any act or omission relating to the storage, maintenance, or use of the automated external defibrillator; and

- (2) Deleting any reference to vicarious liability in the exemption for civil liability relating to the use of a rescue tube.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2087, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2087, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Ocean, Marine
Resources, & Hawaiian Affairs,


KANIELA ING, Chair



