

ACT 13

S.B. NO. 210

A Bill for an Act Relating to Pilots.

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

SECTION 1. Hawaii's economy is dependent on the safe and uninterrupted flow of commerce in and out of its harbors. Port pilots provide a critical service facilitating the continuous flow of vessels, from fishing boats to large cruise ships, throughout the harbors. In order to ensure safety, protection of Hawaii's fragile environment, and the continued flow of commerce, port pilots require highly

technical and skilled training. The legislature finds that it is important that there are trained port pilots to fill vacancies as the need arises.

SECTION 2. Chapter 462A, Hawaii Revised Statutes, is amending by adding a new section to be appropriately designated and to read as follows:

“§462A- Adequate supply of licenses. (a) The director shall determine the number of pilots necessary to maintain an efficient pilotage service in accordance with this chapter.

(b) The director, in consultation with users of pilotage services, the department of transportation’s harbors division, and the professional association of port pilots in the State shall give primary consideration to the public interest in ensuring that there is an adequate supply of qualified pilots to safely and economically meet the requirements of commerce.”

SECTION 3. Section 462A-3, Hawaii Revised Statutes, is amended to read as follows:

“§462A-3 Powers and duties of the director. In addition to any other powers and duties authorized by law, the director shall:

- (1) Grant licenses to port pilots and deputy port pilots pursuant to this chapter[;], when the need arises;
- (2) Adopt, amend, or repeal rules in accordance with chapter 91 as may be necessary to carry out the purposes of this chapter which are to provide for maximum efficiency in navigating vessels entering or leaving the waters of this State; maintain a pilotage system devoted to the preservation, and protection of lives, property, and vessels entering or leaving waters of the State; and ensure an adequate supply of qualified pilots in aid of commerce and navigation;
- (3) Develop appropriate standards for licensure ~~[including] to maintain an adequate supply of pilots based on the needs of users of pilotage services or the department of transportation’s harbors division. Licensing requirements shall include~~ examinations and investigations to determine whether persons applying for full port pilot, or deputy port pilot licenses are qualified;
- (4) Enforce this chapter and rules adopted pursuant thereto;
- (5) Suspend, revoke or deny the issuance of any license for any cause prescribed by this chapter, or for any violation of the rules;
- (6) Investigate any person for violations of any provisions of this chapter;
- (7) Adopt methods to improve disciplinary and enforcement programs against violations of this chapter; and
- (8) Do all things reasonable, necessary, and expedient to insure proper and safe pilotage and to facilitate the efficient administration of this chapter.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved April 19, 2001.)

Note

1. Edited pursuant to HRS §23G-16.5.