

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 11

OCEAN RECREATION AND COASTAL AREAS

PART II

BOATING

CHAPTER 241 NUMBERING OF VESSELS

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Historical note. This chapter is based on the numbering of vessels effective November 5, 1981, and as amended thereafter by the Department of Transportation, Harbors Division. The administrative jurisdiction for recreational boating and related vessel activities was transferred from the Department of Transportation, Harbors Division to the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, effective July 1, 1992, in accordance with Act 272, SLH 1991. [Eff 2/24/94]

§13-241-1 Operation of certain unnumbered vessels prohibited. Every undocumented vessel on the waters of the State, except those expressly exempted as provided in section 13-241-2 shall be numbered. No person shall place, operate or give permission for the placement or operation of any undocumented vessel on the waters of the State unless the vessel is numbered in accordance with this chapter, except as provided for in section 13-241-2.

[Eff 2/24/94] (Auth: HRS §200-24) (Imp: §§200-24, 200-31)

§13-241-2 Exemption from numbering provisions of this chapter. (a) A vessel shall not be required to be numbered under this chapter if it is any of the following:

- (1) A vessel which has a valid marine document issued by the United States Coast Guard or any federal agency successor thereto.
- (2) A vessel already covered by a number in full force and effect which has been issued to it pursuant to federal law or a federally approved numbering system of another jurisdiction; provided that the vessel shall not have remained within this State for a period in excess of sixty days.
- (3) A vessel from a country other than the United States, provided that the vessel has not been in the waters of the State for a period in excess of sixty days.
- (4) A vessel whose owner is the United States, used exclusively in the public service and is clearly identifiable as such a vessel.
- (5) A vessel's lifeboat if the boat is used solely for lifesaving purposes. This exemption does not include craft carried aboard a vessel and used for other than lifesaving purposes.
- (6) A vessel belonging to a class of boats which has been exempted from numbering by the department after it has found that the numbering of vessels of such class will not materially aid in their identification; and, if any agency of the federal government has a numbering system applicable to the class of vessels to which the boat in question belongs, after the department has further found that the vessel would also be exempt from numbering if it were subject to federal law.

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- (7) A vessel manually propelled.
- (8) A vessel eight feet or less in length propelled solely by sail.
- (9) A motorboat used exclusively for racing.
- (10) A vessel operating under a valid temporary certificate of number.

(b) Nothing in this section shall prohibit the numbering of any undocumented vessel hereunder upon request by the owner even though such vessel is exempt from the numbering requirements of this chapter. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-3 Numbering system. (a) In the event that an agency of the United States shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department shall be in conformity therewith.

(b) The vessel identification numbers issued pursuant to these rules shall consist of three parts. The first part shall consist of the capital letters HA identifying the State of Hawaii as the state of principal use. The second part shall consist of not more than four arabic numerals. The third part shall consist of not more than two capital letters. Each part will be separated from the other by hyphens or equivalent spaces. For example: HA-1240-AD; HA-124-AA; HA 1240 AD. The hyphen or space shall be equal to the width of any letter except "I" or any numeral except "1."

(c) Since the letters "I," "0" and "Q" may be mistaken for arabic numerals, all letter sequences using "I," "0" and "Q" shall be omitted. Objectionable words formed by the use of two or three letters will not be used. [Eff 2/24/94] (Auth HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-4 Number display. (a) The identification number awarded to any vessel as

