

STAND. COM. REP. NO.

191

Honolulu, Hawaii

February 8, 2019

RE: H.B. No. 552

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 552 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 200, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to amend penalties for violations of boating and ocean recreation laws and rules by decriminalizing lower-severity offenses, subjecting higher-level offenses to misdemeanor prosecution, and clarifying that imposition of any other applicable civil or criminal penalties does not preclude the imposition of administrative fines.

The Department of Land and Natural Resources and Activities & Attractions Association of Hawaii submitted testimony in support of this measure. The Division of Boating and Ocean Recreation of the Department of Land and Natural Resources and an individual submitted comments.

Your Committee has amended this measure by:

- (1) Establishing graduated fines in unspecified amounts for first, second, and third and subsequent violations to replace current fines;

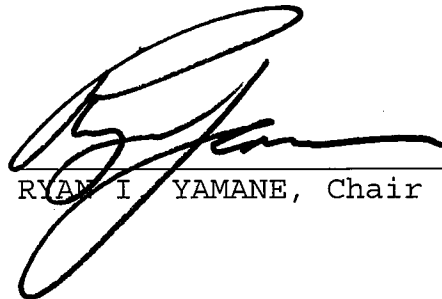
HB552 HD1 HSCR WLH HMS 2019-1831



- (2) Deleting language providing that criminal penalties for violation of chapters 200 and 200D, Hawaii Revised Statutes, do not preclude the imposition of administrative fines;
- (3) Deleting misdemeanor penalties for lower-severity violations of boating laws;
- (4) Deleting a provision that would have applied penalties contained in chapter 291, Hawaii Revised Statutes, for operating a motor vehicle or moped under the influence of an intoxicant to the offense of operating a vessel under the influence of an intoxicant;
- (5) Changing its effective date to July 1, 2050 to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 552, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 552, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Hawaiian Affairs,



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RYAN I. YAMANE, Chair



