

ACT 37

H.B. NO. 1428

A Bill for an Act Relating to Access to Recreational Areas.

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

SECTION 1. The legislature finds that the public right of transit along Hawaii's shorelines should not be defined by ambiguous language. The defective language used to define the manner by which citizens may traverse along Hawaii's shorelines may encourage certain misguided property owners to create or maintain unsafe conditions in those areas in hope of limiting the public's access on Hawaii's beaches and waterline areas. The purpose of this Act is to clarify existing law regarding the citizens' right of transit along Hawaii's shorelines.

SECTION 2. Section 115-4, Hawaii Revised Statutes, is amended to read as follows:

“[[§115-4]] Right of transit along shorelines. The right of access to Hawaii's shorelines includes the right of transit along the shorelines [under conditions of safety for the public].”

SECTION 3. Statutory material to be repealed is bracketed.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 18, 1991.)