

JAN 21 2022

A BILL FOR AN ACT

RELATING TO THE HAWAII HARBOR OCEAN SAFETY COMMITTEE.

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

1 SECTION 1. The legislature finds that the Hawaii Ocean
2 Safety Team, a Hawaii non-profit corporation, serves as the
3 harbor safety committee for the State. Harbor safety committees
4 are local committees that address issues including safety,
5 security, mobility, and environmental protection of a port or
6 waterway with membership that includes representatives of
7 governmental agencies, maritime labor and industry
8 organizations, and public interest groups who work together for
9 the mutual benefit of all waterway users. The Hawaii Ocean
10 Safety Team's purpose is to enhance ocean safety by providing a
11 forum for communication between all levels of government,
12 industry, and the public to reach non-regulatory solutions. The
13 legislature further finds that since its formation in 1998, the
14 Hawaii Ocean Safety Team has tackled a number of issues to make
15 Hawaii's waters safer and cleaner, including advocating for aids
16 to navigation improvements, pollution and garbage dumping on
17 Hawaii's beaches, and resolution of conflicts between commercial



1 harbor users and recreational boaters, surfers, and jet-skiers.
2 The Hawaii Ocean Safety Team develops and agrees upon safe
3 operating practices when necessary to provide for effective and
4 efficient operations and evolutions.

5 The legislature further finds that it is in the interest of
6 the State to establish an ocean safety committee within state
7 government.

8 The purpose of this Act is to establish the Hawaii harbor
9 ocean safety committee within the department of transportation
10 to enhance ocean safety within all harbors in the State.

11 SECTION 2. Chapter 266, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§266- Hawaii harbor ocean safety committee;
15 establishment; members. (a) There is established within the
16 department of transportation for administrative purposes the
17 Hawaii harbor ocean safety committee to plan for the safe
18 navigation and operation of tank ships, tank barges, and other
19 vessels within each harbor in the State and shall prepare and
20 update by July 1 of each year a harbor safety plan, encompassing
21 all vessel traffic within each harbor, that shall include:



1 (1) A recommendation determining when tank vessels are
2 required to be accompanied by a tugboat or tugboats of
3 sufficient size, horsepower, and pull capability while
4 entering, leaving, or navigating in State harbor; and

5 (2) A review and evaluation of the adequacy of and any
6 changes needed to anchorage designations and sounding
7 checks; communications systems; small vessel
8 congestion in shipping channels; placement and
9 effectiveness of navigational aids, channel design
10 plans, and the traffic and routings from port
11 construction and dredging projects; procedures for
12 routing vessels during emergencies that impact
13 navigation; bridge management requirements; and
14 suggested mechanisms to ensure that the provisions of
15 the plan are fully and regularly enforced.

16 (b) The membership of the Hawaii harbor ocean safety
17 committee shall include at least one representative of:

18 (1) The department of transportation harbors division;

19 (2) The United States Coast Guard;

20 (3) The United States Army Corps of Engineers;

21 (4) The National Oceanic and Atmospheric Administration;



1 (5) The United States Navy;

2 (6) The Hawaii Pilots Association, to be appointed by the
3 governor;

4 (7) A recognized nonprofit environmental organization
5 whose purpose is to protect marine resources, to be
6 appointed by the governor;

7 (8) A recognized labor organization involved with the
8 operations of vessels, to be appointed by the
9 governor;

10 (9) Tank ship operators, to be appointed by the governor;

11 (10) Dry cargo vessel operators, to be appointed by the
12 governor;

13 (11) Commercial fishing operators, to be appointed by the
14 governor;

15 (12) Tug or tank barge operators, who is not also engaged
16 in the business of operating tank ships or dry cargo
17 vessels, to be appointed by the governor; and

18 (13) Pleasure craft operators, to be appointed by the
19 governor;

20 provided that the representatives required under paragraphs (6),

21 (9), (10), and (12) shall have navigational experience as



1 evidenced by having or having previously held a Coast Guard
2 Merchant Marine Deck Officer's license; a position on a
3 commercial vessel that includes navigational responsibilities; a
4 shoreside position with direct operational control of vessels;
5 or a position having responsibilities for permitting or
6 approving the docking of vessels in and around harbor facilities
7 relating to the safe navigation of vessels; provided further
8 that each governor appointed member shall be appointed pursuant
9 to section 26-34.

10 (c) The members of the Hawaii harbor ocean safety team
11 shall serve without compensation but shall be reimbursed for
12 expenses, including travel expenses, necessary for the
13 performance of their duties.

14 (d) The Hawaii harbor ocean safety committee shall submit
15 a report of its findings and recommendations, including any
16 proposed legislation, to the legislature no later than forty
17 days prior to the convening of each regular session beginning
18 with the regular session of 2023."

19 SECTION 3. New statutory material is underscored.
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1 SECTION 4. This Act shall take effect on July 1, 2022.

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INTRODUCED BY: *Cen*



S.B. NO. 2534

Report Title:

Hawaii Harbor Ocean Safety Committee

Description:

Establishes the Hawaii Harbor Ocean Safety Committee.

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

