
A BILL FOR AN ACT

RELATING TO STATE SMALL BOAT HARBORS.

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

1 SECTION 1. Section 200-10, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) [The] For mooring use permits at all state small boat
4 harbors, permittee shall pay moorage fees to the department for
5 the use permit that shall be based on but not limited to the use
6 of the vessel, its effect on the harbor, use of facilities, and
7 the cost of administering this mooring program; and,
8 furthermore:

9 (1) Except for commercial maritime activities where there
10 is a tariff established by the department of
11 transportation, moorage fees shall be established by
12 appraisal by a state-licensed appraiser approved by
13 the department ~~[and shall be higher for nonresidents~~
14 ~~than for residents. The moorage fees shall be set by~~
15 ~~appraisal categories schedule A and schedule B, to be~~
16 ~~determined by the department, and may be increased~~



1 ~~annually by the department, to reflect a cost of-~~
2 ~~living index increase; provided that:~~

3 ~~(A) Schedule A shall include existing mooring~~
4 ~~permittees; and~~

5 ~~(B) Schedule B shall apply to all new mooring~~
6 ~~applicants and transient slips on or after~~
7 ~~July 1, 2011;~~

8 ~~provided further that schedule A rates shall be~~
9 ~~increased by the same amount each year so that~~
10 ~~schedule A rates equal schedule B rates by July 1,~~
11 ~~2014;] and shall be set at fair market value no more~~
12 ~~than once per twelve months;~~

13 (2) For commercial maritime activities where there is a
14 tariff established by the harbors division of the
15 department of transportation, the department may adopt
16 the published tariff of the harbors division of the
17 department of transportation or establish the fee by
18 appraisal by a state-licensed appraiser approved by
19 the department;

20 (3) An application fee shall be collected when applying
21 for moorage in state small boat harbors and shall



1 thereafter be collected annually when the application
2 is renewed. The application fee shall be:

3 (A) Set by the department; and

4 (B) ~~[Not]~~ No less than \$100 for nonresidents;

5 (4) If a recreational vessel is used as a place of
6 principal habitation, the permittee shall pay, in
7 addition to the moorage fee, a liveaboard fee that
8 shall be ~~[calculated at a rate of:~~

9 ~~(A) \$5.20 a foot of vessel length a month if the~~
10 ~~permittee is a state resident; and~~

11 ~~(B) \$7.80 a foot of vessel length a month if the~~
12 ~~permittee is a nonresident;~~

13 ~~provided that the liveaboard fees established by this~~
14 ~~paragraph may be increased by the department at the~~
15 ~~rate of the annual cost of living index, but not more~~
16 ~~than five per cent in any one year, beginning July 1~~
17 ~~of each year;]~~ established by appraisal by a state-
18 licensed appraiser approved by the department and
19 shall be set at fair market value once per year;

20 (5) If a vessel is used for commercial purposes from its
21 permitted mooring, the permittee shall pay, in lieu of



1 the moorage and liveaboard fee, a fee based on three
2 per cent of the gross revenues derived from the use of
3 the vessel or two times the moorage fee assessed for a
4 recreational vessel of the same size, whichever is
5 greater; [and]

6 (6) The department is authorized to assess and collect
7 utility fees, including electrical and water charges,
8 and common-area maintenance fees in state small boat
9 harbors [-]; and

10 (7) Any fee increases pursuant to this subsection shall go
11 into effect sixty days after the department approves
12 the increase."

13 SECTION 2. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect on August 1, 2019.

16

INTRODUCED BY: 

JAN 18 2019



H.B. NO. 354

Report Title:

State Small Boat Harbors; Mooring Permit Prices; Mooring Fees

Description:

Requires moorage fees for non-commercial mooring use permits at state small boat harbors to be determined by appraisal and set at fair market value. Establishes effective date for state small boat harbor moorage fee increases. Effective August 1, 2019.

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