indicated in the certificate of number shall be painted on, attached to or otherwise permanently displayed on each side of the bow (i.e. the forward half of the hull) or on the permanent superstructure located on the forward half of the hull which is as nearly vertical as possible where such number may be easily observed and provide maximum opportunity for identification, or when due to vessel configuration the above will not provide ready identification, on a bracket or fixture firmly attached to the forward half of the vessel. The number shall not be placed on the obscured underside of a flared bow where the angle is such that the numbers cannot be easily seen from another vessel or ashore. The numerals and letters shall read from left to right, shall be in block characters of good proportion and must measure not less than three full inches from top to bottom. The phrase "block characters of good proportion" means that the numerals and letters are vertical, not slanted, and of a plain style, not script or of varying thickness and preferably without border, trim, outlining or shading. Border, trim, outlining, or shading of character shall be disregarded in determining height of the character, or its style or color contrast. The numerals and letters shall be of one solid color exclusive of any colored border, trim, outlining or shading which will form a good contrast with the color of the background and so maintained as to be clearly visible and legible. The phrase "contrast with the color of the background" means that the numerals and letters in the number will be of such a different color from that of the background as to be distinctly visible and legible. As used in this section, background shall mean that portion of the hull or superstructure, or a specially provided backing plate, upon which the numbers are placed, but shall not include any border, trim, outlining or shading of the numerals or letters. The test of legibility and for the determination of adequacy of contrast is the ability to read the letters and numbers at approximately one hundred feet distance.

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(b) No numerals, letters or devices other than those used in connection with the ready identification numbers issued to a vessel shall be carried on the forward half of the vessel and no devices which might interfere with the ready identification of the vessel by its number shall be carried on any part of the vessel.

(c) No identification numbers other than those awarded to a vessel as indicated in a valid certificate of number that is in full force and effect shall be displayed on the forward half of any undocumented vessel. Any other previously awarded number or numbers awarded in a certificate of number that has expired or been cancelled or withdrawn shall be covered or removed. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-5 Application for number; contents; requirements. (a) The application for a certificate of number shall be made by the owner to the department or any agency authorized by the department in accordance with procedure prescribed by the department on the form it prescribes and shall contain:

- (1) The name, residence and mailing address of the owner.
- (2) Date of birth of owner.
- (3) Present citizenship of owner.
- (4) State in which vessel is principally used.
- (5) Location where vessel is principally kept.
- (6) Present state or Coast Guard number on vessel, if any.
- (7) Date vessel entered Hawaii, if numbered in another state.
- (8) Date vessel was first operated by applicant.
- (9) A description of the vessel including, but not limited to the following so far as it exists: hull material (wood, steel, aluminum, plastic, other), type of propulsion (outboard, inboard, inboard-outboard, sail, other), type of fuel (gas, diesel, other), length of vessel, make,

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- model, type, builder, year built, and country in which built.
- (10) The names and addresses of any lienholders in the order of their priority.
 - (11) Statement as to use (pleasure, livery, government, youth group, dealer, manufacturer, commercial fishing, charter fishing, carrying passengers for hire, commercial other, other).
 - (12) Builder's hull identification number. Where there is no builder's hull identification number on the vessel or where a builder's hull identification number has been destroyed or obliterated, the application shall so state.
 - (13) Any further information the department reasonably requires: (1) to identify the vessel, (2) to enable a determination that the owner is entitled to a certificate of number, (3) to determine if a security interest in the vessel exists, or (4) for the use by federal, or other state or local agencies.
 - (14) A certification of ownership by the applicant.
 - (15) Signature of owner.
 - (b) If the application refers to a vessel purchased from or through a boat dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of this security agreement and be signed by the boat dealer as well as the owner. The boat dealer shall promptly mail or deliver the application to the department.
 - (c) Every initial application for a certificate of number shall be accompanied by:
 - (1) Appropriate evidence establishing proof of ownership of the vessel by the applicant. Proof of such ownership shall be established for the purposes of this section by one of the following:

