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# A BILL FOR AN ACT

RELATING TO OCEAN RECREATION MANAGEMENT.

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

1       SECTION 1. The legislature finds that the department of  
2 land and natural resources division of boating and ocean  
3 recreation is responsible for ocean recreation management in  
4 state ocean waters. Under the existing ocean recreation  
5 management areas system, the division has the authority to  
6 designate areas around each island as an ocean recreation  
7 management area, which then allows the division to further  
8 designate zones and subzones within each area in which specific  
9 ocean recreation activities may occur to increase user safety  
10 and reduce user conflicts. However, the current ocean  
11 recreation management areas system is a patchwork of designated  
12 and non-designated areas around each island, which prevents user  
13 safety measures around some portions of each island.

14       The purpose of this Act is to provide better management  
15 tools to the division of boating and ocean recreation by:

- 16       (1) Creating a uniform designation of ocean recreation  
17       management areas; and



(2) Prohibiting commercial activity in ocean recreation management areas, except by a commercial use permit.

SECTION 2. Section 200-38, Hawaii Revised Statutes, is amended to read as follows:

**"§200-38 Ocean recreation management areas.** (a) All waters of the State within three thousand feet seaward of the base line of the territorial sea are designated as ocean recreation management areas. Within each ocean recreation management area, the department may designate zones where specific recreational and commercial ocean activities may occur.

(b) Unless otherwise provided by this chapter or rules adopted by the department, no commercial activity, except for commercial activity originating from a commercial harbor under the jurisdiction of the department of transportation, may be conducted in an ocean recreation management area without a commercial use permit from the department.

(c) Any person who holds a valid commercial use permit as of July 1, 2025, may continue to renew the commercial use permit; provided that the department may terminate a commercial use permit for cause or may deny renewal or reissuance if the commercial use permit:



1        (1)    Has been terminated or denied renewal for cause; or  
2        (2)    Is not renewed before its expiration date, including  
3                any applicable extensions of the expiration date.

4    ~~[(a)]~~ (d)    Notwithstanding any other law to the contrary, no  
5    commercial operator shall operate a thrill craft, engage in  
6    parasailing, water sledding, or commercial high speed boating,  
7    operate a motorized vessel towing a person engaged in  
8    parasailing, or operate a motor vessel towing a person engaged  
9    in water sledding during all weekends and state and federal  
10    holidays on Oahu in Maunalua Bay from Kawaihoa (Portlock) Point  
11    to Wailupe Peninsula and commercial zones a, b, and c.

12        ~~[(b)]~~ (e)    Notwithstanding any other law to the contrary,  
13    all commercial ocean recreation activities shall be prohibited  
14    on all Sundays on Oahu in Maunalua Bay.

15        ~~[(c)]~~ (f)    Notwithstanding any other law to the contrary,  
16    no person shall operate a thrill craft, engage in parasailing,  
17    operate a motorized vessel towing a person engaged in  
18    parasailing, engage in commercial water sledding or commercial  
19    high speed boating, or operate a commercial motor vessel towing  
20    a person engaged in water sledding between December 15 and May



1 15 of each year in the waters of west and south Maui from Pu`u  
2 Ola`i to Hawea Point.

3 [~~(d)~~] (g) The department may adopt rules pursuant to  
4 chapter 91 to further implement this section."

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

7 SECTION 4. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:

*Kindle Schizma*

JAN 17 2025



# H.B. NO. 512

**Report Title:**

DLNR; Ocean Recreation Management Areas; Commercial Activity;  
Commercial Use Permits

**Description:**

Establishes a standard of state waters within three thousand feet seaward of the base line of the territorial sea as ocean recreation management areas. Prohibits commercial activity in ocean recreation management areas, except by a commercial use permit.

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