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HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 1159 HD1,
RELATING TO COMMERCIAL HARBORS

BEFORE THE HOUSE COMMITTEE ON
PUBLIC SAFETY

BY

JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 7, 2025

Aloha Chair Belatti, Vice-Chair Iwamoto, and Members of the Committee:

Thank you for the opportunity to submit testimony to **SUPPORT** House Bill 1159 HD1.

The Hawai'i Emergency Management Agency strongly supports this measure, which seeks to amend Chapter 266 of the Hawai'i Revised Statutes by establishing clear authority for harbor masters to issue evacuation orders during emergencies, along with enforceable penalties for non-compliance. This bill is vital to improving the safety and security of Hawai'i's commercial harbors during natural disasters and other emergencies.

HIEMA recognizes that our state is susceptible to various hazards, including hurricanes, tsunamis, and volcanic eruptions. This bill ensures a coordinated, swift response to protect lives, safeguard property, and minimize damage in our harbors during times of crisis. Having an enforceable evacuation mechanism will greatly improve the state's ability to respond to emergencies and avoid chaos in commercial harbor zones.

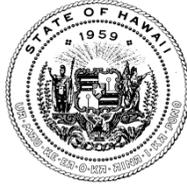
The penalties outlined in this measure send a strong message about the importance of obeying evacuation orders. This level of accountability is necessary to ensure that all parties involved in harbor operations take evacuation orders seriously. HIEMA believes that this provision will improve compliance and contribute to more effective emergency responses, especially when time is of the essence.

HIEMA is committed to working alongside the Department of Transportation and other stakeholders to ensure the safety of our state's harbors. This legislative initiative aligns with our goal of strengthening emergency preparedness and response efforts across Hawai'i's islands.

Thank you for affording HIEMA the opportunity to provide testimony on House Bill 1159 HD1.

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February 7, 2025
9:30 A.M.
State Capitol, Room 411

H.B. 1159, H.D. 1
RELATING TO COMMERCIAL HARBORS

House Committee on Public Safety

The Department of Transportation (DOT) **supports** this measure that clarifies the requirement of vessels to evacuate a commercial harbor upon order by the harbor master during an emergency and to set penalties for noncompliance. This bill was included in the Governor's Package at DOT's request.

In times of emergency, it is essential that commercial harbor users evacuate the commercial harbors when ordered by the harbor master. There have been instances when the United States Coast Guard has closed a commercial harbor as part of an emergency response, and persons responsible for a vessel have not followed the harbor master's order to evacuate. In 2020, during Hurricane Douglas, 11 vessels failed to follow orders to evacuate and neither requested nor received permission to remain in port. In separate heavy weather events, vessels have broken loose from berths, sunk, and impeded delivery of cargo.

With the clarification of both the requirement and the associated penalty for non-compliance, this bill aims to encourage vessel owners, agents, and crew to plan ahead for port closures and develop plans for evacuation.

Thank you for the opportunity to provide testimony.



Testimony on HB 1159, Relating to Commercial Harbors

House Committee on Public Safety
February 7, 2025

Aloha Chair Belatti, Vice Chair Iwamoto, and members of the committee,

The Hawaii Harbors Users Group (HHUG) is writing to **comment on HB 1159**, relating to commercial harbors. This bill would require masters or persons in charge of vessels to follow an order by a harbor master to evacuate a commercial harbor in emergencies.

The safety and wellbeing of our community, including that of maritime industry members, is our highest priority. While we appreciate the intent behind ensuring harbor safety and operational efficiency in times of crisis, HHUG would like to express concerns about the potential risks posed to vessels forced to leave under hazardous conditions.

The safety of all maritime vessels, their crews, and passengers must be the top priority in emergency response protocols. Small vessels especially may face extreme dangers when forced into open waters under perilous conditions. We believe that this measure may cause confusion in the instance there are conflicting directives from the U.S. Coast Guard and the Harbor Master. In addition, we are also concerned that this confusion may be amplified during times of emergency and that this will create an additional layer of bureaucracy.

Mahalo for the opportunity to provide comments on this bill.