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- (A) Certificate of sale signed by the seller, showing the name and address of the seller name and address of the purchaser, the location and date of sale, and description of the vessel.
 - (B) A properly endorsed document indicating title if the vessel has been numbered and issued a title by another state or country.
 - (C) Where neither subparagraphs (A) nor (B) is appropriate, an affidavit executed by the applicant fully setting forth the facts to support applicant's claim of ownership in the vessel.
 - (D) The department, if not satisfied with the evidence submitted as proof of ownership, may require additional information and documents, including any additional statements under oath to establish proof of ownership.
- (2) A statement under oath or the certificate of a person authorized by the department that the builder's hull identification number, if any, of the vessel has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vessel the department reasonably requires.
- (d) All requirements governing the application for certificate of number shall apply to livery (rental) boats, except that the description of the motor, if any, and type of fuel need not be completed on the application in every case where the engine is not rented as part of the boat.
- (e) Application for certificate of number for dealer's or manufacturer's vessels shall not require a description of the vessel, since the number issued may be transferred from one vessel to another. In lieu of the description the word "manufacturer" or "dealer," whichever is appropriate, shall be plainly indicated on the application.

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(f) The department shall require any person applying for a certificate of number pertaining to a foreign built vessel to furnish evidence of payment of custom duties upon reasonable belief that any United States Customs duty pertaining to the vessel has not been paid.

(g) A person applying for a certificate of number for a vessel that is presumptively five net tons or more (thirty-two feet in length, eight feet in beam, and two and one-half feet in depth, or greater) and to be used in coasting trade or commercial fishing shall be granted a temporary certificate of number valid for thirty days. The applicant shall be notified of the necessity for having his vessel measured. If, on admeasurement, the vessel is found to be less than five net tons, a certificate of number may be awarded. If the vessel is found to be five net tons or over, the temporary certificate shall be cancelled and notice of the action by the department shall be sent to the Coast Guard. An application for any vessel of five net tons or over shall not be accepted and notice of the action by the department shall be sent to the Coast Guard.

(h) An application for a certificate of number pertaining to a foreign built vessel or a vessel owned by a person not a citizen of the United States and to be used in coasting trade or commercial fishing shall not be accepted and notice of the action by the department shall be sent to the Coast Guard.

(i) An application for issuance of a certificate of number pertaining to a vessel previously owned in whole or in part by a citizen of the United States and purchased by a person not a citizen of the United States shall be accompanied by evidence that the transaction was approved by the United States Maritime Administration, except in those instances where federal laws and regulations do not require approval. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-6 Authority to grant or refuse applications. (a) The department shall examine and determine the genuineness, regularity and legality of every application for numbering of a vessel and any other application lawfully made to the department relating to this chapter and may in all cases conduct any investigation as may be deemed necessary or require additional information. The department shall reject any application if not satisfied with the genuineness, regularity or legality thereof or the truth of any statement contained therein, or for any other reason, when authorized by law.

(b) The issuance of a certificate of number under this chapter shall not in any way be construed that the department is warranting or guaranteeing the title of the vessel as it appears on the certificate. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-7 Certificate of number; contents. (a) The certificate of number shall contain the following information:

- (1) The name and address of the owner.
- (2) Manufacturer's or builder's hull identification number, if any.
- (3) Hull material (wood, steel, aluminum plastic, other).
- (4) Type of propulsion (outboard, inboard, inboard-outboard, sail, other).
- (5) Type of fuel (gasoline, diesel, other).
- (6) Length of vessel.
- (7) Make, model, type or builder of vessel and year built.
- (8) Statement as to use (pleasure, livery, dealer, manufacturer, commercial fishing, vessel carrying passenger for hire, commercial other, other).
- (9) Number issued to vessel.
- (10) Expiration date of certificate.
- (11) Notice to the owner that he shall report within seven days changes of ownership or

address and destruction or abandonment of vessel.

(12) Notice that the operator shall:

(A) Always carry the certificate on vessel when in use.

(B) Report to the department all boating accidents.

(C) Stop and render aid or assistance if involved in a boating accident.

(13) Any other data considered necessary by the department.

(b) The description of the vessel will be omitted from the certificate of number awarded to a boat dealer or boat manufacturer pursuant to section 13-241-18 since the number and the certificate of number issued may be transferred from one vessel to another. In lieu of the description, the word "manufacturer" or "dealer", whichever is appropriate, will be plainly marked on each certificate.

