

ACT 315

S.B. NO. 659

A Bill for an Act Relating to the Environment.

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

SECTION 1. Chapter 128D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§128D- Limitation of liability for heavy fuel oil releases.** (a) Notwithstanding any law to the contrary, the liability of any person under section 128D-6 for any release of heavy fuel oil from a tank barge carrying heavy fuel oil interisland shall not exceed \$700,000,000.

(b) For the purposes of subsection (a):

“Heavy fuel oil” includes petroleum that is no. 6 technical grades of fuel oil and other grades such as navy special fuel oil and bunker C.

“Release of heavy fuel oil” means a release subject to the federal Oil Pollution Act of 1990.

“Tank barge” means any vessel that carries oil in bulk as cargo or in residue and is not equipped with a means of self propulsion.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect on June 30, 1996.

(Became law on July 3, 1996, without the Governor’s signature, pursuant to Art. III §16, State Constitution.)

**Note**

1. Edited pursuant to HRS §23G-16.5.