
A BILL FOR AN ACT

RELATING TO MOORING LINES.

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

1 SECTION 1. The legislature finds that the Hawaiian
2 archipelago is the most remote island chain in the world, where
3 ninety-eight per cent of all goods are processed by the harbor
4 system. Tugs are vital to Hawaii's shipping industry, as tugs
5 bring in tens of thousands of goods to the State each day. To
6 properly secure shipping vessels to wharves, mooring lines are
7 thrown over the bollard, which are then secured by certified
8 longshore linespersons to safely secure the bulkhead.

9 The legislature also finds that, presently, it is not
10 required for any out-of-state company to utilize trained local
11 longshore linespersons to secure their operational vessel to the
12 State's commercial docks, wharves, piers, quays, bulkheads, and
13 to landings belonging to or controlled by the State, leading to
14 lower contributions to Hawaii's tax base. Moreover, this
15 practice decreases the number of Hawaii-based jobs for
16 residents. In 2022, the State lost \$1.5 million in related
17 taxes based on barges that did not utilize Hawaii-based labor.



1 The legislature further finds that all stevedoring
2 companies operating within the state harbor system are required
3 to be certified and recertified on the State's health and safety
4 guidelines. Stevedoring companies are crucial to the State's
5 harbors infrastructure, as companies receive training on the
6 identification, notification, and containment of invasive
7 species; hazardous materials; and other potential health and
8 safety threats to Hawaii's fragile ecosystem. Furthermore,
9 stevedoring companies are well versed in the uniqueness of each
10 state harbor's challenges pertaining to the loading and landing
11 of merchandise.

12 Accordingly, the purpose of this Act is to require that the
13 securing of mooring lines from vessels requiring tug assistance
14 to commercial docks, wharves, piers, quays, and landings be
15 performed by an operational stevedoring company that is
16 currently operating in the State; provided that this Act does
17 not apply to the securing of mooring lines from vessels for
18 purposes of shipyard or boatyard operations necessary for vessel
19 drydocking, hauling, launching, or shifting used in conjunction
20 with other shipyard or boatyard operations.



1 SECTION 2. Chapter 382, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§382- Stevedoring services for vessels requiring tug
5 assistance. (a) The department may regulate any labor required
6 to provide stevedoring services for the securing of mooring
7 lines from vessels requiring tug assistance to commercial docks,
8 wharves, piers, quays, and landings; provided that these
9 services shall be performed by an operational stevedoring
10 company that is currently operating in the State.

11 (b) This section shall not apply to the securing of
12 mooring lines from vessels for purposes of any shipyard or
13 boatyard operations necessary for vessel drydocking, hauling,
14 launching, or shifting used in conjunction with the shipyard or
15 boatyard operations.

16 (c) As used in this subsection, "tug" means a boat used
17 for towing or pushing larger vessels."

18 SECTION 3. Section 266-2, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) The department of transportation shall:



- 1 (1) Have and exercise all the powers and shall perform all
2 the duties [~~which~~] that may lawfully be exercised by
3 or under the State relative to the control and
4 management of commercial harbors, commercial harbor
5 and waterfront improvements, ports, docks, wharves,
6 piers, quays, bulkheads, and landings belonging to or
7 controlled by the State, and the shipping using the
8 same;
- 9 (2) Have the authority to use [~~and~~], permit, and regulate
10 the use of the commercial docks, wharves, piers,
11 quays, bulkheads, [~~and~~] landings belonging to or
12 controlled by the State for receiving or discharging
13 passengers and for loading and landing merchandise[~~]~~
14 and commodities and manifested cargo; provided that
15 the securing of mooring lines from vessels requiring
16 tug assistance to the commercial docks, wharves,
17 piers, quays, bulkheads, and landings shall be
18 performed by a stevedoring company; with a right to
19 collect wharfage and demurrage thereon or therefor;



- 1 (3) Subject to all applicable provisions of law, have the
- 2 power to fix and regulate from time to time rates and
- 3 charges for:
- 4 (A) Services rendered in mooring commercial vessels;
- 5 (B) The use of commercial moorings belonging to or
- 6 controlled by the State;
- 7 (C) Wharfage or demurrage;
- 8 (D) Warehouse space, office space, and storage space
- 9 for freight, goods, wares and merchandise; and
- 10 (E) The use of derricks or other equipment belonging
- 11 to the State or under the control of the
- 12 department;
- 13 (4) Make other charges, including toll or tonnage charges
- 14 on freight passing over or across docks, wharves,
- 15 piers, quays, bulkheads, or landings;
- 16 (5) Appoint and remove clerks, harbor agents and their
- 17 assistants, and all [~~such~~] other employees as may be
- 18 necessary, and to fix their compensation;
- 19 (6) Adopt rules pursuant to chapter 91 and not
- 20 inconsistent with law; and



1 (7) Generally have all powers necessary to fully carry out
2 this chapter.

3 As used in this subsection:

4 "Commodity" means a product of agriculture or mining,
5 article of commerce, article of commerce delivered for shipment,
6 or mass-produced unspecialized product.

7 "Manifested cargo" means a manifest or cargo document
8 listing the cargo, passengers, and crew of a ship, aircraft, or
9 vehicle for the use of customs and other officials.

10 "Shipyard" or "boatyard" means a facility that operates dry
11 docks, travel lifts, or marine railways located at piers and
12 wharves; uses equipment capable of building, repairing,
13 altering, converting, and dismantling; fabricates assemblies,
14 components, and piping; and carries out other related activities
15 including painting, mechanical work, and electrical work for
16 commercial, government, and non-commercial use vessels.

17 "Stevedoring company" means a company registered to do
18 business in the State that is authorized to secure mooring lines
19 from vessels to commercial docks, wharves, piers, quays,
20 bulkheads, and landings and that provides services in the
21 loading and offloading of manifested cargo from vessels.



1 "Tug" means a boat used for towing or pushing larger
2 vessels."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

DOT; Mooring Lines; Stevedoring Company; Harbors

Description:

Requires the securing of mooring lines from vessels requiring tug assistance to be manned by an existing, operational stevedoring company that is operating within the State, except the securing of mooring lines from vessels for purposes of shipyard or boatyard operations necessary for vessel drydocking, hauling, launching, or shifting used in conjunction with other shipyard or boatyard operations. Effective 7/1/2050. (SD2)

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