(c) The description of the motor and type of fuel will be omitted from the certificate of number of a livery boat in any case where the motor is not rented with the vessel. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-8 Certificate of number to be carried aboard vessel; description. The certificate of number shall be of pocket size and water resistant, as prescribed by the chairperson of the board of land and natural resources. The operator of the vessel shall ensure that the certificate of number is available at all times for examination on the vessel for which issued, whenever the vessel is in operation. [Eff 2/24/94; am 1/16/03] (Auth: HRS §200-24, 200-31) (Imp: HRS §§200-24, 200-31)

§13-241-9 Cancellation of certificate and voiding of number. (a) Except as provided in subsection (b) a number issued under this chapter to a vessel shall be permanent.

(b) The chairperson of the board of land and natural resources may cancel a certificate of number or withdraw a number issued to a vessel under this chapter even though the action occurs before the expiration date of the certificate and whether or not the certificate is surrendered to the issuing office. Certain causes for cancellation of certificates of number and withdrawing of number are:

- (1) Issuance of a marine document by the Coast Guard for the same vessel.
- (2) False or fraudulent certification in an application for number.
- (3) Failure to renew a certificate of number within one year of date of expiration.
- (4) If a vessel is lost, destroyed, abandoned, sunk or permanently removed from the State.
- (5) Other reasons when necessary and proper to carry out this chapter. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-10 Period of validity and renewal of certificate of number. (a) The original certificate of number initially issued to a vessel pursuant to this chapter shall continue in full force and effect for a period ending one year from the date of issuance of the certificate unless sooner terminated or discontinued in accordance with these rules.

(b) A certificate of number issued pursuant to this chapter may be renewed at any time within a ninety-day period preceding the expiration date. The same number shall be assigned if the renewal application is received within a year after the expiration date of the certificate of number.

(c) A certificate of number renewed prior to the expiration date shall be valid for a period ending one year from the date of expiration of the certificate being renewed. A certificate of number renewed after the date of expiration of the certificate being renewed shall be valid for a period ending one year from the date of the certificate being renewed.

(d) A renewal application received more than a year after the date of expiration of the certificate of number shall be treated in the same manner as an application for an original number.

(e) A certificate of number is void after the date of expiration indicated thereon. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-11 Owner required to report change of address, ownership, loss, destruction or abandonment of vessel. (a) The owner of any vessel for which a certificate of number has been issued in accordance with this chapter shall notify the department in writing within seven days if:

- (1) The vessel is documented by the Coast Guard; lost, destroyed, abandoned, or sunk; or permanently removed from the State;
- (2) The owner transfers all or any part of the owner's interest in such vessel, other than a security interest to another person or persons; or
- (3) The owner's address no longer conforms to the address appearing on the certificate of number.

(b) The holder of a certificate of number, as a part of the notification, shall furnish the department with the holder's new address, if the holder's address no longer conforms to the address appearing on the certificate of number. If the change in status involves a transfer of ownership, the name and address of the new owner shall be included in the notification. A transfer by an owner is not effective until this section has been complied with and the owner has delivered possession of the vessel to the transferee.

(c) The certificate of number for a vessel shall terminate if:

- (1) The vessel is documented, lost, destroyed, abandoned, sunk, or permanently removed from the State; or

- (2) The owner transfers all or any part of the owner's interest in the vessel, other than a security interest to another person or persons. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-22, 200-24, 200-31)

§13-241-12 New owner must secure new certificate of number. (a) The new owner of all or any part of the interest in any vessel for which a certificate of number has been issued pursuant to this chapter shall, within seven days after acquiring same, make application to the department upon forms prescribed by it, for transfer or revision, whichever is appropriate, of the certificate of number issued to such vessel. The application shall contain, in addition to the information prescribed in section 13-241-5 for certificate of number applications a statement concerning the date of purchase by the applicant and the name and address of the person from whom the vessel or an interest therein was acquired. The amended certification shall if in full force and effect at the time of the transfer remain valid for so long as the original certificate would have been valid under this chapter. Except as provided in subsection (b), unless the application is made and fee paid within seven days, the vessel shall be deemed to be without certificate of number and it shall be unlawful for any person to operate the vessel on the waters of the State until a valid certificate is issued.

