

ACT 121

S.B. NO. 1161

A Bill for an Act Relating to Vessels.

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

SECTION 1. Section 200-16, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) An unauthorized vessel may be impounded by the department at the sole ~~cost and~~ risk of the owner of the vessel, if the vessel is not removed after the seventy-two-hour period or if during that period the vessel is removed and removed in the harbor or mooring or anchorage area or any other state harbor or mooring or anchorage area without a use permit. The owner of the vessel shall be solely responsible for all costs of the impoundment and the disposal of the vessel. Any proceeds resulting from the impoundment and the disposal of the unauthorized vessel shall be used first to pay the costs of impoundment and disposal and then to pay any mooring fees due. If the proceeds resulting from the impoundment and the disposal are inadequate to pay for all costs and mooring fees due, the owner of the vessel shall remain liable for the outstanding costs and mooring fees.”

SECTION 2. Section 200-31, Hawaii Revised Statutes, is amended to read as follow:

“~~[[§200-31]]~~ **Vessels required to be registered and numbered.** (a) Every undocumented vessel shall be registered and numbered before its use or operation on or in the waters of the State on an annual basis in accordance with the rules of the department except:

- (1) Foreign vessels temporarily using the waters of this State;
- (2) Public vessels of the United States;
- (3) Ships' life boats; and
- (4) Other vessels exempted by the department, if federal laws and requirements permit the department to exempt the vessels.

(b) No vessel registration shall be renewed or transferred if:

- (1) The registered owner is delinquent in payment of any moneys due and payable to the department;
- (2) The registered owner has pending a citation for violation of any of the department's rules; or

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- (3) The registered owner's vessel is an abandoned vessel, grounded vessel, derelict vessel, unauthorized vessel, or vessel impounded under section 200-16. All fees and charges relating to the vessel impound as well as any other fees associated with the vessel shall be paid in full prior to the vessel registration being renewed or transferred."

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved June 14, 2013.)