

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committee on
WATER, LAND, CULTURE AND THE ARTS

Friday, February 6, 2026
1:00 PM
State Capitol, Conference Room 224

In consideration of
SENATE BILL 2818
RELATING TO BOATING

Senate Bill 2818 proposes to clarify the penalties for violations of boating and ocean recreation laws pursuant to Chapter 200, Hawai'i Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) strongly supports this measure.**

Following enactment of Act 215, SLH 2024, the Department discovered that some violations of Chapter 200, HRS, pertaining to the Department's Division of Boating and Ocean Recreation, were inadvertently decriminalized. This has hindered the efforts of the Department's Division of Conservation and Resources Enforcement to effectively enforce severe and egregious natural resource and safety violations, such as illegal commercial activity, reckless vessel operation, unauthorized mooring, and consumption of alcohol within State boating facilities.

The Department has worked with the Department of the Attorney General to clarify the types of violations in Chapter 200, HRS, that would be subject to criminal penalties. The remaining violations would be subject to non-criminal administrative penalties.

Mahalo for the opportunity to comment on this measure.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



Ocean Tourism Coalition

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SENANT OF THE THIRTY-THIRD LEGISLATURE REGULAR SESSION OF 2026

COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS (WLA)

Sen. Chris Lee, Chair
Sen. Lorraine R. Inouye, Vice Chair
Sen. Stanley Chang
Sen. Rachele Lamosa
Sen Samantha DeCorte

NOTICE OF HEARING

DATE: Friday, February 6, 2026
TIME: 1:00 pm
PLACE: Conference Room 224
State Capitol
415 South Beretania Street

TESTIMONY OF THE OCEAN TOURISM COALITION IN OPPOSITION OF SB2818

Dear Chair, Vice Chair, and Members of the Committee on Water, Land, Culture and the Arts. The Ocean Tourism Coalition (OTC) represents hundreds of locally owned commercial ocean tourism businesses across the State of Hawai'i. OTC respectfully submits this testimony in opposition to SB 2818, which proposes to expand enforcement penalties under Chapter 200 of the Hawai'i Revised Statutes governing boating and ocean recreation.

While OTC supports appropriate enforcement and safe operations on our waters, SB 2818, in its current form, raises concerns. The bill proposes to criminalize a broad range of violations and authorize severe administrative penalties — without requiring intent, due process, or adherence to the Hawai'i Penal Code.

1. “Boating Accidents” is way too Broad.

The inclusion of “boating accidents” as a punishable offense under SB 2818 is far too vague and overly broad. The term encompasses a wide range of incidents — from serious collisions to minor scrapes during docking — many of which involve no negligence, no injury, and no clear rule violation. Treating all “accidents” as criminal offenses without requiring intent, fault, or harm creates an unreasonable legal standard. Even operators who follow best practices and respond appropriately in dynamic ocean conditions could face petty misdemeanor charges simply for being involved in an unintended incident. If the legislature wishes to penalize reckless or negligent behavior, it must use precise language that distinguishes between misconduct and misfortune.

2. Current Law Good Enough:

The existing statute under HRS §200-14 already provides the State with ample enforcement authority to ensure safe and responsible ocean recreation. DLNR and DOBOR can issue citations, impose fines, revoke permits, and, where appropriate, pursue criminal penalties for serious or repeat violations.

3. Violations Must Include a Culpable Mental State

Hawai'i's criminal code (HRS §701-114) requires that no one may be punished criminally without a showing of a culpable mental state — such as intent, knowledge, or recklessness. SB 2818 imposes penalties (including permit revocation or criminal prosecution) without requiring any such finding, leaving responsible operators vulnerable to punishment for technical or unintentional violations.

This is particularly concerning in commercial harbors, where conflicting interpretations of rules, inconsistent signage, and limited guidance from DLNR and DOBOR are common. The law must distinguish deliberate misconduct from honest mistakes.

4. Criminalizing Administrative Violations

SB 2818 expands criminal liability to include a range of technical and administrative violations that were never intended to carry criminal penalties. For example, failing to submit proof of vessel insurance on time—an issue that often stems from clerical error or agent oversight—would now be punishable as a petty misdemeanor. Similarly, minor infractions like improper diver flag placement or possession of alcohol in a harbor area, even without public disturbance, could expose operators to jail time. These are regulatory matters, not criminal ones, and should be addressed through civil enforcement, not prosecution.