(b) Subsection (a) notwithstanding, if a boat dealer (1) buys a vessel for which a certificate of number has been awarded pursuant to this chapter, (2) procures the certificate of number from the owner, (3) holds the vessel for resale, and (4) notifies the department of the purchase within seven days after delivery of the vessel, the boat dealer need not apply to the department for transfer of the certificate of number issued to the vessel. A copy of the dealer's notification of purchase to the department shall, together with the certificate of number, be available at all times for examination on the vessel for which

issued, whenever the vessel is in operation. The boat dealer upon transferring the vessel to another person shall promptly mail or deliver the certificate of number to the department with the transferee's application for a new certificate of number as prescribed in subsection (a).

(c) Every boat dealer shall maintain for three years a written record in the form the chairperson of the board of land and natural resources, prescribes, of every vessel bought, sold or exchanged or received for sale or exchange. The record shall, for the purpose of enforcing these rules, be open to inspection by a representative of the department or enforcement personnel during reasonable business hours. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: §§200-24, 200-31)

§13-241-13 Registration stickers (decals). (a) Every vessel required to be numbered in the State shall display stickers issued by the department to identify the vessel as currently registered.

(b) Registration stickers shall have a dominant-colored border around their edge which shall change from year to year. Effective January 1, 1981, the color of the border shall be blue; international orange in 1982; green in 1983; red in 1984; and the cycle to be repeated commencing in 1985.

(c) Registration stickers shall be securely affixed on each side of the vessel three inches aft (towards the stern) of and directly in line with the registration numbers, and shall be so maintained as to be clearly legible and visible at all times. Only current registration stickers shall be displaced. All previous year stickers will be covered or removed. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-14 Stolen or mutilated certificates or registration stickers (decals). If any certificates of number or registration sticker becomes lost,

destroyed, stolen, mutilated or illegible, the owner of the vessel for which the same was issued shall, within seven days of the occurrence, forward to the department a report in writing, describing the circumstances of the loss or destruction and certifying to its loss together with a completed application form as prescribed by the department for the replacement of the certificate of number or registration sticker. The duplicate certificate of number or registration sticker issued as a result of such application will replace the certificate or registration sticker so lost or destroyed. Any certificate of number or registration sticker so mutilated as to be illegible shall be forwarded to the department with the application for replacement. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-15 Falsified, unauthorized, or removed identification number. (a) No person shall buy, receive, operate, possess, sell or dispose of a vessel with knowledge that an identification number or registration sticker on the vessel has been removed or falsified with intent to avoid compliance with this chapter or to conceal or misrepresent the identity of the vessel or its owner.

(b) No person shall remove or falsify a vessel identification number or registration sticker or affix to a vessel an identification number or registration sticker not authorized by law for use on the vessel in order to avoid compliance with this chapter or to conceal or misrepresent the identity of the vessel or its owner. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §200-24, 200-31)

§13-241-16 Improper use of certificate of number. (a) No person shall permit another not entitled to use or have possession of a certificate of number or registration sticker.

(b) No person shall alter, forge or counterfeit a certificate of number or registration sticker.

(c) No person shall have possession of or use a certificate of number or registration sticker, knowing it to have been altered, forged or counterfeited.

(d) No person shall use a false or fictitious name or address, make a false statement or conceal any material fact in an application for a certificate of number or its transfer. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-17 Seizure of documents and stickers (decals). The department is authorized to take possession of any certificate of number, permit or registration sticker issued by it upon expiration, revocation, cancellation or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-18 Numbering of manufacturer's and dealer's vessels. (a) Numbering requirements of these rules shall apply to unnumbered vessels operated by boat manufacturers or boat dealers.

(b) A boat dealer or boat manufacturer, upon application to the department using forms prescribed by it, may obtain a certificate of number as prescribed by the department for use in the testing, demonstrating, delivery or transportation of unnumbered vessels that the applicant owns upon payment of a required fee for each certificate. A certificate of number so issued may be used by the applicant in the testing, demonstrating, delivery or transportation of unnumbered vessels that the applicant owns by temporary placement of the number assigned by the certificates on the vessel so tested, demonstrated, delivered or transported. The temporary placement of numbers shall otherwise be as prescribed by these rules.

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(c) The boat manufacturer or boat dealer may have the number issued printed upon or attached to a movable sign or signs to be temporarily but firmly mounted upon or attached to an unnumbered vessel that the manufacture or dealer owns being delivered, transported, demonstrated or tested so long as the display meets the requirements of section 13-241-4.

(d) No person other than a boat dealer or boat manufacturer or a representative of a boat dealer or boat manufacturer shall display or use a boat dealer's or boat manufacturer's identifying number.

(e) No boat dealer or boat manufacturer or representative of a boat dealer or boat manufacturer shall use a boat dealer's or boat manufacturer's number for any purpose other than the purpose described in subsection (b).

(f) The boat manufacturer or boat dealer may have more than one certificate of number issued if the boat manufacturer or boat dealer is the owner of more than one vessel required to be numbered; provided that upon the sale of any such vessel by said boat manufacturer or boat dealer, then a number shall be applied for by the new owner in the manner provided for in these rules. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-19 Livery boat number. A person who is engaged in the business of boat livery upon application to the department upon forms prescribed by the department may obtain a certificate of number for use on vessels so rented. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-20 Documented vessels not to be numbered. A vessel documented by the Coast Guard or any federal successor thereto shall not be numbered under this chapter. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-21 Issue of certificate of number by department's agents. The department may issue any certificate of number directly or may authorize any person to act as agent for the issuance thereof. In the event that a person accepts such authorization, that person may be assigned registration stickers, a block of numbers and certificates which, upon issuance in conformity with this chapter shall be valid as if issued directly by the department. [Eff 2/24/94]
(Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-22 Authorization of vessel registration agents. (a) Agents authorized by the department to conduct registration of vessels shall be known as "vessel registration agents."

(b) Vessel registration agents shall be appointed by the chairperson of the board of land and natural resources.

(c) No compensation shall be given to vessel registration agents for their services.

(d) Each vessel registration agent shall be bonded under a good and sufficient bond conditioned as deemed necessary, the premium to be paid by the State.

(e) All moneys received by a vessel registration agent from registration of vessels shall be kept separate from any other funds of the agent, and all the moneys received shall at all times belong to the State.

(f) Each vessel registration agent shall have and shall maintain as a condition of appointment, the following qualifications:

- (1) An established place of business.
- (2) Be engaged in an activity directly related to boating.
- (3) A means of identification, which will clearly indicate to the public the name of the business, the means of identification to be required for each separate branch of the business which will be authorized to conduct registration of vessels. [Eff 2/24/94]

(Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-23 Public records. Records of the department made or kept pursuant to this chapter shall be public records. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-24 Transmittal of statistical information. In accordance with any request duly made by an authorized official or agency of the United States, any information relating to numbered vessels compiled or otherwise available to the department pursuant to this chapter shall be transmitted to the official or agency of the United States. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-24, 200-31)

§13-241-25 Fees and charges. (a) The fees to be charged by the department for registration, annual renewal, transfers, and duplicate certificates and registration stickers shall be as follows:

- (1) Initial annual registration fee. For the issuance of an original certificate:
 - (A) For each vessel less than twenty feet in length, \$18;
 - (B) For each vessel twenty feet or more in length, \$30.
 - (C) For each amphibious vehicle licensed as a motor vehicle, \$20.
- (2) Annual certificate renewal fee. For the annual renewal of a certificate:
 - (A) For each vessel less than twenty feet in length, \$15;
 - (B) For each vessel twenty feet or more in length, \$20; and
 - (C) For each amphibious vehicle licensed as a motor vehicle, \$15.
- (3) Reregistration fee. For the reregistration of a vessel, after a certificate has been

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canceled or voided, the appropriate amount provided in paragraph (1);

- (4) Transfer fee. For the transfer of a certificate, \$10.
- (5) Certificate and registration sticker replacement fee. For the issuance of a replacement certificate or a replacement set of vessel registration stickers, \$10; and

(b) For vessels owned by or operated under the custody or control of a boat manufacturer or boat dealer, the manufacturer or dealer shall pay, in lieu of the fees and charges provided for in subsection

(a):

- (1) Boat manufacturer and boat dealer annual certificate fee. For each certificate, a fee of \$25;
- (2) Annual certificate renewal fee. For the annual renewal of a certificate, a fee of \$20;
- (3) Certificate reissuance. For the reissuance of a certificate after a certificate has been canceled or voided, a fee of \$25; and
- (4) Certificate and registration sticker replacement fee. For the replacement of a certificate or registration sticker, a fee of \$10.

(c) No fee shall be charged by the department for registration, transfer or annual renewal relating to a vessel whose owner is the United States, the State or a subdivision thereof.

(d) A nonprofit corporation whose purposes relate to promoting the ability of children to do things for themselves, to train them in boating, water safety, scout-craft and camping, and to teach them patriotism, courage, self-reliance and kindred virtues shall not be required to pay the fees provided in this section relating to vessels owned and used exclusively for the purposes of the organization.

(e) Penalty fees.

- (1) If the owner of a vessel fails to obtain a certificate of number as required by this chapter, the applicable fee plus a penalty

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equal to one tenth of such fee shall be collected from the owner for each month or fraction of a month the owner is late in registering.

- (2) If a certificate of number is not renewed on or before the date on which it expires, the applicable annual renewal fee plus a penalty equal to one-tenth of such fee shall be collected from the owner for each month or fraction of a month the owner is late in renewing except where the vessel has not been on the waters of the State subsequent to the expiration date.
- (3) If the purchaser of any vessel fails to apply for transfer of the certificate of number relating to the vessel as required by section 13-241-12, the applicable fee plus a penalty of ten per cent for each month or fraction thereof the owner is late in applying for the transfer shall be collected from the owner except where the vessel has not been on the waters of the State subsequent to the purchase.
- (4) The penalty fees prescribed in this section are in addition to any penalties imposed by a court for violations of these rules.

(f) Payment of fee required prior to processing. No application for a certificate of number, transfer or renewal of certificate, or for a duplicate certificate of number or duplicate registration stickers shall be processed until the prescribed fees are paid.

(g) Fees for furnishing information. Individuals or firms requesting an alphabetical or numerical listing of boat owners and information concerning their boats shall be charged a fee as prescribed by the chairperson, board of land and natural resources. [Eff 2/24/94; am 1/22/10] (Auth: HRS §§200-24, 200-32, 200-33) (Imp: HRS §§200-32, 200-33)

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§13-241-26 Negotiable instruments; service charge. (a) The service charge for any dishonored check, draft, certificate of deposit or other negotiable instrument is \$12.

(b) Payment to and acceptance by the department of the service charge for a check, draft, certificate of deposit or other negotiable instrument, shall not be construed as a waiver of any violation of the Hawaii Penal Code, chapters 701 to 713, Hawaii Revised Statutes, or of these rules. [Eff 2/24/94] (Auth: HRS §200-2) (Imp: HRS §200-2)