

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 11

OCEAN RECREATION AND COASTAL AREAS

PART 2

BOATING

CHAPTER 240

GENERAL PROVISIONS

Historical note

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

§13-240-1 Purpose and scope. This part establishes rules governing vessels and their use in the waters of the State to promote and attain (1) the full use and enjoyment of the waters of the State; (2) the safety of persons and the protection of property as related to the use of the waters; (3) a reasonable uniformity of laws and rules regarding the use of the waters; and (4) conformity with, and implementation of, federal laws and requirements. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-21, 200-22)

§13-240-2 Interpretation. If any section of these rules is inconsistent with any laws of the United States or any rule, or standard established pursuant thereto, then the latter shall govern. The provisions of these rules shall be interpreted and construed in the manner best able to effectuate the general purpose of attaining uniformity in the laws of the State and with the laws of other states and the United States. Nothing contained in these rules shall be construed to limit the powers of any department or agency of the State. These rules shall be construed liberally and consistent with the purpose stated in section 13-240-1. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-21, 200-22)

§13-240-3 Severability. These rules are declared to be severable and if any portion or the application thereof to any person or property is held invalid for any reason, the validity of the remainder of these rules or the application of the remainder to other persons or property shall not be affected. [Eff 2/24/94] (Auth: HRS §200-24) (Imp: HRS §§200-21, 200-22)

§13-240-4 (Reserved)

§13-240-5 REPEALED. [R 12/31/18]