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## A BILL FOR AN ACT

RELATING TO FISHING.

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

1           SECTION 1. The legislature finds that Act 207, Session  
2 Laws of Hawaii 2022, codified as section 188-23.5, Hawaii  
3 Revised Statutes, prohibits the possession or use on, in, or  
4 near state marine waters, of any unmanned aerial vehicles,  
5 otherwise known as drones, for the purpose of taking aquatic  
6 life. The legislature further finds that drone-assisted  
7 fishing, when used responsibly, can have certain benefits.  
8 Thus, the legislature believes drone-assisted fishing should be  
9 regulated rather than prohibited.

10           Accordingly, the purpose of this Act is to repeal  
11 section 188-23.5, Hawaii Revised Statutes, and establish a  
12 framework for regulation and enforcement of responsible drone  
13 fishing practices.

14           SECTION 2. Chapter 188, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 and to read as follows:



1           "§188-            Possession or use of unmanned aerial vehicles  
2 on, in, or near state marine waters; permitting; enforcement.

3           (a) The department of land and natural resources shall develop,  
4 implement, and administer a permitting system for the possession  
5 or use of unmanned aerial vehicles on, in, or near state marine  
6 waters for the purpose of taking aquatic life. The permitting  
7 system shall include:

- 8           (1) Application procedures and requirements;
- 9           (2) Criteria for permit approval or denial;
- 10           (3) Conditions and restrictions on permit grantees;
- 11           (4) Permit fees; and
- 12           (5) Penalties for non-compliance.

13 Permits shall be valid for one year from the date of issuance  
14 and may be renewed annually.

15           (b) The department of land and natural resources shall  
16 enforce this section and adopt rules pursuant to chapter 91. In  
17 cases of noncompliance, the department may:

- 18           (1) Issue citations and fines, as determined by the  
19 department, to individuals using unmanned aerial  
20 vehicles for the purpose of taking aquatic life  
21 without a valid permit; and



1       (2) Seize for forfeiture any unmanned aerial vehicle used  
2       in violation of this section, pursuant to  
3       chapter 712A.

4       (c) The department shall charge applicants, at minimum, a:

5       (1) \$100 annual fee per permit;

6       (2) \$25 processing fee for first-time applicants; and

7       (3) \$10 reissuance fee for lost or damaged permits.

8       (d) The department shall maintain records of all permits  
9       issued, violations reported, and enforcement actions conducted  
10       pursuant to this Act. The department shall submit an annual  
11       report to the legislature no later than twenty days before the  
12       convening of each regular session summarizing its record of  
13       activities during the reporting year.

14       (e) As used in this section, "unmanned aerial vehicle"  
15       means any aerial vehicle that is operated without the  
16       possibility of direct human intervention within or on the aerial  
17       vehicle."

18       SECTION 3. Section 188-23.5, Hawaii Revised Statutes, is  
19       repealed.

20       ~~["§188-23.5] Possession or use of unmanned aerial~~  
21       ~~vehicles on, in, or near state marine waters prohibited;~~



1 ~~exception.~~ (a) ~~It is unlawful to possess or use on, in, or~~  
2 ~~near state marine waters, any unmanned aerial vehicles, for the~~  
3 ~~purpose of taking aquatic life, except under the terms and~~  
4 ~~conditions of a permit first obtained by the user from the~~  
5 ~~department of land and natural resources; provided that unmanned~~  
6 ~~aerial vehicles may be used for the purpose of simple~~  
7 ~~reconnaissance. The department of land and natural resources~~  
8 ~~may issue permits for the possession or use of unmanned aerial~~  
9 ~~vehicles consistent with other legal requirements.~~

10 (b) ~~As used in this section, "unmanned aerial vehicle"~~  
11 ~~means any aerial vehicle that is operated without the~~  
12 ~~possibility of direct human intervention within or on the aerial~~  
13 ~~vehicle." ]~~

14 SECTION 4. The department of land and natural resources  
15 shall establish the permitting system pursuant to section 2 of  
16 this Act according to the following timeline:

- 17 (1) No later than February 28, 2026, the department shall:
- 18 (A) Initiate the convening of a task force to design
  - 19 the permitting system; and
  - 20 (B) Begin consultations with stakeholders, including
  - 21 the fishing community and businesses,



1 environmental experts, and legal advisors, to  
2 establish guidelines for permits;

3 (2) No later than March 31, 2026, the department shall:

4 (A) Draft rules for the permitting system; and

5 (B) Conduct initial public hearings to collect public  
6 input and feedback on the draft rules;

7 (3) No later than April 30, 2026, the department shall:

8 (A) Propose finalized rules pursuant to chapter 91;

9 (B) Begin development of the technical framework for  
10 issuing permits, including online and in-person  
11 systems; and

12 (C) Allocate necessary funding for system  
13 implementation;

14 (4) No later than June 30, 2026, the department shall:

15 (A) Initiate a public education campaign to inform  
16 the fishing community and general public about  
17 the new permitting requirements, including  
18 penalties for non-compliance; and

19 (B) Begin recruitment and training of personnel to  
20 manage the permitting system and staff  
21 enforcement operations;



1 (5) No later than August 31, 2025, the department shall:

2 (A) Conduct a test run of the permitting system to  
3 identify and address potential issues; and

4 (B) Publish a comprehensive guide regarding the use  
5 of unmanned aerial vehicles for fishing and  
6 permit application procedures; and

7 (6) No later than September 1, 2026, the department shall:

8 (A) Launch the permitting system and begin issuing  
9 permits; and

10 (B) Begin enforcement operations.

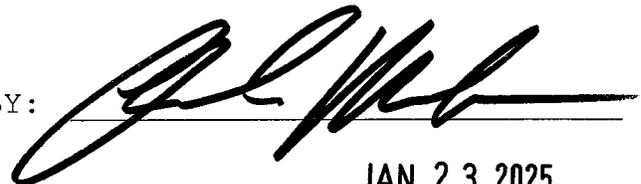
11 SECTION 5. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14 SECTION 6. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval.

17

INTRODUCED BY:



JAN 23 2025



# H.B. NO. 1347

**Report Title:**

DLNR; Unmanned Aerial Vehicles; Drones; Fishing; Taking of Aquatic Life; Marine Life; Permitting System; Penalties

**Description:**

Establishes within the Department of Land and Natural Resources a permitting system for the use of unmanned aerial vehicles in the taking of aquatic life. Repeals prohibition on the use of unmanned aerial vehicles in the taking of aquatic life. Provides a timeline for implementation of the permitting system.

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

