

ACT 103

H.B. NO. 2228-74

A Bill for an Act Relating to the Boating Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 267-3, Hawaii Revised Statutes, is amended to read:

“Sec. 267-3 Definitions. In this chapter, if not inconsistent with the context:

- (1) ‘Boat dealer’ means a person engaged wholly or partly in the business of selling or offering for sale, buying or taking in vessels for the purpose of resale, or exchanging vessels, for gain or compensation.
- (2) ‘Boat livery’ means the business of holding out vessels for rent, lease, or charter.
- (3) ‘Boat manufacturer’ means a person engaged in
 - (A) the manufacture, construction, or assembly of boats or associated equipment; or
 - (B) the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or
 - (C) the importation into the United States for sale of boats, associated equipment, or components thereof.
- (4) ‘Boating accident’ means any occurrence involving a vessel or its equipment that results in:
 - (A) the death of a person;
 - (B) the loss of consciousness by any person, the receipt of medical treatment by any person, or the incapacity of any person for more than twenty-four hours;
 - (C) damage to the vessel and other property totalling more than \$100; or
 - (D) the disappearance of a person from the vessel under circumstances that indicate death or injury.
- (5) ‘Certificate’ means certificate of number.
- (6) ‘Coast guard’ means the Coast Guard of the United States, or its successor agency.
- (7) ‘Department’ means the department of transportation.
- (8) ‘Director’ means the director of transportation.
- (9) ‘Federal laws and requirements’ means all statutes, rules, and regulations, and other laws of the United States, which may be applicable to any and all subject matters of this chapter, and of the rules and regulations adopted and promulgated pursuant to this chapter.
- (10) ‘Length’ means the measurement of a vessel from end to end over the deck.
- (11) ‘Operate’ means to navigate or otherwise use a vessel on or in the waters of the State.
- (12) ‘Operator’ means a person who operates or who has charge of the navigation or use of vessel.
- (13) ‘Person’ means an individual, partnership, firm, corporation, association, or other legal entity.
- (14) ‘State’ means the State of Hawaii.
- (15) ‘Undocumented vessel’ means any vessel which does not have and is not required to have a valid marine document as a vessel of the United States.
- (16) ‘Vessel’ means all description of watercraft, used or capable of

being used as a means of transportation on or in the water, except a seaplane.

- (17) 'Waters of the State' means any waters within the jurisdiction of the State, the marginal seas adjacent to the State, and the high seas when navigated as a part of a journey or ride to or from the shores of the State."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 31, 1974.)

*Edited accordingly.