

STAND. COM. REP. NO.

2114

Honolulu, Hawaii

FEB 08 2022

RE: S.B. No. 2616  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and  
Military Affairs, to which was referred S.B. No. 2616 entitled:

"A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE,"

begs leave to report as follows:

The purpose and intent of this measure is to require  
government entities to seek reimbursement for the expenses arising  
from the search rescue of persons who ignore posted warnings,  
intentionally leave a hiking trail, enter a prohibited area, or  
hike on a trail that is closed to the public.

Your Committee received testimony in support of this measure  
from one individual. Your Committee received testimony in  
opposition to this measure from the Honolulu Police Department.  
Your Committee received comments on this measure from the  
Department of Land and Natural Resources, State Fire Council,  
Honolulu Fire Department, and Maui Fire Department.

Your Committee finds that the ongoing coronavirus 2019  
pandemic has led to a surge of experienced and inexperienced  
hikers venturing into the outdoors. Occasionally, hikers ignore  
posted warning signs, intentionally leave a hiking trail, or enter  
property that is closed to the public. This behavior has vastly  
proliferated due to social media that now promotes activities and  
features that are subject to closure or warning signage. When one  
of these hikers needs to be rescued, it is the State that bears



the burden of paying for the costs associated with the search or rescue. Your Committee believes that shifting the cost to hikers who ignore posted warning signs, intentionally leave a hiking trail, or enter property that is closed to the public may act as a deterrent and reduce violations, improve public safety, and mitigate the need for costly and dangerous rescue.

Your Committee has amended this measure by:

- (1) Clarifying that the reimbursable cost applies when a person:
  - (A) Ignores reasonably posted warnings and closures;
  - (B) Leaves a managed and authorized hiking trail and park boundary or enters a closed area or trail on state, county, or private property that is closed to the public and reasonable notice of the closure is posted; or
  - (C) Enters a hiking trail or park that is closed to the public and reasonable notice of the closure is posted; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2616, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2616, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental, and Military  
Affairs,

*Clarence K. Nishihara*

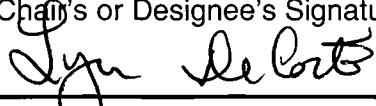
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CLARENCE K. NISHIHARA, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2616	PSM, WAM	2/3/2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
DECOITE, Lynn (VC)	✓			
BAKER, Rosalyn H.				✓
RIVIERE, Gil	✓			
FEVELLA, Kurt		✓		
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes