

**Amendments to Title 13
Chapter 13-256
Hawaii Administrative Rules**

SUMMARY

- 1. Sections 13-256-3 and 13-256-4 are amended.**

1. Section 13-256-3, Hawaii Administrative Rules, is amended to read as follows:

"§13-256-3 Commercial [operator] use permit requirements. (a) All operators of commercial vessels, water craft or water sports equipment shall apply for a commercial [operator] use permit to be issued by the department. The applicant for such permit shall comply with the applicable provisions stated in [~~Hawaii Administrative Rules, and Ocean Waters, Navigable Streams and Beaches, Sections 13-251-1 through 13-251-20~~] sections 13-231-50 to 13-231-70. [~~A valid commercial use permit issued to the owner of a vessel to operate from state harbor or launching ramp facilities shall satisfy the commercial operator permit requirement of this section for the operation of that particular vessel.~~]

(b) The department [~~shall~~] may establish and maintain a Recreation Advisory Committee of not less than three for each recreation management area as defined in this chapter to review and make recommendations for commercial [~~operator permit~~] use permits to be issued by the department [~~as required by this section~~]. The department shall consider the recommendations of the Advisory Committee, but is not bound by the recommendations. Members of the Recreation Advisory Committee shall have not less than three years of experience in their area of specialty." [Eff 2/24/94; am] (Auth: HRS §§200-2, 200-3, 200-4, 200-22, 200-24) (Imp: HRS §§200-2, 200-3, 200-4, 200-22, 200-24)

2. Section 13-256-4, Hawaii Administrative Rules, is amended to read as follows:

"§13-256-4 Commercial [Vessel] vessel and water sports equipment registration requirements. (a) All commercial vessels, water craft or water sports equipment shall be registered with the department for commercial use in compliance with [~~Sections 13-251-36 to 13-251-52~~] sections 13-231-50 to 13-231-70.

(b) Commercial use permits issued by the department for commercial vessels operating from state harbors or boating facilities are exempt from the requirements of this section. [Eff 2/24/94; am] (Auth: HRS §§200-2, 200-3, 200-4, 200-22, 200-24) (Imp: HRS §§200-2, 200-3, 200-4, 200-22, 200-24)

3. Material, except source notes, to be repealed is bracketed and stricken. New material is underscored.

4. These amendments to sections 13-256-3 and 13-256-4, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____ by the Board of Land and Natural Resources, and filed with the Office of the Lieutenant Governor.

WILLIAM J. AILA, JR.,
Chairperson
Board of Land and Natural Resources

APPROVED FOR PUBLIC HEARING:


Deputy Attorney General