

JAN 26 2022

---

---

# A BILL FOR AN ACT

RELATING TO HARBORS.

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

1 SECTION 1. Section 266-2.3, Hawaii Revised Statutes, is  
2 repealed.

3 ~~["§266-2.3] Kewalo basin use permit; Honolulu harbor use~~  
4 ~~permit; portability. (a) Notwithstanding any law to the~~  
5 ~~contrary, the department of transportation shall allow, on a~~  
6 ~~space available basis, a vessel with a use permit authorizing~~  
7 ~~the vessel to moor in Kewalo basin to moor in Honolulu harbor at~~  
8 ~~no additional cost and with no additional use permit required~~  
9 ~~under the following conditions:~~

10 ~~(1) The manager of Kewalo basin prohibits entrance into~~  
11 ~~Kewalo basin because of inclement weather or ocean~~  
12 ~~conditions; provided that as soon as the manager of~~  
13 ~~Kewalo basin opens the entrance to vessels, the vessel~~  
14 ~~shall leave Honolulu harbor;~~

15 ~~(2) The owner or operator of a commercial fishing vessel~~  
16 ~~desires to sell the owner's or operator's catch of~~  
17 ~~fish to a business operating within Honolulu harbor or~~  
18 ~~otherwise conduct business within Honolulu harbor;~~

S.B. NO. 3148

1           ~~provided that the vessel shall not moor in Honolulu~~  
2           ~~harbor for a period longer than is necessary to unload~~  
3           ~~all or some of the catch of fish for sale or otherwise~~  
4           ~~conduct business; and~~

5           ~~(3) The owner of the vessel is current in its payments of~~  
6           ~~any moneys, rates, fees, dues, compensation, fines, or~~  
7           ~~penalties assessed against the vessel that are due to~~  
8           ~~the State.~~

9           ~~(b) Notwithstanding any law to the contrary, the~~  
10          ~~department with jurisdiction over Kewalo basin shall allow, on a~~  
11          ~~space available basis, a vessel with a use permit authorizing~~  
12          ~~the vessel to moor in Honolulu harbor to moor in Kewalo basin at~~  
13          ~~no additional cost and with no additional use permit required~~  
14          ~~subject to the discretion of the harbor manager of Kewalo basin.~~

15          ~~(c) The director of transportation shall adopt rules~~  
16          ~~pursuant to chapter 91, to implement this section." ]~~

17          SECTION 2. Section 266-22, Hawaii Revised Statutes, is  
18          repealed.

19          ~~[ "§266-22 Maintenance of fire boat. The cost of operating~~  
20          ~~and maintaining the fire boat shall be borne by the department~~  
21          ~~of transportation. The department shall pay annually from its~~  
22          ~~special fund for the operation and maintenance costs." ]~~

S.B. NO. 3148

1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken.

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

4

5

6

INTRODUCED BY: *M. M. M. M.*

7

BY REQUEST

# S.B. NO. 3148

**Report Title:**

Department of Transportation; Hawaii Revised Statutes, Repeal

**Description:**

Repeals sections 266-2.3, and 266-22, Hawaii Revised Statutes, for the purpose of deleting obsolete or unnecessary provisions.

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

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO HARBORS.

PURPOSE: Repeal two sections of the Hawaii Revised Statutes related to harbors.

MEANS: Repeal sections 266-2.3 and 266-22, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Transportation seeks to repeal these sections of the Hawaii Revised Statutes for the following reasons:

Section 266-2.3, Kewalo basin use permit; Honolulu harbor use permit; portability - oversight of Kewalo basin is under the purview of the Hawaii Community Development Authority (HCDA), and the statutes should be repealed to reflect that shared permitting and expense items are wholly with the HCDA.

Section 266-22, Maintenance of fire boat - The Department of Transportation no longer owns any fireboats.

Impact on the public: None.

Impact on the department and other agencies: Repeals obsolete or unnecessary sections in the Hawaii Revised Statutes.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION:

OTHER AFFECTED  
AGENCIES:

Hawaii Community Development Authority.

EFFECTIVE DATE:

Upon approval.