Requested Action

OTC respectfully requests that the Committee defer SB 2818. Alternatively, if the bill proceeds, it should be substantially amended to limit criminal penalties to egregious, clearly defined misconduct.

Thank you for the opportunity to submit testimony.

Sincerely,



Zachary LaPrade
Ocean Tourism Coalition

SB-2818

Submitted on: 2/3/2026 9:18:53 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jon McCabe	Individual	Oppose	In Person

Comments:

Thank you for the opportunity to provide testimony.

I support strong ocean safety policy and responsible enforcement. However, I respectfully oppose this measure because it expands criminal penalties using statutory language that is overly broad and insufficiently tailored to demonstrated risk.

Laws that carry criminal consequences must be precise. When statutes are written broadly, they create enforcement uncertainty, consume court resources, and undermine public confidence. There have already been instances where ocean related citations were dismissed with prejudice, signaling the need for greater statutory clarity before expanding enforcement authority.

This measure makes numerous regulatory violations punishable as a petty misdemeanor, exposing residents to fines and potential jail time. Criminal penalties should be reserved for clearly dangerous behavior, not broadly defined regulatory violations.

The bill also ties criminal liability to administrative rules, including rules that may be adopted in the future. Allowing future rule changes to automatically trigger criminal penalties reduces legislative oversight and risks unintended expansion of enforcement.

Enforcement authority should always be proportional to demonstrated risk. At present, there appears to be limited publicly available data showing that emerging low impact electric watercraft present safety risks comparable to higher speed vessels. Regulation should focus on unsafe behavior such as reckless operation and dangerous speed rather than broadly capturing technologies with very different risk profiles.

Public ocean access is a foundational value in Hawai‘i. Emerging ocean technologies have allowed kupuna and individuals with physical limitations to continue enjoying the water with independence and dignity. Policies that unintentionally restrict access to these technologies risk excluding members of our community who rely on them to safely participate in ocean recreation.

Care should also be taken to ensure that adaptive programs and guided ocean activities are not unintentionally swept into expanded enforcement frameworks.

The measure further allows operating prohibitions within specified areas for extended periods. Restrictions that limit access to public waters should be narrowly tailored and supported by clear safety justification.

Additionally, insurance requirements applied too broadly may create financial barriers that disproportionately affect residents and small operators.

While the findings supporting this measure focus heavily on harbor related violations, the enforcement authority extends far beyond those environments. Harbor specific concerns should not automatically justify broader ocean regulation without separate analysis.

Before expanding criminal enforcement, the Legislature should prioritize:

- Clear statutory definitions
- Proportional enforcement authority
- Data driven safety policy
- Protection of equitable ocean access
- Strong legislative oversight

Hawai'i can strengthen ocean safety without adopting overly broad enforcement tools that risk unintended consequences.

For these reasons, I respectfully urge the Committee to reconsider this measure.

Thank you for your consideration.

SB-2818

Submitted on: 2/4/2026 9:01:51 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Francisco Javier Barberi	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2818

Submitted on: 2/4/2026 9:05:08 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Forrest Morrow	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2818

Submitted on: 2/4/2026 9:21:10 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stevan Rice	Individual	Oppose	Written Testimony Only

Comments:

I do not support this bill. Education and fines would work better

SB-2818

Submitted on: 2/4/2026 9:37:32 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Johnstone	Individual	Oppose	Written Testimony Only

Comments:

Regarding 2818. Myself and other ocean users are fearful that the definition of watercraft is too vague and will create problems for wind sport enthusiasts. Wind sports and other activities such as foiling are an important part of our communities and keep many people, including kapuna, active and healthy. We wish to continue these activities with open access and free from needless regulations.

Mahalo

SB-2818

Submitted on: 2/4/2026 11:13:30 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Welch	Individual	Oppose	Written Testimony Only

Comments:

Unclear.

SB-2818

Submitted on: 2/4/2026 11:33:00 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alex Aguera	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB2818 unless it is amended for clarity.

The bill creates criminal penalties tied to “vessels” without clearly defining what qualifies as a vessel or how the law would apply to modern ocean recreation equipment like thrill craft, efoils, and foil assist boards.

Unclear language risks criminalizing responsible operators and ocean users who are acting safely and legally.

Please amend SB2818 to clearly define vessel classifications, protect permitted operators, and focus enforcement on unsafe behavior rather than creating broad statutes that could be inconsistently applied.

Hawai‘i’s ocean recreation community supports safety and smart regulation, but laws must be precise before criminal penalties are imposed.

SB-2818

Submitted on: 2/4/2026 11:35:06 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Javier Rodriguez	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2818 in its current form due to its lack of clear definitions.

The bill introduces criminal penalties tied to “vessels” but fails to specify what equipment falls under that term. As ocean recreation continues to evolve, this ambiguity risks unfairly targeting new and emerging watercraft—such as e-foils, thrill craft, and foil-assist boards—used responsibly by skilled operators.

We fully support safety and sensible regulation. What we do not support are unclear laws that place responsible ocean users at risk of enforcement simply because definitions were not properly established. The focus should remain on dangerous conduct, not innovation or lawful recreation.

Hawai‘i is a global hub for ocean sports and innovation. We should define first, regulate second.

SB-2818

Submitted on: 2/4/2026 2:15:09 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gavin Ferguson	Individual	Oppose	Written Testimony Only

Comments:

Chair and Memebers of the Committees,

My name is Gavin, and I am a resident of Paia, Maui. I respectfully oppose SB2818.

While I support safe boating and protecting our ocean resources, this bill goes too far by turning many everyday or minor violations-such as improper mooring, certain speed issues, or failing to display a diver's flag-into petty misdemeanors. Adding the threat of jail time (up to 30 days) and criminal records for what are often unintentional mistakes or first-time issues will unfairly burden local boaters, fishermen, families, and small ocean businesses who rely on our waters for recreation, livelihood and cultural practices.

Hawaii already has administrative fines and enforcement tools through DLNR/DOBOR that work well for most violations without escalating to criminal penalties. This approach risks over-criminalizing boating, discouraging people from enjoying our ocean responsibly, and overwhelming our courts with minor cases.

I urge you to reject SB2818 or significantly amend it to keep violations administrative/civil rather than criminal, especially for non-reckless or low-harm offenses.

Thank you for considering my testimony.

Sincerely,

Gavin

Paia, HI

SB-2818

Submitted on: 2/4/2026 2:48:19 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anneli Munkholm	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2818

Submitted on: 2/4/2026 3:03:44 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fellipe Valadao	Individual	Oppose	Written Testimony Only

Comments:

I am a resident of Oahu, a ocean waters user of multiple disciplines, including boating amd water sports for 20+ years. I strongly oppose this bill because it basically places criminal charges on any vessel for very small minimal reasons potentially. It doesn't define what a vessel is so it could essentially be anything that moves around on water and that's simply not ok. Things needs to be more specific and less broad.

Thank you for your consideration.

Mahalo Piha

SB-2818

Submitted on: 2/4/2026 3:22:01 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
clinton yap	Individual	Oppose	Written Testimony Only

Comments:

I oppose this!

SB-2818

Submitted on: 2/4/2026 3:29:08 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Nakamaru	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2818

Submitted on: 2/4/2026 5:53:07 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raimar Bylaardt II	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it is not clear how it would impact boaters and what's is defined as a vessel.

It looks like a negative impact on most.

Thank you

SB-2818

Submitted on: 2/4/2026 8:34:26 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Narciso	Individual	Oppose	Written Testimony Only

Comments:

I believe this bill is too vague and it criminalizes people who are enjoying recreational water activities.

SB-2818

Submitted on: 2/5/2026 11:23:08 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
robby miyashiro	Individual	Oppose	Written Testimony Only

Comments:

I am against this bill because it is too vague and needs to be clearly defined.

SB-2818

Submitted on: 2/5/2026 11:39:18 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy West	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am writing to express my strong opposition to Senate Bill 2818 as its definition of a "vessel" is too broad thus left to subjective interpretation and abuse. While I recognize the importance of having rules to ensure safety and protect the environment, these regulations must be developed through an open and inclusive process. Without public involvement, policies risk being unreasonable, impractical, and out of touch with the communities they affect.

Mahalo for considering my testimony.

Sincerely,

Randal West

SB-2818

Submitted on: 2/5/2026 12:27:53 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul McDonnell	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Paul McDonnell, and I respectfully submit this testimony in opposition to S.B. No. 2818.

