
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. All proceeds from
14 licenses issued pursuant to this section shall be expended by
15 the division of aquatic resources for the purposes of issuing
16 licenses and enforcing compliance with licensure requirements,



1 including the hiring of necessary program or administrative
2 staff.

3 (d) Near shore fishing tour guides shall:

4 (1) Be exempt from a commercial use permit for state boat
5 launching ramps required by the department of land and
6 natural resources; provided that the near shore
7 fishing tour guide possesses a valid near shore
8 fishing tour guide license and the near shore fishing
9 tour guide's gross revenues do not exceed \$250,000 per
10 boat per year;

11 (2) Possess a valid captain's license, in accordance with
12 United States Coast Guard regulations, if the guided
13 activity involves use of a motorized vessel; provided
14 that if the guided activity is onshore, no captain's
15 license shall be required;

16 (3) Have access to beaches, oceans, and shorelines other
17 than restricted areas established pursuant to
18 subsection (e) and shall be exempt from obtaining
19 written permission from a county or other entity to
20 access those areas;



1 (4) Have basic first aid and cardiopulmonary resuscitation
2 certification; and

3 (5) Possess general liability and commercial boat
4 insurance.

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

9 (f) As used in this section, unless the context clearly
10 indicates otherwise:

11 "Bait casting fishing" means catching fish with a line and
12 hook attached to a reel that has a revolving spool and sits on
13 top of a casting rod.

14 "Light tackle fishing" means catching fish with a rod,
15 reel, hook, and line with a class strength of twenty pounds or
16 lighter.

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



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

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2050.



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. (HB446 HD1)

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