

JAN 26 2022

A BILL FOR AN ACT

RELATING TO PARKING VIOLATIONS.

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

1 SECTION 1. The legislature finds that proper enforcement
2 of parking rules allows many residents to use and enjoy state
3 properties for ocean recreational activities. However, traffic
4 and parking congestion at Lahaina boat harbor has created
5 additional difficulties for patrons. Limited enforcement of
6 parking rules causes many difficulties for boaters and
7 individuals engaging in recreational activities. Inconsistent
8 enforcement also contributes to traffic congestion problems at
9 the Lahaina boat harbor, as conflicting information regarding
10 permits, parking, and compliance leave boaters and patrons
11 confused on rules.

12 Therefore, the purpose of this Act is to implement specific
13 parking violations to be enforced by the department of land and
14 natural resources division of boating and ocean recreation.

15 SECTION 2. Section 200-14, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "§200-14 Violation of rules; penalty. (a) It shall be a
2 violation of this section for any person to:

3 (1) Fail to pay the posted fees;

4 (2) Park, stop, or stand any vehicle across any line or
5 marking of a paid parking stall or in such position
6 that the vehicle shall not be entirely within the
7 stall designated by the lines or markings;

8 (3) Park, stop, or stand a towing vehicle with a boat
9 trailer attached in any non-designated vehicle or
10 trailer paid parking stall;

11 (4) Permit another person not entitled thereto, to use or
12 have possession of a parking sticker;

13 (5) Alter, forge, counterfeit, or imitate a parking
14 sticker;

15 (6) Possess or use a parking sticker, knowing it to have
16 been altered, forged, counterfeited, or imitated;

17 (7) Avoid or attempt to avoid compliance with this
18 subsection by affixing to a vehicle a parking sticker
19 not authorized by the department;

20 (8) Enclose, obstruct, or cause to be enclosed or
21 obstructed any paid parking stall or portion thereof



1 unless a permit has been obtained from the department
2 as required in section 13-233-27, Hawaii
3 Administrative Rules;

4 (9) Deface, injure, tamper with, open, or wilfully break,
5 destroy, or impair the usefulness of any parking pay
6 station installed under the provisions of this
7 subsection; and

8 (10) Disregard any official direction, instruction, or
9 restriction indicated by or located on official signs
10 posted in a paid parking zone.

11 ~~[(a)]~~ (b) Except as provided in subsection ~~[(b)],~~ (c), any
12 person who violates any rule adopted by the department under
13 this part or who violates this part, shall be fined not more
14 than \$1,000 or less than \$50 for each violation, and any vessel,
15 the agents, owner, or crew of which violate the rules of the
16 department or this part, shall be fined not more than \$1,000 or
17 less than \$50 for each violation; provided that in addition to
18 or as a condition to the suspension of the fines and penalties,
19 the environmental court may deprive the offender of the
20 privilege of operating or mooring any vessel in state waters for
21 a period of not more than thirty days.



1 ~~[(b)]~~ (c) Any person who violates any rule adopted by the
2 department under this part regulating vehicular parking or
3 traffic movement shall have committed a traffic infraction as
4 set forth in chapter 291D, the adjudication of which shall be
5 subject to the provisions contained therein. A person found to
6 have committed such a traffic infraction shall be fined not more
7 than:

8 (1) \$100 for a first violation;

9 (2) \$200 for a second violation; and

10 (3) \$500 for a third or subsequent violation.

11 ~~[(e)]~~ (d) Notwithstanding the provisions of subsection
12 ~~[(a)]~~ (b) establishing a fine of not more than \$1,000 or less
13 than \$50 for each violation, any person who violates any rule
14 adopted by the department relating to unauthorized discharge,
15 dumping, or abandoning, in any state boating facility or state
16 waters, of any petroleum product, hazardous material, or sewage
17 in violation of the state water quality standards established by
18 the department of health, shall be fined not more than \$10,000
19 for each day of violation, and any vessel, the agents, owner, or
20 crew of which violate the rules of the department shall be fined
21 not more than \$10,000 for each day of violation."



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

3 SECTION 4. This Act shall take effect on July 1, 2022.

4

INTRODUCED BY: Rosely H. Bak



S.B. NO. 3351

Report Title:

Department of Land and Natural Resources; Violations

Description:

Specifies parking violations for all patrons engaging in ocean recreation and coastal areas program property. Authorizes the Department of Land and Natural Resources to collect fines for each violation of parking rules.

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