I want to be clear at the outset: I support reasonable, modern boating safety rules and appropriate enforcement that genuinely improves public safety. However, I oppose this bill because it significantly expands criminal penalties under Chapter 200 in a way that is overly broad, vague, and disconnected from how people actually use the ocean today—particularly with respect to thrill craft and small personal water devices.

The thrill craft statutes currently on the books are outdated and overly restrictive, having failed to evolve alongside modern equipment, safety technology, and user behavior. Rather than updating those definitions and rules, this bill instead elevates a wide range of technical, low-level, and sometimes ambiguous violations into petty misdemeanors, exposing ordinary ocean users to criminal liability where none should exist.

My primary concerns are as follows:

Over-Criminalization and Enforcement Creep

This bill dramatically expands DLNR’s ability to cite, charge, and criminalize ocean users for a long list of infractions—many of which are minor, situational, or subject to interpretation. The result is not improved safety, but increased fear of enforcement and arbitrary citations.

Vague and Broad Language

Terms such as “unauthorized operation,” “unauthorized access,” and even certain speed or operational provisions lack sufficient clarity. This vagueness gives enforcement officers excessive discretion and leaves responsible users uncertain about compliance—an unacceptable standard when criminal penalties are attached.

Failure to Modernize Thrill Craft Rules

Instead of revisiting and modernizing thrill craft laws to reflect current technology and legitimate recreational use, the bill doubles down on outdated frameworks and increases penalties. This approach punishes users rather than fixing the underlying problem.

Disproportionate Penalties

Treating a wide range of boating and thrill craft issues as petty misdemeanors—potentially involving jail time and probationary bans—goes far beyond what is reasonable or necessary to address public safety concerns in small boat harbors or state waters.

Thrill craft and small personal water devices are a normal, established part of Hawai‘i’s ocean recreation culture. They should not be swept into an enforcement-heavy framework that treats users as presumptive violators or criminals. If the Legislature believes safety rules need updating, then the rules themselves should be modernized—not enforced more harshly under an outdated system.

For these reasons, I respectfully urge the committee to oppose S.B. No. 2818, or at minimum defer it until meaningful revisions can be made to address vagueness, proportionality, and modernization of thrill craft regulations.

Mahalo for the opportunity to provide testimony and for your consideration.

Respectfully,
Paul McDonnell

SB-2818

Submitted on: 2/5/2026 12:48:05 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scot Yamamoto	Individual	Oppose	Written Testimony Only

Comments:

This bill is incredibly poorly worded and unclear as to what the intention is, who the target is, or how it will be enforced. I strongly suggest those proposing bills consult with subject matter experts prior to submitting such vaguely written language. While I am not an expert in this area, I have contacts who could be very helpful. If this is of interest, please feel free to contact me.

SB-2818

Submitted on: 2/5/2026 3:55:11 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Margie Hewes	Individual	Oppose	Written Testimony Only

Comments:

SB 2818 is too vague. The definitions create partisan authority for "craft" on the water. Hawaii has an diverse culture of craft on the water and that should be defined and accounted for.

LATE

SB-2818

Submitted on: 2/5/2026 4:48:51 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Felipe	Individual	Oppose	Written Testimony Only

Comments:

Do we really keep going with this again? Let us enjoy the ocean in peace, we have been self regulating for decades, and it works. Let it the way it is. Is not the solution to have open ended regulations that empower entities to interpretation and enforcement. If you like to solve anything in specific come up with bills that are clear, straightforward and allows all users and law enforcement understand the rules clearly.

LATE

SB-2818

Submitted on: 2/5/2026 6:08:01 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
COL Matt Garrison	Individual	Oppose	Written Testimony Only

Comments:

This bill is written too vaguely, particularly in regards to, "Unauthorized operation or control of a vessel or thrill craft;". Please define vessel and ensure it excludes foil drives or tow boogies. The way it is currently written. It leaves too much latitude for enforcement abuse through either purposeful or accidental misunderstanding due to lack of guideline clarity.

On a separate note, the thrill craft tow surfing law needs to be rewritten as it is inappropriate that thrill crafts can only conduct tow surfing operations when above high surf advisory conditions.

