

---

---

# A BILL FOR AN ACT

RELATING TO MOORING LINES.

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

1           SECTION 1. The legislature finds that the Hawaiian  
2 archipelago is the most remote island chain in the world, where  
3 ninety-eight per cent of all goods are processed by the harbor  
4 system. Tugs are vital to Hawaii's shipping industry, as tugs  
5 bring in tens of thousands of goods to the State each day. To  
6 properly secure shipping vessels to wharves, mooring lines are  
7 thrown over the bollard, which are then secured by certified  
8 longshore linespersons to safely secure the bulkhead.

9           The legislature also finds that, presently, it is not  
10 required for any out-of-state company to utilize trained local  
11 longshore linespersons to secure their operational vessel to the  
12 State's commercial docks, wharves, piers, quays, bulkheads, and  
13 landings belonging to or controlled by the State, leading to  
14 lower contributions to Hawaii's tax base. Moreover, this  
15 practice decreases the number of Hawaii-based jobs for  
16 residents. In 2022, the State lost \$1.5 million in all related  
17 taxes by barges that did not utilize Hawaii-based labor.



1           The legislature further finds that all stevedoring  
2 companies operating within the state harbor system are required  
3 to be certified and recertified to follow all health and safety  
4 guidelines. Stevedoring companies are crucial to the State's  
5 harbors infrastructure, as companies received proper training on  
6 identification, notification, and containment of invasive  
7 species, hazardous materials, and other potential health and  
8 safety threats to Hawaii's fragile ecosystem. Furthermore,  
9 stevedoring companies are well-versed in the uniqueness of each  
10 state harbor's challenges pertaining to the loading and landing  
11 of merchandise.

12           Therefore, the purpose of this Act is to require  
13 commodities and manifested cargo requiring tug assistance to be  
14 manned by an existing, operational stevedoring company that is  
15 currently operating in the State.

16           SECTION 2. Chapter 382, Hawaii Revised Statutes, is  
17 amended by adding a new section to be appropriately designated  
18 and to read as follows:

19           "§382- Stevedoring services for vessels requiring tug  
20 assistance. The department shall have the authority to regulate  
21 labor required to provide stevedoring services to load and



1 unload commodities and manifested cargo upon and from a vessel  
2 requiring tug assistance from any harbor facility owned and  
3 controlled by the department of transportation.

4 As used in this subsection, "tug" means a boat used for  
5 towing larger vessels."

6 SECTION 3. Section 266-2, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8 "(a) The department of transportation shall:

- 9 (1) Have and exercise all the powers and shall perform all  
10 the duties [~~which~~] that may lawfully be exercised by  
11 or under the State relative to the control and  
12 management of commercial harbors, commercial harbor  
13 and waterfront improvements, ports, docks, wharves,  
14 piers, quays, bulkheads, and landings belonging to or  
15 controlled by the State, and the shipping using the  
16 same;
- 17 (2) Have the authority to use and permit and regulate the  
18 use of the commercial docks, wharves, piers, quays,  
19 bulkheads, [~~and~~] landings belonging to or controlled  
20 by the State for receiving or discharging passengers  
21 and for loading and landing merchandise [~~7~~] and



1 commodities and manifested cargo; provided that the  
2 securing of mooring lines from vessels requiring tug  
3 assistance to the commercial docks, wharves, piers,  
4 quays, bulkheads, and landings shall be performed by a  
5 stevedoring company; with a right to collect wharfage  
6 and demurrage thereon or therefor;

7 (3) Subject to all applicable provisions of law, have the  
8 power to fix and regulate from time to time rates and  
9 charges for:

10 (A) Services rendered in mooring commercial vessels;

11 (B) The use of commercial moorings belonging to or  
12 controlled by the State;

13 (C) Wharfage or demurrage;

14 (D) Warehouse space, office space, and storage space  
15 for freight, goods, wares and merchandise; and

16 (E) The use of derricks or other equipment belonging  
17 to the State or under the control of the  
18 department;

19 (4) Make other charges, including toll or tonnage charges  
20 on freight passing over or across docks, wharves,  
21 piers, quays, bulkheads, or landings;



- 1 (5) Appoint and remove clerks, harbor agents and their  
2 assistants, and all [~~such~~] other employees as may be  
3 necessary, and to fix their compensation;
- 4 (6) Adopt rules pursuant to chapter 91 and not  
5 inconsistent with law; and
- 6 (7) Generally have all powers necessary to fully carry out  
7 this chapter.

8 As used in this subsection:

9 "Commodity" means a product of agriculture or mining,  
10 article of commerce, article of commerce delivered for shipment,  
11 or mass-produced unspecialized product.

12 "Manifested cargo" means a manifest or cargo document  
13 listing the cargo, passengers, and crew of a ship, aircraft, or  
14 vehicle for the use of customs and other officials.

15 "Stevedoring company" means a company registered to do  
16 business in the State that is authorized to secure mooring lines  
17 from vessels to commercial docks, wharves, piers, quays,  
18 bulkheads, and landings and that provides services in the  
19 loading and offloading of manifested cargo from vessels.

20 "Tug" means a boat used for towing larger vessels."



1 SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2023.



**Report Title:**

Mooring Lines; Stevedoring Company; Department of  
Transportation; Harbors Division

**Description:**

Requires the securing of mooring lines from vessels requiring tug assistance to be manned by an existing, operational stevedoring company that is operating within the State. Authorizes a department to regulate labor required to provide stevedoring services to load and unload commodities and manifested cargo from a vessel requiring tug assistance from any harbor facility owned and controlled by the Department of Transportation. (SD1)

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

