

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO DRIVING ON BEACHES.

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

1 SECTION 1. (a) There is established within the department  
2 of land and natural resources a two-year beach protection pilot  
3 program to protect the beaches in Polihale state park and  
4 Kekaha, Kauai.

5 (b) Pursuant to the pilot program and notwithstanding any  
6 law to the contrary, no one shall drive a vehicle on the beach  
7 in Polihale state park or on any beach in Kekaha, Kauai, under  
8 the jurisdiction of the department of land and natural resources  
9 without a permit issued by the department pursuant to this Act.

10 (c) Upon the payment of a fee of \$ , the department of  
11 land and natural resources shall issue a permit to drive a  
12 vehicle on the beach in Polihale state park or on any beach in  
13 Kekaha, Kauai, under the jurisdiction of the department.

14 (d) The fees collected under subsection (c) shall be used  
15 by the department of land and natural resources solely for the  
16 maintenance of and improvements to, Polihale state park and



1 those beaches in Kekaha, Kauai, that are under the department's  
2 jurisdiction.

3 The fees collected shall be expended by the department of  
4 land and natural resources for the purposes of this Act.

5 (e) The department of land and natural resources shall  
6 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to  
7 implement this Act.

8 (f) The department of land and natural resources shall  
9 work with the county of Kauai to determine the feasibility of  
10 establishing a pilot program to allow vehicles to drive, subject  
11 to a fee and permitting requirement, on those portions of beach  
12 at Kekaha beach park that are under the jurisdiction of the  
13 county.

14 (g) As used in this Act, "vehicle" includes automobiles,  
15 trucks, vans, motorcycles, motor bikes, all-terrain vehicles,  
16 motorized bikes, mopeds, scooters, and trailbikes.

17 SECTION 2. (a) No later than twenty days prior to the  
18 convening of the regular session of 2022, the department of land  
19 and natural resources shall submit a report to the legislature  
20 on the status of its discussions with the county of Kauai on  
21 the feasibility of establishing a pilot program to allow



# S.B. NO. *178*

1 vehicles to drive, subject to a fee and permitting requirement,  
2 on those portions of beach at Kekaha beach park that are under  
3 the jurisdiction of the county.

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

10 SECTION 3. This Act shall take effect on July 1, 2021, and  
11 shall be repealed on June 30, 2023.

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INTRODUCED BY: *Am N. W.*

**By Request**



# S.B. NO. 178

**Report Title:**

Driving on Beaches; Polihale State Park; Kekaha, Kauai; DLNR; County of Kauai; 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 or on any beach in Kekaha, Kauai, under the jurisdiction of DLNR without a permit. Requires DLNR to work with the county of Kauai on the feasibility of establishing a similar pilot program for the beach at Kekaha beach park under the jurisdiction of the county. Requires report to the legislature. Repeals on 6/30/2023.

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

