

# UNCERTIFIED COPY

A certified copy of the official rules can be  
obtained from DLNR, call (808) 587-1496

## DEPARTMENT OF LAND AND NATURAL RESOURCES

### Amendments to Chapter 13-121 Hawaii Administrative Rules

December 11, 2009

#### SUMMARY

1. §13-121-2 is amended.
2. §13-121-5 is amended.
3. A new §13-121-6 is added.

This page is intentionally blank

UNCERTIFIED COPY

A certified copy of the official rules can be  
obtained from DLNR, call (808) 587-1496

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE S FORESTRY AND WILDLIFE

PART 2 WILDLIFE

CHAPTER 121

RULES REGULATING THE HUNTING OF WILDLIFE  
ON PUBLIC LANDS AND OTHER LANDS

§13-121-I Purpose and applicability

§13-121-2 Definitions

§13-121-3 Hunting prohibited

§13-121-4 Seizure of gear

§13-121-5 Penalty

Historical Note: Chapter 121 of Title 13, Administrative Rules, is based substantially upon Regulation 14 of the Division of Fish and Game, Department of Land and Natural Resources. [Eff. 9/24/51; am 8/10/53; am 10/22/54; am 10/10/55; am 10/13/56; am 10/19/57; am 3/28/58 and ren Regulation 1; am 9/7/60 (Gov. approved); am 9/23/61; am 7/1/65; am 3/25/78; R SEP 28 1981]

§13-121-1 Purpose and applicability. (a) The purpose of these rules is to prohibit the hunting of wildlife on all public lands or other lands except as authorized by the board of land and natural resources or its authorized representative.

(b) These rules shall apply to all persons entering public lands as defined by section 171-2, Hawaii Revised Statutes, and any other lands as defined in section 13-121-2. [Eff. SEP 28 1981] (Auth: HRS §§183-2, 191-9, 191-21, 191-22, 195D-3,

195D-6) (Imp: HRS §§183-2, 191-9, 191-21, 191-22, 195D-3, 195D-6)

§13-121-2 Definitions. As used in these rules unless context requires otherwise:

"Board" means the board of land and natural resources.

"Public lands" means those lands defined by section 171-2, Hawaii Revised Statutes.

"Public shooting range" means an area designated by the board as a location where activities related to target archery and firearms shooting may be conducted.

"Other lands" means any private, county, or federal lands, or lands under the control or jurisdiction of other state departments which have been accepted by and are now under the control and jurisdiction of the board by cooperative agreement, surrender agreement, license, permit, memorandum of understanding, or otherwise, with the owner or controlling agency.

"Wildlife" means any non-domesticated species of mammal or bird, whether reared in captivity or not, living in a wild state and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof. [Eff. 9/28/81; am 1/22/2010 ] (Auth: HRS §§183-2, 183D-28, 191-9, 191-21, 191-22, 195D-3, 195D-6) (Imp: HRS §§183-2, 183D-28, 191-9, 191-21, 191-22, 195D-3, 195D-6)

§13-121-3 Hunting prohibited. (a) It is prohibited to hunt, take, kill, capture, or possess any wildlife at any time on public lands and other lands under the control of the board except as authorized by law, license, permit, or administrative rule of the board.

(b) It is prohibited to enter or remain on public lands and other lands under the control of the board while carrying any firearm, including air or gas operated forms, bow and arrow, or any other weapon,

trap, snare, poison, or any device designed to capture, take, or kill wildlife, except as authorized by law, license, permit, or administrative rule of the board. [Eff. 9/28/81] (Auth: ERS §§183-2, 191-9, 191-21, 191-22, 195D-3, 195D-6) (Imp: HRS §§183-2, 191-9, 191-21, 191-22, 195D-3, 195D-6)

§13-121-4 Seizure of gear. Any hunting gear or appliance used or possessed in violation of this rule may be seized and forfeited pursuant to section 199-7, Hawaii Revised Statutes. [Eff. 9/28/81] (Auth: HRSS§183- 2, 191-9, 191-21, 191-22, 195D-3, 195D-6) (Imp: HRS §§183-2, 187-16, 191-9, 191-21, 191-22, 195D-3, 195D-6, 199-7)

§13-121-5 Penalty. Any person violating any of the provisions of these rules shall be penalized accordingly as provided in sections 171-6.4, 171-31.6, 191-3, 191-6, 191-10, 191-13, 191-16, 191-21, 191-23, or 195D-9, Hawaii Revised Statutes. [Eff. 9/28/81; am 1/22/2010 ] (Auth: HRS §§171-6.4, 171-31.6, 183-2, 191-9, 191-21, 191-22, 195D-3, 195D-6) (Imp: HRS §§191-3, 191-6, 191-10, 191-13, 191-16, 191-21, 191-23, 195D-9)

§13-121-6 Public shooting ranges. (a) The department shall have the authority to negotiate and enter into agreements, concessions, or leases with an individual, private business, concessionaire, nonprofit entity or other public or private organization to manage and operate public shooting ranges as may be authorized under Hawaii Revised Statutes, section 183D-28.

(b) The department or its designated representative may set criteria for the use of public shooting ranges to provide for hunting and shooting safety, education and training, public safety, and public recreation.

(c) Notwithstanding prohibitions established in chapters 13-122 and 13-123, Hawaii Administrative

Rules, when using a public shooting range, authorized firearms or equipment may include all legally possessed and used firearms, hunting equipment, and ammunition, except as prohibited under this section.

(d) The following activities are prohibited within public shooting ranges unless authorized by the board or its authorized representative:

- (1) Hunting, including animal control activities;
- (2) Camping;
- (3) The use or possession of alcohol;
- (4) The use or possession of any incendiary devices or any other explosive devices;
- (5) The building of any fire on the ground or in any structure; and
- (6) The introduction or accompaniment of any animals such as cats or other pets.

[Eff 1/22/2010 ] (Auth: HRS §§134-8, 134-16, 171-6, 171-13, 171-35, 171-36, 183-2, 183D-28)  
(Imp: HRS §183D-28)

DEPARTMENT OF LAND AND NATURAL RESOURCES

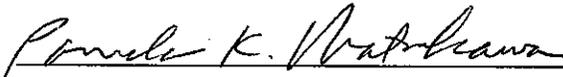
Amendments to chapter 13-121, Hawaii Administrative Rules, on the Summary page dated December 11, 2009, were adopted on December 11, 2009 following a series of statewide public hearings held between November 3 through 9, 2009 after public notice was given in the Star Bulletin, Garden Island, Maui News, Hawaii Tribune-Herald, and West Hawaii Today on October 4, 2009.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.



\_\_\_\_\_  
LAURA H. THIELEN  
Chairperson  
Board of Land and Natural  
Resources

APPROVED AS TO FORM:



\_\_\_\_\_  
Deputy Attorney General



\_\_\_\_\_  
LINDA LINGLE  
Governor  
State of Hawaii

Date:

JAN 12 2010

\_\_\_\_\_  
Filed

LIEUTENANT GOVERNOR'S  
OFFICE

'10 JAN 12 A9:56