

ACT 204

H.B. NO. 1745

A Bill for an Act Relating to Boating Enforcement.

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

SECTION 1. Section 200-14, Hawaii Revised Statutes, is amended to read as follows:

“§200-14 Violation of rules; penalty. (a) Any person who violates any rule adopted [and published] by the department under this part or who violates this part, shall be fined not more than [\$2,000] \$1,000 or less than \$50 for each violation, and any vessel, the agents, owner, or crew of which violate the rules of the department or this part, shall be fined not more than [\$2,000] \$1,000 or less than \$50 for each violation; provided that in addition to or as a condition to the suspension of the fines and penalties, the court may deprive the offender of the privilege of operating or mooring any vessel in state waters for a period of not more than [two years.] thirty days.

(b) Notwithstanding the provisions of subsection (a) establishing a fine of not more than [\$2,000,] \$1,000 or less than \$50 for each violation, any person who violates any rule adopted [and published] by the department relating to unauthorized discharge, dumping, or abandoning, in any state boating facility or state waters, of any petroleum product, hazardous material, or sewage in violation of the state water quality standards established by the department of health, shall be fined not more than \$10,000 for each day of violation, and any vessel, the agents, owner, or crew of which violate [such] the rules of the department shall be fined not more than \$10,000 for each day of violation.”

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SECTION 2. Section 200-25, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§200-25]]~~ **Fines and penalties.** Any person violating [any of the provisions of] this part, or [of the rules] any rule adopted pursuant to this part, shall be [guilty of a misdemeanor;] fined not less than \$50 and not more than \$1,000 or sentenced to a term of imprisonment of not more than thirty days, or both, for each violation; provided that in addition to, or as a condition to the suspension of, the fines and penalties, the court may deprive the offender of the privilege of operating any vessel, including[,] but not limited to[,] any thrill craft or vessel engaged in parasailing[,] or water sledding, in the waters of the State for a period of not more than [two years.] thirty days.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 16, 1997.)