
A BILL FOR AN ACT

RELATING TO VESSELS.

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

1 SECTION 1. The legislature finds that it is important to
2 address the negative impacts of boat fumigation, a practice used
3 for pest control that has significant consequences for human
4 health and the environment. The chemicals used are also harmful
5 to non-target species, including wildlife and aquatic life. The
6 release of these toxins into the air and water can have long
7 lasting negative effects on the ecosystems in which they are
8 used.

9 The purpose of this Act is to protect human and marine
10 health and the environment by requiring boats to be placed on
11 dry land before fumigation or, if it is necessary to fumigate a
12 boat while it remains on the ocean, to obtain an exemption that
13 requires the boat to be fully covered and sealed.

14 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
15 amended by adding a new section to part I to be appropriately
16 designated and to read as follows:



1 "§200- Fumigation of vessels; prohibition; exemption.

2 (a) No vessel shall be fumigated on ocean waters; provided that
3 the owner of a vessel that requires fumigation on ocean waters
4 may apply to the division for an exemption.

5 (b) In evaluating a request for an exemption, the division
6 may consider circumstances including an inability to dock the
7 vessel on dry land.

8 (c) Any vessel granted an exemption shall be fully covered
9 and sealed while being fumigated and for any period of time
10 thereafter needed to prevent fumigant or other chemicals from
11 entering ocean waters.

12 (d) The division may adopt rules pursuant to chapter 91 to
13 implement this section.

14 (e) As used in this section:

15 "Division" means the department of land and natural
16 resources division of boating and ocean recreation.

17 "Fumigate" or "fumigation" means the use of any substance
18 or substances that emit or liberate gases, fumes, or vapors
19 which may be used for the destruction or control of insects,
20 vermin, rodents, or other pests, which, in the opinion of the



1 board, may be lethal, poisonous, noxious, or dangerous to human
2 or marine life, and is typically accomplished by tenting.

3 "Vessel" has the same meaning as in section 200-6(b)."

4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:

Disakiragaw
JAN 19 2023



H.B. NO. 245

Report Title:

Vessels; Fumigation; Prohibition; Exemption

Description:

Prohibits a vessel from being fumigated on ocean waters. Allows an owner whose vessel is required to be fumigated on ocean waters to apply for an exemption from the division of boating and ocean recreation. Requires any vessel granted an exemption to be fully covered and sealed while being fumigated and for any period of time thereafter needed to prevent fumigant or other chemicals from entering ocean waters.

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

