
HOUSE RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT ON THE FEASIBILITY OF A TWO-TIERED SYSTEM FOR ENFORCING BOATING LAW VIOLATIONS THAT DO NOT POSE AN IMMINENT AND SERIOUS THREAT TO PUBLIC HEALTH OR SAFETY.

1 WHEREAS, boating makes up a large part of the recreational
2 and commercial ocean activities in the State; and

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4 WHEREAS, currently, persons cited by enforcement officers
5 for violating the State's boating laws are required to appear
6 before a District Court; and

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8 WHEREAS, a significant number of the citations issued by
9 the Department of Land and Natural Resources for violations
10 involve moving or non-moving violations that do not pose a
11 serious and imminent threat to public health or safety; and

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13 WHEREAS, requiring persons who commit moving or non-moving
14 violations that do not pose a serious threat to public health or
15 safety to appear before a court is a burden to the District
16 Court system that could be reduced by allowing these citations
17 to be dealt with administratively through the Department of Land
18 and Natural Resources; now, therefore,

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20 BE IT RESOLVED by the House of Representatives of the
21 Twenty-fourth Legislature of the State of Hawaii, Regular
22 Session of 2008, that the Department of Land and Natural
23 Resources is urged to study the feasibility of a two-tiered
24 system for enforcing boating law violations that:

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26 (1) Allows persons who commit a moving violation that does
27 not pose an imminent and serious threat to public
28 health or safety to receive a warning citation for the
29 first violation;

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31 (2) Allows persons who commit a non-moving violation that
32 does not pose an imminent and serious threat to public
33 health or safety, such as a parking violation or an



1 expired ramp license violation, to receive a citation
2 for a fine of not less that \$25 and not more than \$50,
3 to be paid to the Department of Land and Natural
4 Resources;

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6 (3) Requires violators with unpaid fines to appear before
7 a court; and

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9 (4) Allows enforcement officers the discretion to enforce
10 all other boating law violations by either arrest or
11 issuance of a citation; and

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13 BE IT FURTHER RESOLVED that the Department of Land and
14 Natural Resources is requested to submit a report of its
15 feasibility study, including findings, recommendations, and any
16 proposed legislation, to the Legislature not later than twenty
17 days prior to the convening of the Regular Session of 2009; and

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19 BE IT FURTHER RESOLVED that certified copies of this
20 Resolution be transmitted to the Chairperson of the Board of
21 Land and Natural Resources, the Chief Justice of the Supreme
22 Court, and the Administrative Director of the Courts.

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