Thank you for your consideration.
Very Respectfully,

COL Matt Garrison

LATE

SB-2818

Submitted on: 2/5/2026 6:17:52 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jun James Sogi	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2828 relating to water craft. It is overly broad defining watercraft and jurisdiction . I am 4th generation in Hawaii and a waterman. I own a motor boat, out rigger canoe, surf board, foil board. DLNR nor the State should control, regulate or criminalize surfing, foiling, canoeing. Keep the definition of a vessrl to motorized craft over 5 horse power or sail over 16 ft.

LATE

SB-2818

Submitted on: 2/5/2026 6:22:30 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicolas Bartol	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern:

I am submitting testimony in opposition to **SB-2818**, the bill that amends penalties for alleged violations of boating and ocean recreation laws. I have been a regular ocean user and user of Hawaii’s small boat harbors for over a decade, and this bill, as drafted, is overly broad, vague, and poorly aligned with existing statutes and common-sense enforcement priorities.

First, the bill dramatically expands the range of boating-related conduct that can be charged as a **petty misdemeanor punishable by up to \$1,000, 30 days in jail, or both** — even for relatively minor or technical violations, such as diver’s flag display requirements or personal flotation device requirements. Treating these typically administrative safety concerns as potential criminal offenses is disproportionate and will clog court dockets with cases better handled administratively. The existing statute already makes many harbor rule violations petty misdemeanors without adding jail time.

Second, many of the key terms the bill relies on are **vague and open to broad interpretation**. Phrases like “unauthorized operation or control of a vessel or thrill craft,” “specified geographical areas,” and even “thrill craft” are not clearly defined in statute. This invites arbitrary enforcement and makes compliance difficult for ordinary recreational users who are doing nothing more than legally enjoying ocean recreation. Courts and enforcement officers will have to guess at what conduct falls within these undefined categories, which is a poor basis for criminal penalties.

Third, the bill ties criminal liability to matters such as **insurance coverage required by section 200-13.5**, but that section of law already draws sensible lines based on risk and vessel size. Mandatory insurance currently applies to vessels **26 feet or more in length, or smaller vessels that have previously grounded**, not to every small recreational craft in general. Applying this insurance requirement uniformly as a criminal offense to all “vessels or thrill craft” demonstrates a lack of understanding of the existing statutory framework and disproportionately burdens small craft operators — especially when, in practice, obtaining certain types of marine insurance can be prohibitively expensive or unavailable.

Fourth, the expansion of criminal penalties to things like **unauthorized camping, unauthorized access to restricted areas, alcohol possession, or unauthorized commercial activity** within boating facilities already can and should be handled through appropriate

administrative fines, civil enforcement, or targeted rules focused on actual harmful conduct. Adding jail time for these issues is excessive and will likely chill legitimate use of public boating facilities.

Fifth, giving environmental courts the power to ban people from operating any vessel in “specified geographical areas” for up to 12 months without clear standards or due process guidelines further amplifies the vague and punitive nature of the bill. It is unclear how these areas would be designated, what standards would apply, or how this interacts with constitutionally protected access to navigable waters.

Legislation that expands criminal penalties should be **precise, justified by clear data, and narrowly tailored** to address real and demonstrated problems. SB-2818 fails to meet these basic criteria. Instead, it piles broad punitive authority on an already heavily regulated activity without evidence that the current system is failing or that these changes will improve safety or harbor conditions.

For these reasons, I respectfully urge the Legislature to oppose SB-2818 or substantially revise it so that penalties are proportional, definitions are clear, and enforcement targets real, harmful conduct rather than everyday recreational use.

Respectfully,
Nicolas Bartol

LATE

SB-2818

Submitted on: 2/5/2026 9:06:46 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Holland	Individual	Oppose	Written Testimony Only

Comments:

Aloha.

As a local born and raised in Hawaii it is frustrating to see regulations that are vague and loosely defined being implemented with more and more serious consequences legally and financially.

I have grown up on the water in Hawaii and been boating my whole life. I have seen the jetski regulations go from zero regulation to practically outright banning the use of jet skis. Even today, under the current "thrill craft" regulations responsible users with all the certification and equipment are getting hassled by the DLNR. Tow foiling is not a crime. It is ridiculous to make it illegal to tow foil when waves are smaller than high surf advisory. It is ridiculous to not allow a trained and certified jetski operator to tow a foiler who is not trained and certified on a jetski. How else do people learn? Where can they go to safely practice the sport?

