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## A BILL FOR AN ACT

RELATING TO COMMERCIAL ACTIVITIES ON BEACHES.

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

1           SECTION 1. Chapter 200, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to be appropriately  
3 designated and to read as follows:  
4           "\$200-       Prohibited commercial activities on beaches;  
5 administrative fine. (a) No person shall preset commercial  
6 beach equipment on any public beach under the jurisdiction of  
7 the department unless the customer is physically present for the  
8 immediate use of the commercial beach equipment. The commercial  
9 vendor shall expeditiously remove the commercial beach equipment  
10 after the customer has finished using it.  
11           (b) The department may authorize exemptions to subsection  
12 (a) through rules adopted pursuant to chapter 91.  
13           (c) This section shall apply only to public beaches and  
14 not beaches located on private land, including accreted lands.  
15           (d) Any person who violates subsection (a) shall be  
16 subject to an administrative fine of no less than \$50 and no  
17 more than \$1,000 for each occurrence of a violation.



1        (e) As used in this section:

2        "Commercial beach equipment" means recreational equipment  
3 for rent, including chairs, umbrellas, surfboards, paddleboards,  
4 kayaks, and other non-motorized watercraft equipment.

5        "Preset" means to set up or physically ready for use  
6 commercial beach equipment by a commercial vendor."

7        SECTION 2. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10        SECTION 3. New statutory material is underscored.

11        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:   
JAN 23 2023



# H.B. NO. 881

**Report Title:**

Department of Land and Natural Resources; Beaches; Commercial Beach Equipment; Presetting; Removal

**Description:**

Prohibits any person from presetting commercial beach equipment on any public beach under the jurisdiction of the department of land and natural resources, unless the customer is physically present. Requires commercial vendors to expeditiously remove commercial beach equipment after the customer has finished using it. Allows the department of land and natural resources to grant exemptions through rules adopted pursuant to chapter 91, Hawaii Revised Statutes. Establishes administrative fines for violations. Pertains only to public beaches and does not include private lands, including accreted lands.

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

