

JAN 22 2021

A BILL FOR AN ACT

RELATING TO VESSELS.

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

1 SECTION 1. The legislature finds that as working harbors,
2 many of Hawai'i's harbors produce large amounts of noise. While
3 the department of transportation has the authority to adopt
4 rules regulating the manner in which vessels may enter and moor,
5 anchor, or dock in the commercial harbors, ports, and
6 roadsteads, this authority does not allow the department of
7 transportation to adopt rules to regulate excessive and harmful
8 noises emanating from these vessels. The legislature further
9 finds that granting the department of transportation this
10 authority will help alleviate the concerns of individuals
11 affected by the noise from Hawai'i's harbors.

12 SECTION 2. Section 266-3, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) The director of transportation may adopt rules as
15 necessary [~~to~~]:

16 (1) [~~Regulate~~] To regulate the manner in which all vessels
17 may enter and moor, anchor or dock in the commercial



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- 1 harbors, ports, and roadsteads of the State, or move
2 from one dock, wharf, pier, quay, bulkhead, landing,
3 anchorage, or mooring to another within the commercial
4 harbors, ports, or roadsteads;
- 5 (2) ~~[The]~~ For the examination, guidance, and control of
6 harbor masters and their assistants and their conduct
7 while on duty;
- 8 (3) ~~[The]~~ For the embarking or disembarking of passengers;
- 9 (4) To regulate the allowable noise that may emanate from
10 vessels while using the commercial harbors, ports,
11 roadsteads, docks, wharves, piers, quays, bulkheads,
12 and landings of the State, including by establishing
13 noise limits;
- 14 ~~[(4)]~~ (5) ~~[The]~~ For the expeditious and careful handling of
15 freight, goods, wares, and merchandise of every kind
16 which may be delivered for shipment or discharged on
17 the commercial docks, wharves, piers, quays,
18 bulkheads, or landings belonging to or controlled by
19 the State; ~~[and]~~
- 20 ~~[(5)]~~ (6) ~~[Defining]~~ To define the duties and powers of
21 carriers, shippers, and consignees respecting



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1 passengers, freight, goods, wares, and merchandise in
2 and upon the docks, wharves, piers, quays, bulkheads,
3 or landings within the commercial harbors, ports, and
4 roadsteads of the State. [~~The director may also make~~
5 ~~further rules for the~~]; and

6 (7) For the safety of the docks, wharves, piers, quays,
7 bulkheads, and landings on, in, near, or affecting a
8 commercial harbor and waterfront improvements
9 belonging to or controlled by the State."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: Kal Nath



S.B. NO. 277

Report Title:

Vessels; Harbors; Regulation of Noise; Department of
Transportation

Description:

Authorizes the director of transportation to adopt rules that regulate and limit noise from vessels at harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads, and landings of the State.

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