
A BILL FOR AN ACT

RELATING TO FISHING.

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

1 SECTION 1. Chapter 187A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§187A- Near shore fishing tour guides; license;
5 restricted areas. (a) The department shall issue to any
6 qualified person a near shore fishing tour guide license.

7 (b) The license shall be valid in any county; provided the
8 license shall not be valid for near shore fishing tour guide
9 service at any marine preserve, marine sanctuary, or prohibited
10 fishing areas under sections 188-34, 188-35, and 188-36.

11 (c) The cost of the license shall be three per cent of the
12 monthly gross revenues earned by the near shore fishing tour
13 guide or \$200 per month, whichever is more.

14 (d) Near shore fishing tour guides shall:

15 (1) Be exempt from a commercial use permit for state boat
16 launching ramps required by the department of land and
17 natural resources; provided that the near shore



1 fishing tour guide possesses a valid near shore
2 fishing tour guide license and the near shore fishing
3 tour guide's gross revenues do not exceed \$250,000 per
4 boat per year;

5 (2) Possess a valid captain's license, in accordance with
6 United States Coast Guard regulations, if the guided
7 activity involves use of a motorized vessel; provided
8 that if the guided activity is onshore, no captain's
9 license shall be required;

10 (3) Have access to beaches, oceans, and shorelines and
11 shall be exempt from obtaining written permission from
12 a county or other entity to access those areas;

13 (4) Have basic first aid and cardiopulmonary resuscitation
14 certification; and

15 (5) Possess general liability and commercial boat
16 insurance.

17 (e) The department may adopt rules pursuant to chapter 91,
18 to implement this section, including establishing the license
19 requirements, restricted areas, and terms and conditions of the
20 near shore fishing tour guide license.



1 As used in this section, unless the context clearly
2 indicates otherwise:

3 "Bait casting fishing" means a rod, reel, line, and hook
4 used by fishers to catch fish on a reel that has a revolving
5 spool and sits on top of a casting rod.

6 "Light tackle fishing" means a rod, reel, line, and hook
7 used by fishers to catch fish on a line class strength of twenty
8 pounds or lighter.

9 "Near shore fishing tour guide" means any person who for
10 compensation acts as a guide to persons engaged in fly fishing,
11 light tackle fishing, or bait casting fishing within state
12 marine waters as defined in section 187A-1.5 or within three
13 miles from the shoreline, whichever is closer."

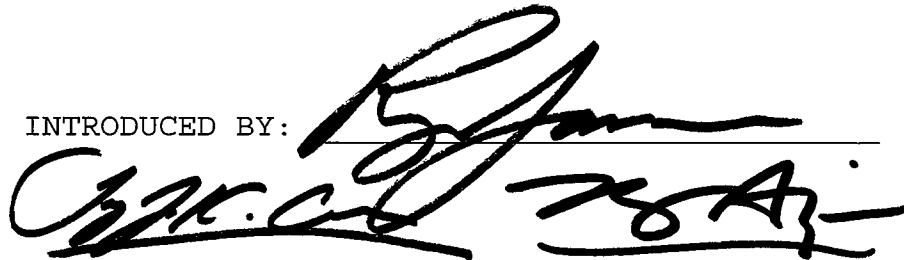
14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.

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

19

INTRODUCED BY:



JAN 18 2019



H.B. NO. 446

Report Title:

Near Shore Fishing Tour Guides; License

Description:

Establishes a near shore fishing tour guide license requirement.
Expands permitted fishing areas for near shore fishing tour guides.

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

