

## ACT 153

H.B. NO. 1645

A Bill for an Act Relating to Abandoned Vessels.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 267A-7, Hawaii Revised Statutes, is amended to read:

“**Sec. 267A-7 Disposition of proceeds.** The department of transportation shall deposit that portion of the proceeds of the sale of a vessel as shall represent the mooring or other harbor use fees and charges due the department, the expenses of the auction, and any other expense incurred by the department in taking into custody and disposing of an abandoned vessel, into the boating special fund or harbor special fund, from which the expenses, incurred in connection with the abandoned vessel, were paid. The balance, if any, shall be deposited into the general fund of the State. The owner may recover any such balance of the proceeds from the State only if he files a claim therefor with the department of budget and finance within five years after the execution of the bill of sale. A lien holder shall receive priority of payment from the balance of the proceeds to the extent of his lien on the vessel. If the proceeds of the sale are insufficient to cover the mooring and other harbor use fees and charges, the expenses of the auction and other expenses of the department in taking into custody and disposing of the vessel, the department of transportation may bring an action for the deficiency in a court of appropriate jurisdiction within five years against the registered owner or any person who had an interest in the vessel when custody was taken by the department.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.\*

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\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.

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**SECTION 3. This Act shall take effect upon its approval.**  
(Approved June 1, 1979.)