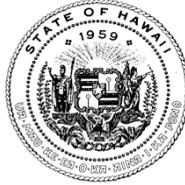


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DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
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January 30, 2025
10:00 A.M.
State Capitol, Room 430

H.B. 1158
RELATING TO FIREFIGHTING AT COMMERCIAL HARBORS

House Committee on Transportation

The Department of Transportation (DOT) **supports** this measure that improves safety at commercial harbors by limiting the civil liability of private entities that assist firefighters in rendering firefighting services. This bill was included in the Governor's Package at DOT's request.

There are privately-owned assets and vessels home ported in commercial ports across the state that are equipped with fire monitors and water cannons that could be used in fighting fires in and around waterfront facilities. However, there have been instances where private entities responsible for these assets and vessels have declined to assist county fire departments in providing firefighting services because of concerns over possible civil liability. This bill seeks to limit the civil liability of private individuals providing those essential firefighting services to only damages resulting from an individual's gross negligence or wanton acts or omissions.

Thank you for the opportunity to provide testimony.



January 30, 2025

COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair; Rep. Tina Nakaha Grandinetti, Vice Chair; and Committee Members
Public Hearing, January 30, 2025 , 10:00 a.m. – Conference Room 430, State Capitol

**TESTIMONY OF WILLIAM F. ANONSEN
MANAGING PARTNER/PRINCIPAL OF THE MARITIME GROUP
IN SUPPORT OF H.B. 1158
(RELATING TO FIREFIGHTING AT COMMERCIAL HARBORS)**

My name is William F. Anonsen, the Managing Partner/Principal of The Maritime Group. I respectfully would like to express my strong support of H.B. 1158, which seeks to provide limited liability protections for individuals who render firefighting assistance at commercial harbors and related waterfront areas under the reasonable command of a firefighter.

Importance of Firefighting Support at Commercial Harbors

Hawai'i's commercial harbors are critical hubs for our state's economy, facilitating the vast majority of goods movement, maritime commerce, and passenger travel. Given their importance, ensuring adequate emergency response capabilities, particularly for fire suppression, is essential to safeguarding life, property, and economic stability.

Fire incidents in harbor environments present unique challenges, including:

- The presence of highly flammable materials, including fuels and cargo.
- Complex infrastructure with limited access for emergency response teams.
- A mix of commercial, industrial, and passenger operations requiring immediate and coordinated firefighting responses.

Due to these challenges, firefighting efforts at commercial harbors often require the assistance of individuals beyond the dedicated fire services personnel, including harbor employees, vessel crew members, and nearby maritime professionals. H.B. 1158 provides essential legal protection for these individuals, ensuring that they can act swiftly and decisively without fear of undue civil liability.

Encouraging Timely and Effective Firefighting Response

The proposed legislation promotes a **safer and more effective emergency response framework** by:

1. **Encouraging Assistance:** Individuals will be more willing to assist in firefighting efforts when directed by an official firefighter, without hesitation due to potential legal repercussions.
2. **Protecting Good Samaritans:** Those who act in good faith and under reasonable direction should not be subjected to unnecessary legal liability.
3. **Aligning with Best Practices:** This measure follows the principles of existing **Good Samaritan laws**, which protect those who provide emergency medical assistance from liability, encouraging timely and life-saving intervention.

Maintaining Accountability

Importantly, **H.B. 1158 does not grant blanket immunity**. The bill ensures that **gross negligence or willful misconduct** remains subject to liability. This provision strikes an appropriate balance between protecting well-intentioned responders and holding individuals accountable for reckless actions.

By passing H.B. 1158, the Legislature will strengthen Hawai'i's commercial harbor emergency preparedness and **support a culture of responsibility, cooperation, and rapid response** in the face of fire emergencies. I encourage and urge the committee to pass this bill to enhance the safety and security of Hawai'i's maritime industry and all who depend on it.

Mahalo for the opportunity to provide testimony in support of this measure.

Respectfully submitted,

William F. Anonsen

William F. Anonsen
Managing Partner/Principal