S.B. NO. 1477

JAN 23 2025

A BILL FOR AN ACT

RELATING TO FIREFIGHTING AT COMMERCIAL HARBORS.

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

SECTION 1. Chapter 266, Hawaii Revised Statutes is amended by adding to part I a new section to be appropriately designated and to read as follows:

"**§266- Firefighting; limited liability.** Any person who renders firefighting services upon a reasonable command by someone known to the person as a firefighter at any commercial harbor or roadstead, any commercial harbor or waterfront improvement belonging to or controlled by the State, or any vessel within a commercial harbor or roadstead shall not be liable for any civil damages resulting from the person's acts or omissions occurring during the course of firefighting, except for such damages as may result from the person's gross negligence or wanton acts or omissions."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: _____

BY REQUEST

TRN-06(25)

S.B. NO. 1477

Report Title:
Department of Transportation; Firefighting at Commercial Harbors; Limited Liability

Description:
Limits civil liability of individuals who render firefighting services at any of the State's commercial harbors or roadsteads, any commercial harbor or waterfront improvement belonging to or controlled by the State, or any vessel within a commercial harbor or roadstead to only damages resulting from an individual's gross negligence or wanton acts or omissions.

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

JUSTIFICATION SHEET **SB. NO. 1477**

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO FIREFIGHTING AT COMMERCIAL HARBORS.

PURPOSE: To limit civil liability of individuals who render firefighting services upon the reasonable command by someone known to the individual as a firefighter at any of the State's commercial harbors to only damages resulting from the individual's gross negligence or wanton acts or omissions.

MEANS: Add a new section to part I of chapter 266, Hawaii Revised Statutes.

JUSTIFICATION: Firefighting services are an essential safety function for our State's commercial harbors. There are privately owned assets and vessels equipped with fire monitors and water cannons that could be used in fighting fires in and around waterfront facilities. However, there have been instances where private individuals responsible for these assets and vessels have declined to assist county fire departments in providing firefighting services because of concerns over possible civil liability. This bill seeks to limit the civil liability of private individuals providing those essential firefighting services to only damages resulting from an individual's gross negligence or wanton acts or omissions.

Impact on the public: This bill will limit civil liability for private individuals who assist in providing firefighting services in and around our waterfront facilities, thereby increasing support to county fire departments at the waterfront facilities.

Impact on the department and other agencies: Limiting civil liability will facilitate participation from private individuals who can assist county fire departments in

SB. NO. 1477

providing firefighting services in and around our waterfront facilities.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN 395.

OTHER AFFECTED AGENCIES: All counties.

EFFECTIVE DATE: Upon approval.