
A BILL FOR AN ACT

RELATING TO MARINE EVENTS.

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

1 SECTION 1. The legislature recognizes that marine events
2 often require more than one year of advance planning in light of
3 the many responsibilities involved. For example, if ocean
4 access during an event will be from private property, the permit
5 applicant must provide proof of permission from the landowner
6 before a permit may be issued. Event organizers experience
7 hardships when the department of land and natural resources is
8 unable to approve or deny permit applications well in advance of
9 proposed events. The legislature finds that many individuals
10 have expressed interest in applying to the department of land
11 and natural resources for marine event permits up to one year in
12 advance of an event.

13 The legislature is also aware of the immense popularity of
14 regattas, marine parades, surfing contests, and other marine
15 events in the State. During these events, ocean conditions can
16 be extremely hazardous to both participants and spectators.
17 Furthermore, spectators may use vessels, thrill craft, drones,



1 and other means to observe and capture photos and videos of
2 these events, which may interfere with the event, infringe upon
3 an event organizer's exclusive use of areas designated for use
4 during the event, and put event participants at risk of serious
5 injury or death. These issues arose during recent surf contests
6 such as the Peahi Challenge and the Quiksilver in Memory of
7 Eddie Aikau.

8 Accordingly, the purpose of this Act is to require the
9 department of land and natural resources to:

- 10 (1) Allow individuals to apply for marine event permits up
11 to one year in advance of the date of a proposed
12 marine event; and
- 13 (2) Adopt rules to mitigate the hazards posed by vessels,
14 thrill craft, drones, and other means used by
15 spectators to observe or record regattas, surfing
16 contests, and other marine events in the waters of the
17 State.

18 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
19 amended by adding two new sections to part II to be
20 appropriately designated and to read as follows:



1 "\$200- Marine events; permits; exclusive use;
2 cancellation fee. (a) No person shall hold a marine event,
3 including but not limited to a regatta, marine parade, or
4 surfing contest, without the department's authorization;
5 provided that the department's authorization is not required if
6 prior authorization has been secured from the Coast Guard.

7 (b) Authorization shall be in the form of a permit. All
8 permit applications shall be on a form prescribed by the
9 department.

10 (c) Permit applications may be submitted to the department
11 up to one year in advance of the date of a proposed event. The
12 department shall grant or deny a permit within thirty calendar
13 days of receiving a permit application.

14 (d) A permit issued to an applicant shall confer upon the
15 applicant the exclusive use of waters and other areas under the
16 jurisdiction of the State that have been specifically designated
17 for use during the marine event.

18 (e) If an applicant who has been granted a permit under
19 this section cancels the event with ninety or fewer days' notice
20 to the department before the starting date of the proposed



1 event, the department may assess a cancellation fee. The amount
2 of the fee shall be determined by the department.

3 (f) The department shall adopt rules, pursuant to chapter
4 91, necessary to effectuate this section.

5 (g) As used in this section, "marine event" means an
6 organized water event of limited duration that is conducted
7 according to a prearranged schedule, and by its nature,
8 circumstances, or location, will introduce extra or unusual
9 hazards to the safety of persons or property on the waters of
10 the State.

11 §200- Event spectators; hazards; mitigation. The
12 department shall adopt rules to mitigate the hazards posed by
13 vessels, thrill craft, drones, and other means used by
14 spectators to observe or record regattas, marine parades,
15 surfing contests, and other marine events held in the waters of
16 the State."

17 SECTION 3. The department shall submit a report of its
18 progress in implementing the permitting process and adopting
19 rules as required by section 2 of this Act, including any
20 proposed legislation, to the legislature no later than twenty
21 days prior to the convening of the regular session of 2019.



1 SECTION 4. New statutory material is underscored.
2 SECTION 5. This Act shall take effect on December 24,
3 2088.



Report Title:

Department of Land and Natural Resources; Ocean Safety; Marine Events; Permits; Event Spectators; Rules

Description:

Requires the Department of Land and Natural Resources to allow applications for marine event permits up to one year in advance and to adopt rules to mitigate hazards posed by vessels, thrill craft, drones, and other means used by spectators to observe or record marine events. Requires a report to the 2019 Legislature. (HB2259 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

