

ACT 329

H.B. NO. 2605-86

A Bill for an Act Relating to Boating Safety.

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

SECTION 1. Section 267-6, Hawaii Revised Statutes, is amended to read as follows:

“§267-6 Enforcement. (a) The director of transportation may enter into a contract with corporations authorized to engage in business in the State to aid in enforcing this chapter and all rules and regulations adopted pursuant to this chapter in specified areas; provided that the corporations agree to undertake this activity at no expense to the State and to hold the State harmless in respect to all injuries, losses, or damages arising from, growing out of, or caused by any acts or omissions of the corporations, their officers, agents, or employees in connection with the contract. The director of transportation may appoint no more than ten officers and employees of the corporations to serve as boating enforcement officers to enforce this chapter. The director of transportation, officers, and employees of the department of transportation, boating enforcement officers and volunteer enforcement officers appointed by the director under this section, and every state and county officer charged with the enforcement of state laws shall enforce and assist in the enforcement of this chapter and of all rules adopted pursuant to this chapter.

(b) For the purpose of enforcement, the powers of police officers are conferred upon the director, other officers and employees of the department designated by the director, and boating enforcement officers and volunteer enforcement officers appointed by the director; and the powers herein conferred shall, without limiting their generality, include the power to be exercised reasonably with respect to the service and execution of warrants, arresting of offenders, service of notices and order, and the stopping, boarding, investigation, and inspection of vessels.

(c) The director may appoint and commission volunteers as enforcement officers for the purpose of assisting officers, employees, and representatives of the department; provided that the powers and authority of a police officer conferred upon volunteer enforcement officers shall be in force and effect only while in actual performance of their duties; and provided that the volunteer enforcement officers shall not bear firearms.

(d) Nothing herein shall preclude enforcement of state or federal laws and requirements pursuant to agreements or other arrangements entered into between the director and appropriate officers and agencies of the United States and other states to ensure the fullest possible cooperation in promoting and attaining the declared policy of section 267-1.”

SECTION 2. New statutory material is underscored.

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

(Approved June 9, 1986.)