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# A BILL FOR AN ACT

RELATING TO SURFING.

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

1           SECTION 1. The legislature finds that there is a need for  
2 clear regulations regarding the interaction between surfers and  
3 fishermen in Hawaii. Fishermen often deploy fishing lines in a  
4 manner that crosses the surfing lane and poses a significant  
5 safety hazard to surfers and other ocean users. The purpose of  
6 this Act is to ensure the safety of all ocean users and  
7 prioritize the rights of surfers in designated surf locations.

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

11           "§188-     Surfer right of way. (a) Surfers shall have the  
12 right of way in designated surf locations. Fishermen, including  
13 drone fishermen, are required to move their fishing poles or  
14 lines if they interfere with surfers or other recreational  
15 users.



1        (b) Any person violating this section or any rule adopted  
2 pursuant to this section shall be guilty of a misdemeanor and  
3 shall be fined:

4        (1) \$500 for the first offense;

5        (2) \$1,500 for the second offense; and

6        (3) \$3,000 for a third or subsequent offense.

7        (c) In addition to any other penalty imposed under this  
8 section, a person violating this section shall be subject to:

9        (1) For a first offense, seizure of any fishing equipment  
10 used in violation of this section or any rule adopted  
11 pursuant to this section; and

12        (2) For a second offense, seizure and forfeiture of any  
13 fishing equipment used in violation of this section or  
14 any rule adopted pursuant to this section.

15        (d) The prosecution of any violation under this section or  
16 any rule adopted pursuant to this section requires sufficient  
17 evidence to demonstrate the unsafe conditions and the disregard  
18 for surfers' rights.

19        (e) The department shall implement a public education  
20 campaign to inform both surfers and fishermen about their rights  
21 and responsibilities in shared ocean spaces.



1       (f) The department shall install clear signage at  
2 designated surf locations indicating surfers' right of way and  
3 the rules pertaining to fishing in that area. The department  
4 shall publish a map identifying all designated surf locations.

5       (g) This section may be enforced by the department's  
6 division of conservation and resource enforcement, the  
7 department of law enforcement, the respective county police  
8 departments, or the respective county fire departments.

9       (h) The department shall adopt rules pursuant to chapter  
10 91 necessary for the purpose of this section.

11       (i) As used in this section:

12       "Drone fishermen" means individuals using drones to deploy  
13 fishing lines in proximity to recreational ocean users.

14       "Surfers" means individuals engaged in surfing at  
15 designated surf locations.

16       "Designated surf location" means an area recognized as safe  
17 and common locations for surfing, swimming, diving, and other  
18 recreational activities, to be determined by the department of  
19 land and natural resources.

20       "Department" means the department of land and natural  
21 resources.



# H.B. NO. 266

1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

*Dennis*

JAN 16 2025



# H.B. NO. 266

**Report Title:**

Fishing; Surfers; Recreational Areas; DLNR; Safety

**Description:**

Clarifies that surfers have the right of way in designated surf locations to be determined by the department of land and natural resources. Authorizes penalties for fishermen who violate this section. Requires DLNR to implement a public education campaign, erect clear signs, and create a designated surf location map.

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

