

JAN 20 2017

A BILL FOR AN ACT

RELATING TO PROPELLER GUARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in 2011, Hawaii had
2 the second-worst record of boating-related fatalities in the
3 nation, at a rate of forty-four boating related deaths per one
4 hundred thousand registered ocean vessels. Boats, especially
5 those operated for recreational purposes in nearshore waters,
6 frequently come into contact with other ocean users who are
7 engaging in recreational or subsistence activities. In recent
8 years, several individuals statewide have been critically
9 injured or killed by the boat propellers under these
10 circumstances.

11 The legislature further finds that most boat propellers are
12 designed as sharp, exposed, spinning blades. When they come
13 into contact with swimmers, divers, surfers, snorkelers, and
14 paddlers in the water due to operator error, disregard for ocean
15 safety standards, or naturally occurring conditions like strong
16 currents, the result is almost always critical or fatal injury.



1 The legislature additionally finds that boat propellers can
2 also cause environmental damage. While a boat is underway, its
3 propeller may strike and injure marine animals, including
4 protected species such as sharks, dolphins, and sea turtles,
5 even when the boat's operator is aware of hazards and makes
6 efforts to avoid them. Propellers can also seriously damage
7 aquatic plant life, which is a necessary component of healthy
8 reef ecosystems, a critical food source for herbivorous marine
9 animals, and an important cultural resource for many of Hawaii's
10 people. Additionally, turbulence and wake caused by propellers
11 can harm small marine species, increase shoreline erosion, and
12 damage critical shoreline habitat.

13 The legislature also finds that propeller guards mitigate
14 damage to human and marine life and the ocean ecosystem by
15 serving as a barrier surrounding propeller blades and reducing
16 turbulence and wake. Propeller guards provide additional
17 benefits to boat owners by protecting propeller blades from
18 damage, increasing boat performance, deterring propeller theft,
19 and qualifying boat owners for insurance discounts.

20 The purpose of this Act is to protect ocean users as well
21 as ocean and shoreline ecosystems by requiring all motorized



1 recreational vessels that operate in nearshore waters to have
2 propeller guards or similar technology installed.

3 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
4 amended by adding a new section to part II to be appropriately
5 designated and to read as follows:

6 "§200- Propeller guards required. (a) It shall be
7 unlawful to operate a motorized recreational vessel in the
8 waters of the State within five hundred meters of shore unless
9 the vessel is equipped with a properly functioning propeller
10 guard.

11 (b) For purposes of this section, "propeller guard" means:

12 (1) An after-market physical barrier including a cage,
13 screen, vane guard, shroud, ring, deflector, or
14 similar technology that is designed to be installed on
15 a vessel's propeller for the purpose of protecting the
16 propeller, marine life, or persons from damage or
17 harm; or

18 (2) A propeller that is manufactured to incorporate a
19 physical barrier or rounded leading blade edges as a
20 design feature for the purpose of protecting marine
21 life or persons from damage or harm.



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1 (c) Any person who operates a motorized recreational
 2 vessel in violation of this section shall be fined \$250 for each
 3 violation."

4 SECTION 3. This Act does not affect rights and duties that
 5 matured, penalties that were incurred, and proceedings that were
 6 begun before its effective date.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on January 1, 2018.

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S.B. NO. 258

Report Title:

Marine Life; Recreational Vessels; Propeller Guards

Description:

Requires all motorized recreational vessels operating in nearshore waters to have properly functioning propeller guards. Takes effect on 01/01/2018.

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