

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

**SUBCHAPTER 1  
GENERAL PROVISIONS**

**§19-42-1** Harbor master; general authority.

(a) A master or person in charge of any vessel, including small craft and smaller commercial vessels, shall obey and carry into effect any orders given by the harbor master relative to the method and manner of bringing vessels to anchorage, entering or leaving a harbor, or coming alongside of or leaving any wharf and shall not move or allow the vessel to be moved in, out, or within a harbor, or anchorage without permission of the harbor master. Such permission will not be given unless tugboat assistance, if required, is available and adequate for the safe handling of the vessel. Unless expressly prohibited, the harbor master's permission is not required for vessel movements at Kewalo Basin.

(b) The berthing of vessels, including small craft and smaller commercial vessels at state-owned or state-controlled facilities shall be in conformity with this part and where not covered by this part at the discretion of the harbor master in a reasonable manner such as to protect the public interest.

(c) The master of every vessel and crew thereof, when requested by the harbor master shall give and afford the harbor master all possible aid in the performance of any of the harbor master's duties in relation to such vessel.

(d) If there is no person aboard a vessel with proper authority or if there is an insufficient number of persons aboard such vessel or if the master and crew of a vessel refuse to aid the harbor master in moving, pumping, mooring, or unmooring of such vessel when so directed by the harbor master, the harbor master may pump, moor or unmoor, place, or remove such vessel and may, if necessary, hire such assistance, equipment, and tackle and purchase and put aboard such quantity of ballast as seems requisite, all at the expense of the master, operators, charterers, owners, or agents of such vessel. All such costs shall be paid to the department before permission for departure is given. The department shall in no way be liable for any damage or loss occurring to any vessel in consequence of such proceedings except where the department has been proven to be legally negligent.

(e) No person without the consent of the harbor master shall cut or cast off any mooring lines, rope, or tackle made fast or attached to any vessel, wharf, mooring, buoy, or other place when the same has been fastened or attached by the harbor master or by the harbor master's order. [Eff 5/20/82; am and comp 2/26/96]

(Auth: HRS §§266-2, 266-3) (Imp: HRS §§266-2, 266-3)