

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO WHALES.

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 II to be appropriately  
3 designated and to read as follows:

4           "~~§200-~~       Vessel operations; speed; humpback whales.   (a)

5       A person operating a vessel within the waters of the State:

6           (1) Shall not operate the vessel at a speed exceeding  
7           fifteen knots when the vessel is within           yards of  
8           a humpback whale;

9           (2) Shall not operate the vessel at a speed exceeding six  
10           knots when the vessel is within four hundred yards of  
11           a humpback whale;

12           (3) Shall ensure that another person on the vessel is  
13           acting as a lookout to prevent collisions with  
14           humpback whales when the vessel is within           yards  
15           of a humpback whale; and

16           (4) Shall operate the vessel in a manner that is  
17           reasonable and prudent to avoid collision with a



1           humpback whale, considering the time of day, time of  
2           year, and other relevant factors.

3           (b) This section shall not be construed to preempt any  
4           rule adopted pursuant to chapter 91 that is more restrictive  
5           with respect to the speed or operation of a vessel in proximity  
6           to a humpback whale."

7           SECTION 2. This Act does not affect rights and duties that  
8           matured, penalties that were incurred, and proceedings that were  
9           began 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: \_\_\_\_\_



# S.B. NO. 1142

**Report Title:**

State Waters; Whales; Boats; Vessels; Speed; Restrictions

**Description:**

Places certain requirements and speed restrictions on the operation of water vessels in proximity to humpback whales.

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

