

ADMINISTRATIVE RULES AND PENALTIES

Authorities

- HAR 13-74-2 General license and permit conditions
- HAR 13-74-4 Penalties, generally
- HAR 13-74-3 Suspension, revocation, and non-issuance of licenses and permits, generally
- HAR 13-74-20 Commercial marine license

Penalties

Anyone who is required to submit fish reports, but fails or refuses to do so, may be subject to revocation of their Commercial Marine License, criminal petty misdemeanor penalties, and administrative fines. A Commercial Marine License that has been revoked may not be renewed for one year from date of revocation.

The criminal penalties are:

- 1) \$250 for a first offense;
- 2) \$500 for a second offense;
- 3) \$1,000 for a third or subsequent offense; and/or
- 4) Not more than thirty days in jail.

The administrative fines are:

- 1) For a first violation, a fine of not more than \$1,000;
- 2) For a second violation, a fine not more than \$2,000;
- 3) For a third or subsequent violation, a fine of not more than \$3,000.
- 4) In addition, a fine of \$1,000 may be levied for each specimen of aquatic life taken, killed, or injured.

Anyone caught taking marine life for sale, attempting to sell their marine life, or providing vessel charters, without a valid Commercial Marine License may be subject to criminal petty misdemeanor penalties and administrative fines. In addition, any equipment, article, instrument, aircraft, vehicle, or vessel, used or possessed in violation of Hawaii Revised Statutes Title 12, Conservation and Resources laws, (including Chapter 189) and rules adopted thereunder, will be subject to seizure and forfeiture by the court (Hawaii Revised statutes, Chapter 199-7).

The information submitted on fish reports is confidential under provision of State law (Hawaii Revised Statutes, Section 189-3b). Summary information provided by commercial fishers who submit these reports are important to state and federal agencies and other researchers who use the data to manage and conserve aquatic resources. It is very important to record all marine life taken from the ocean resources, and to report all fishing activities as accurately and completely as possible. Fisheries management is a partnership between fishers and fishery managers working together.

You may obtain summary information for months or years by calling (Honolulu) 587-0108 or writing to:

Division of Aquatic Resources
Attn: Statistical Unit
1151 Punchbowl St., Rm.330
Honolulu, Hawaii 96813

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The Office of Equal Opportunity
U.S. Department of the Interior
Washington, D.C. 20240