

STAND. COM. REP. NO. 3263

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2759
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2759, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRAILS,"

begs leave to report as follows:

The purpose and intent of this measure is to reduce the number of people trespassing on trails that have been closed to the public by:

- (1) Requiring government entities that engage in search and rescue operations to seek reimbursement when the rescued person required search and rescue efforts because that person acted in disregard of that person's safety, including intentionally disregarding a warning or notice; and
- (2) Increasing the penalties for unlawfully entering or remaining on a trail that has been closed to the public.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that unlawfully entering trails that have been closed to the public puts those entering the trails at significant danger of injury, risks damage to native habitats and



other natural resources, and potentially requires dangerous and expensive rescue operations to retrieve persons who are injured or become lost. Your Committee further finds that the costs associated with the search and rescue of individuals who willfully disregard their own safety by ignoring posted warning signs are substantial. This measure will incentivize the general public to stay within authorized managed areas by increasing penalties for entering closed areas and mandating government entities to seek reimbursement for costs associated with search and rescue operations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2759, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



