#### S.B. NO. <sup>178</sup> S.D. 2

### A BILL FOR AN ACT

RELATING TO DRIVING ON BEACHES.

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

SECTION 1. Section 184-3.4, Hawaii Revised Statutes, is
 amended to read as follows:

3 "§184-3.4 State parks special fund. (a) There is
4 established within the state treasury a fund to be known as the
5 state parks special fund, into which shall be deposited:

All proceeds collected by the state parks programs 6 (1) 7 involving park user fees, any leases or concession 8 agreements, the sale of any article purchased from the 9 department to benefit the state parks programs, or any gifts or contributions; provided that proceeds derived 10 11 from the operation of Iolani Palace shall be used to supplement its educational and interpretive programs; 12 13 [and]

14 (2) Transient accommodations tax revenues pursuant to
15 section 237D-6.5; provided that these moneys shall be
16 expended in response to a master plan developed in
17 coordination with the Hawaii tourism authority [-]; and



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1	(3)	Permit fees collected pursuant to Act , Session
2		Laws of Hawaii 2021.
3	(b)	The department shall expend the moneys from the state
4	parks special fund for the following purposes:	
5	(1)	Permanent and temporary staff positions;
6	(2)	Planning and development of state parks programs,
7		including the aina hoomalu state parks program;
8	(3)	Construction, repairs, replacement, additions, and
9		extensions of state parks facilities;
10	(4)	Operation and maintenance costs of state parks and
11		state parks programs; and
12	(5)	Administrative costs of the division of state parks.
13	(c)	There is established within the state parks special
14	fund, a Diamond Head State Monument sub-account, into which	
15	shall be	deposited fifty-five per cent of all proceeds collected
16	from the	admission fees charged at the Diamond Head State
17	Monument.	The department shall expend the moneys from the
18	Diamond Head State Monument sub-account for repair, maintenance,	
19	and opera	ting costs incurred by the State in the management of
20	the Diamond Head State Monument.	

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1 There is established within the state parks special (d) 2 fund, a Polihale state park sub-account, into which shall be 3 deposited all proceeds collected from the permit fees charged to 4 drive on the beach in Polihale state park. The department shall 5 expend the moneys from the Polihale state park sub-account for 6 maintenance and improvements to Polihale state park." 7 SECTION 2. (a) There is established within the department 8 of land and natural resources a two-year beach protection pilot 9 program to protect the beaches in Polihale state park. 10 (b) Pursuant to the pilot program and notwithstanding any law to the contrary, no one shall drive a vehicle on the beach 11 12 in Polihale state park without a permit issued by the department 13 of land and natural resources pursuant to this Act. 14 (c) Upon the payment of a fee of \$ , the 15 department of land and natural resources shall issue a permit to 16 drive a vehicle on the beach in Polihale state park. The fees 17 paid to the department for permits to drive a vehicle on the 18 beach in Polihale state park shall be deposited into the state 19 parks special fund established under section 184-3.4, Hawaii 20 Revised Statutes.

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(d) The department of land and natural resources shall
 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to
 implement this Act.

4 (e) As used in this Act, "vehicle" includes automobiles,
5 trucks, vans, motorcycles, motor bikes, all-terrain vehicles,
6 motorized bikes, mopeds, scooters, and trailbikes.

7 SECTION 3. No later than twenty days prior to the 8 convening of the regular session of 2023, the department of land 9 and natural resources shall submit to the legislature a report 10 of its findings and recommendations, including any proposed 11 legislation, regarding the pilot program established pursuant to 12 section 1 of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on May 6, 2137;
16 provided that on June 30, 2023, this Act shall be repealed and
17 section 184-3.4, Hawaii Revised Statutes, shall be reenacted in
18 the form in which it read on the day prior to the effective date
19 of this Act.

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### S.B. NO. <sup>178</sup> S.D. 2

#### Report Title:

Driving on Beaches; Polihale State Park; Department Of Land And Natural Resources; Beach Protection Pilot Program

#### Description:

Establishes a two-year beach protection pilot program under which no vehicles are authorized to drive on the beach in Polihale state park without a permit. Requires a report to the legislature. Effective 5/6/2137. Repeals on 6/30/2023. (SD2)

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

