
A BILL FOR AN ACT

RELATING TO DRIVING ON BEACHES.

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

1 SECTION 1. Section 184-3.4, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§184-3.4 State parks special fund.** (a) There is
4 established within the state treasury a fund to be known as the
5 state parks special fund, into which shall be deposited:

6 (1) All proceeds collected by the state parks programs
7 involving park user fees, any leases or concession
8 agreements, the sale of any article purchased from the
9 department to benefit the state parks programs, or any
10 gifts or contributions; provided that proceeds derived
11 from the operation of Iolani Palace shall be used to
12 supplement its educational and interpretive programs;
13 and

14 (2) Transient accommodations tax revenues pursuant to
15 section 237D-6.5; provided that these moneys shall be
16 expended in response to a master plan developed in
17 coordination with the Hawaii tourism authority[-]; and



1 (3) Permit fees collected pursuant to Act _____, Session
2 Laws of Hawaii 2021.

3 (b) The department shall expend the moneys from the state
4 parks special fund for the following purposes:

5 (1) Permanent and temporary staff positions;

6 (2) Planning and development of state parks programs,
7 including the aina hoomalu state parks program;

8 (3) Construction, repairs, replacement, additions, and
9 extensions of state parks facilities;

10 (4) Operation and maintenance costs of state parks and
11 state parks programs; and

12 (5) Administrative costs of the division of state parks.

13 (c) There is established within the state parks special
14 fund, a Diamond Head State Monument sub-account, into which
15 shall be deposited fifty-five per cent of all proceeds collected
16 from the admission fees charged at the Diamond Head State
17 Monument. The department shall expend the moneys from the
18 Diamond Head State Monument sub-account for repair, maintenance,
19 and operating costs incurred by the State in the management of
20 the Diamond Head State Monument.



1 (d) There is established within the state parks special
 2 fund, a Polihale state park sub-account, into which shall be
 3 deposited all proceeds collected from the permit fees charged to
 4 drive on the beach in Polihale state park. The department shall
 5 expend the moneys from the Polihale state park sub-account for
 6 maintenance and improvements to Polihale state park."

7 SECTION 2. (a) There is established within the department
 8 of land and natural resources a two-year beach protection pilot
 9 program to protect the beaches in Polihale state park.

10 (b) Pursuant to the pilot program and notwithstanding any
 11 law to the contrary, no one shall drive a vehicle on the beach
 12 in Polihale state park without a permit issued by the department
 13 of land and natural resources pursuant to this Act.

14 (c) Upon the payment of a fee of \$, the department of
 15 land and natural resources shall issue a permit to drive a
 16 vehicle on the beach in Polihale state park. The fees paid to
 17 the department for permits to drive a vehicle on the beach in
 18 Polihale state park shall be deposited into the state parks
 19 special fund established under section 184-3.4, Hawaii Revised
 20 Statutes.



1 (d) The department of land and natural resources shall
2 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to
3 implement this Act.

4 (e) As used in this Act, "vehicle" includes automobiles,
5 trucks, vans, motorcycles, motor bikes, all-terrain vehicles,
6 motorized bikes, mopeds, scooters, and trailbikes.

7 SECTION 3. No later than twenty days prior to the
8 convening of the regular session of 2023, the department of land
9 and natural resources shall submit to the legislature a report
10 of its findings and recommendations, including any proposed
11 legislation, regarding the pilot program established pursuant to
12 section 1 of this Act.

13 SECTION 4. This Act shall take effect on July 1, 2021;
14 provided that on June 30, 2023, this Act shall be repealed and
15 section 184-3.4, Hawaii Revised Statutes, shall be reenacted in
16 the form in which it read on the day prior to the effective date
17 of this Act.



Report Title:

Driving on Beaches; Polihale State Park; Department Of Land And Natural Resources; Beach Protection Pilot Program

Description:

Establishes a two-year beach protection pilot program under which no vehicles are authorized to drive on the beach in Polihale state park without a permit. Requires a report to the legislature. Repeals on 6/30/2023. (SD1)

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