

**HAWAII ADMINISTRATIVE RULES
TITLE 19
DEPARTMENT OF TRANSPORTATION
CHAPTER 42
VESSEL AND HARBOR CONTROLS**

**SUBCHAPTER 2
SMALL CRAFT AND SMALLER COMMERCIAL VESSELS**

§19-42-31 Waiting lists. When the department cannot issue a use permit to an applicant, a waiting list of applicants shall be maintained by the department. Waiting lists shall be kept in the order of the date of acceptance of the initial, fully completed application. Timely and satisfactorily renewed applications will continue their priorities from the initial or adjusted date of application. Separate waiting lists shall be maintained for each harbor, for each type of use permit or berth and, for Kewalo Basin, each use or activity in which the vessel is to be employed.

A waiting list shall be maintained for holders of regular mooring permits who wish to apply for movement to another similar berth within the same harbor. A person desiring to moor that person's vessel in a harbor where no berths are available for allocation may have that person's application placed on a waiting list based on the date of that person's initial fully completed application. An applicant shall be allocated a berth when (1) that person becomes the senior applicant on the list and (2) a berth suitable for that person's vessel becomes available.

The senior applicant for a regular mooring permit may decline the department's offer of a use permit one time and still retain seniority, although the applicant shall not be offered another regular mooring permit for six months. If the senior applicant declines the department's offer a second time, the applicant's application shall be considered void and the applicant's name shall be removed from the waiting list.

If the applicant is a corporation and there is a change in officers of the corporation or if the applicant is not a corporation but decides to incorporate, the effective date of these changes shall determine the applicant's seniority on the waiting list. [Eff 5/20/82; am and comp 2/26/96] (Auth: HRS §§266-2, 266-3) (Imp: HRS §§266-2, 266-3)