

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

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

§19-42-44 Revocation of use permit. If the permittee fails to remedy any breach of any of the duties, covenants, or conditions of the permit or to desist from violating or permitting violation of these rules, the department may revoke the permittee's use permit, or, at its discretion, refuse to renew the permittee's use permit.

A use permit may be terminated or revoked for the following reasons, although termination and revocation are not necessarily limited to these reasons:

- (1) Failing to report to the department within seven days:
 - (A) A change in ownership of the vessel.
 - (B) A change in address of the permittee.
 - (C) A change in status of the vessel from one category to another, e.g., from commercial fishing to charter fishing.
 - (D) The permittee's vessel has been involved in the destruction of or damage to state property or to another vessel.
 - (E) A material change in a corporation's stock ownership or change in corporate officers.
- (2) Abandoning a vessel at a berth or mooring.
- (3) Failing to renew a mooring permit within the provisions stipulated herein.
- (4) Failing to refloat or to remove a sunken vessel within seven days of notification.
- (5) Failing to satisfactorily meet delinquent outstanding indebtedness due the State.
- (6) Failing to maintain established state standards of sanitation on a permittee's vessel or in the area within the assigned berth.
- (7) When a vessel is not used for the purpose indicated in the application for a use permit.
- (8) Whenever in the opinion of the department the safety, health, and welfare of the public shall so require.
- (9) Whenever in the opinion of the department a vessel is incapacitated for a period in excess of thirty days or otherwise is unable to meet the test of seaworthiness.
- (10) Failure to obtain the department's approval prior to the making of extended repairs as required in section 19-42-52.
- (11) Failing to submit a monthly report showing gross receipts to the department within thirty days after the last day of the month being reported together with net charges due.
- (12) Failing to insure that the vessel named in the mooring permit is properly documented, certificated, or registered with the appropriate federal or state

agencies concerned.

(13) Failing to maintain insurance coverage as required in section 19-42-37.

Unless the time limit to remedy the breach is otherwise specified in these rules or in a notice given to the permittee, the permittee shall have thirty days to remedy the breach. [Eff 5/20/82; am 12/20/85; am 11/7/91; am and comp 2/26/96] (Auth: HRS §§266-2, 266-3) (Imp: HRS §§266-2, 266-3)