
A BILL FOR AN ACT

RELATING TO TRANSFERABILITY OF MOORING PERMITS.

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

1 SECTION 1. Section 200-10, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) The department shall not renew or issue a permit to a
4 person who is not the owner of the vessel [~~which~~] that is moored
5 or [~~which~~] that the person desires to moor in a state small boat
6 harbor. No use permit may be transferred unless specifically
7 provided by law.

8 Any person possessing a mooring permit may be allowed to
9 transfer the mooring permit to a new vessel owner upon the sale
10 of the mooring permittee's vessel, and the transferee shall be
11 allowed to retain the mooring permit; provided that all of the
12 following requirements are met:

13 (1) The sale price of the vessel shall not take into
14 account the value of the attendant mooring permit, nor
15 shall the sale price of the vessel take into account
16 any fees required by this subsection; provided that
17 the department shall have the discretion to require an



1 appraisal of the vessel, by a state-licensed appraiser
2 at the expense of the vessel owner, if the department
3 has reason to believe that the vessel is being sold
4 for a price substantially greater or less than fair
5 market value;

6 (2) The seller shall pay to the department a mooring
7 permit transfer fee of \$150; and

8 (3) The seller is in compliance with chapters 200 and 200A
9 and any administrative rules adopted thereunder.

10 Unless otherwise required by law or a court of competent
11 jurisdiction, when a vessel is sold in accordance with this
12 subsection, a principal habitation permit, if any, shall not
13 transfer and shall automatically terminate. Nothing in this
14 subsection shall be construed to allow a person possessing a
15 mooring permit to transfer the mooring permit without a
16 corresponding sale of the vessel to which the mooring permit
17 applies. If any person sells the person's vessel or transfers a
18 mooring permit without complying with all of the requirements of
19 this subsection, the mooring permit shall automatically
20 terminate.



1 Any individual who is an owner of a vessel used for
2 commercial purposes, including commercial fishing as a principal
3 means of livelihood, and possesses a valid mooring permit or
4 commercial permit, or both, in accordance with the rules adopted
5 by the chairperson pursuant to chapter 91, may transfer
6 ownership of the vessel from personal ownership to corporate or
7 other business ownership without terminating the right to moor
8 or operate the vessel under the permit or permits. The existing
9 permit or permits shall be reissued in the name of the
10 transferee corporation or other business entity."

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect on July 1, 2050.

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H.B. NO. 2162
H.D. 1

Report Title:

Mooring Permit; Transfer

Description:

Allows a holder of a mooring permit within a state small boat harbor to transfer the mooring permit under certain terms and conditions. Effective 7/1/2050. (HD1)

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