
A BILL FOR AN ACT

RELATING TO COMMERCIAL ACTIVITIES ON BEACHES.

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

1 SECTION 1. Chapter 200, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§200- Prohibited commercial activities on certain
5 beaches; administrative fine. (a) No commercial vendor shall
6 preset commercial beach equipment on any public beach under the
7 jurisdiction of the department unless the customer is physically
8 present for the immediate use of the commercial beach equipment.
9 The commercial vendor shall expeditiously remove the commercial
10 beach equipment after the customer has finished using it.

11 (b) The department may authorize exemptions to subsection
12 (a) through rules adopted pursuant to chapter 91.

13 (c) Any commercial vendor who violates subsection (a)
14 shall be subject to an administrative fine of \$5,000 for a first
15 offense, \$10,000 for a second offense, and \$15,000 for a third
16 or subsequent offense.



1 (d) This section shall apply only to public beaches and
2 not beaches located on private land, such as accreted lands, and
3 within a county:

4 (1) With a population over nine hundred thousand; or

5 (2) With a population above one hundred thousand and below
6 one hundred eighty thousand.

7 (e) As used in this section:

8 "Commercial beach equipment" means recreational equipment
9 for rent, including chairs, umbrellas, surfboards, paddleboards,
10 kayaks, and other non-motorized watercraft equipment.

11 "Preset" means to set up or have physically ready for use
12 commercial beach equipment by a commercial vendor."

13 SECTION 2. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on June 30, 3000.



Report Title:

Department of Land and Natural Resources; Beaches; Commercial Beach Equipment; Presetting; Removal; Commercial Vendors

Description:

Prohibits any commercial vendor from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources, unless the customer is physically present. Requires commercial vendors to expeditiously remove commercial beach equipment after the customer has finished using it. Allows the Department of Land and Natural Resources to grant exemptions through rules. Establishes administrative fines for violations. Pertains only to public beaches and does not include private lands such as accreted lands and only within certain counties. Effective 6/30/3000. (HD1)

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

