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S.B. NO. 2796

A Bill for an Act Relating to Pilotage.

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

SECTION 1. Section 462A-3, Hawaii Revised Statutes, is amended to read as follows:

“§462A-3 Powers and duties of the director. In addition to any other duties and powers granted by this chapter the director shall:

- (1) Grant licenses to port pilots and deputy port pilots pursuant to this chapter;
- (2) Make, amend, or repeal rules in accordance with chapter 91 as may be necessary to carry out the purposes of this chapter which are to provide for maximum efficiency in navigating vessels entering or leaving the waters of this State; maintain a pilotage system devoted to the preservation, and protection of lives, property and vessels entering or leaving waters of the State; and ensure an adequate supply of qualified pilots in aid of commerce and navigation;
- (3) Develop appropriate standards for licensure including examinations and investigations to determine whether persons applying for full [pilot,] port pilot, or deputy port pilot licenses are qualified;
- (4) Enforce this chapter and rules adopted pursuant thereto;
- (5) Suspend, revoke or deny the issuance of any license for any cause prescribed by this chapter, or for any violation of the rules;

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- (6) Investigate any person for violations of any provisions of this chapter;
- (7) Adopt methods to improve disciplinary and enforcement programs against violations of this chapter;
- (8) Do all things reasonable, necessary, and expedient to insure proper and safe pilotage and to facilitate the efficient administration of this chapter.”

SECTION 2. Section 462A-7, Hawaii Revised Statutes, is amended to read as follows:

“**§462A-7 [Pilot examination and license fees.** An applicant for examination for a pilot’s license shall pay a fee of \$25. Upon the issuance of an original port pilot license or a renewed port pilot license, the licensee shall pay a fee of \$200. Upon the issuance of an original deputy port pilot license or a renewed deputy port pilot license, the licensee shall pay a fee of \$50.] **Fees.** The department may provide for separate fees for application, examination, license renewal, restoration of license, and for limited and temporary licenses. All fees shall be as provided in rules adopted by the director pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 3. Section 462A-19, Hawaii Revised Statutes, is amended to read as follows:

“**§462A-19 Exempt vessels.** This chapter does not apply to:

- (1) Any vessel required by the laws of the United States of America to be under the direction and control of a federally licensed pilot;
- (2) Public vessels of the United States of America; or
- [(3) Motorboats as defined in section 1 of the Federal Motorboat Act of 1940; or
- (4)] (3) Fishing vessels that have been issued a fishery license or appropriately endorsed registry under the laws of the United States of America.

This section provides minimum pilotage requirements, and is not intended to negate the department of transportation’s responsibility for the safety of all ports and shore waters in the State, nor does it limit the department’s right to require additional pilotage should that department determine it is necessary to ensure safety in the ports or shore waters of the State.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 27, 1988.)