The entire thrill craft regulations need to be re written. There needs to be strict regulations for commercial operators to protect the customers, and other water user from inexperienced tourists on jetskis. This needs to be separate from the jetski regulations on trained and certified tow teams and their foilers. Allow locals who have the training to engage in this sport. Legally. Please.

Any new regulations towards motorized crafts like efoils and other small personal use power crafts needs to be clearly defined and written in a way to allow the continued use of these crafts in a safe and orderly fashion.

Vague rules with serious consequences for violation allows the DLNR to harass people safely doing these recreational activities. This is unacceptable and appears to be a money grab by the state.

I am against increasing the fines or penalties for violations. I am against regulations that make it illegal to engage in recreational activities involving motorized crafts. Work together with the community. Ask the lifeguards. Ask the people doing these sports. We are already self regulating and we would like any future regulations towards be geared towards common sense rules and regulations that are clearly defined and allow all water users to enjoy the ocean.

Thank you.

LATE

SB-2818

Submitted on: 2/5/2026 9:21:19 PM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kahi Pacarro	Individual	Oppose	Written Testimony Only

Comments:

This bill inadvertently has the potential to lump foils into the mix. I believe a better definition of the vessels that they want to regulate should be created. As it is written now, the definition is to vague. Mahalo.

LATE

SB-2818

Submitted on: 2/6/2026 10:48:23 AM
Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kai Kalani	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support this measure to clarify penalties for violations of boating and ocean recreation laws under Chapter 200, HRS.

Clear and consistent penalties are essential for promoting safety on Hawaii’s waters. Our beaches, harbors, and ocean recreation areas are shared spaces used daily by families, fishers, paddlers, and visitors. When rules are unclear or enforcement lacks consistency, unsafe behaviors increase and place lives at risk.

By clarifying penalties, this bill strengthens accountability and provides both enforcement officers and the public with a better understanding of expectations. This will help prevent accidents, protect first responders, and ensure safer waterways for everyone.

Mahalo for considering this important safety measure.

LATE

SB-2818

Submitted on: 2/6/2026 10:54:18 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keanu Reyes	Individual	Support	Written Testimony Only

Comments:

As someone connected to Hawaii's ocean recreation and tourism economy, I support this bill to clarify penalties for boating and ocean recreation violations.

Visitors and local operators rely on predictable, fair regulations. When rules and consequences are clearly defined, it improves compliance and professionalism across the industry. Responsible operators should not be placed at a disadvantage compared to those who ignore safety standards.

This measure helps create a safer, more trustworthy environment that benefits businesses, workers, and guests alike.

I respectfully ask for your support and passage of this bill.

LATE

SB-2818

Submitted on: 2/6/2026 11:00:38 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leilani Grace	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs and Members,

I am a regular ocean user with my family, and I support this measure because safety on the water directly affects everyday residents like us.

We have seen situations where speeding vessels, unsafe jet ski operation, and disregard for posted rules create dangerous conditions near swimming and paddling areas. Stronger and clearer penalties will help deter reckless behavior and encourage respect for shared ocean spaces.

Our keiki and kupuna deserve safe waters. This bill moves us in that direction.

Please pass this measure.

LATE

SB-2818

Submitted on: 2/6/2026 11:06:41 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Makai Johnson	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I support the proposed measure relating to boating and ocean recreation penalties.

Hawaii’s marine ecosystems are fragile and culturally significant. Violations such as improper anchoring, damage to reefs, or illegal activities can have long-term environmental consequences. Clear enforcement authority and well-defined penalties serve as important deterrents that protect our natural resources.

Strengthening accountability helps preserve our ocean for future generations and supports responsible stewardship.

Mahalo for your leadership and consideration.

LATE

SB-2818

Submitted on: 2/6/2026 11:14:32 AM

Testimony for WLA on 2/6/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keanu Reyes	Individual	Support	Written Testimony Only

Comments:

Aloha,

I submit this testimony in support of clarifying penalties under Chapter 200, HRS.

Well-defined penalties improve fairness, transparency, and enforceability. When statutes are precise, enforcement agencies can act consistently, and the public clearly understands the consequences of violations. This benefits both officers and citizens while strengthening overall compliance.

For these reasons, I urge the committee to advance this measure.

Thank you for your time and service.

Sincerely,

Reyes