THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 2400

JAN 21 2026

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that wing-in-ground craft, which are often referred to as "seagliders," are an emerging interisland mode of transportation. These vessels utilize wing-in-ground-effect technology to provide a novel, zero-emission, inexpensive, and highly efficient mode of transportation. Wing-in-ground craft operate on water while in harbors, leverage hydrofoils while transiting, and fly within a wingspan's length above the water, enabling rapid transportation between ports.

The legislature further finds that because wing-in-ground craft operators aim to directly complement existing air travel by providing statewide interisland transportation, subjecting these operators to the public utilities commission's water carrier regulations would impose undue oversight and increase costs without improving public safety or consumer protection. In particular, the legislature notes that the United States

Coast Guard oversees the public safety and consumer protection aspects of wing-in-ground craft.

The legislature further finds that exempting wing-in-ground craft from public utilities commission jurisdiction will benefit the State by:

(1) Supporting Hawaii's statutory decarbonization goals, including:

(A) Section 225P-5, Hawaii Revised Statutes, which establishes statewide emissions reduction targets for the years 2030 and 2045;

(B) Section 225P-7, Hawaii Revised Statutes, which establishes as a goal for the State the decarbonization of the transportation sector and state agency fleets; and

(C) Section 225P-8, Hawaii Revised Statutes, which establishes a statewide goal of zero emissions across all transportation modes, including ground transportation and sea and air interisland transportation.

In light of these goals, the Hawaii state energy office, in its "pathways to decarbonization" report to

the legislature pursuant to Act 238, Session Laws of Hawaii 2022, identified the use of wing-in-ground craft as a strategic decarbonization measure. The use of wing-in-ground craft also helps to fulfill the requirements of the Navahine settlement agreement between the Hawaii Department of Transportation and the youth plaintiffs;

(2) Enhancing connectivity for underserved communities, including improving healthcare access between the Hawaiian islands and the hospitals and medical facilities on Oahu by providing an affordable transportation option;

(3) Bolstering state resiliency efforts, including emergency response, humanitarian rescue, and food security, by providing rapid transportation to otherwise inaccessible areas of need;

(4) Stimulating education and workforce development opportunities in the green economy as the market for wing-in-ground craft travel grows;

(5) Attracting sustainable infrastructure investment; and

(6) Enhancing the State's economy through job creation in the green economy.

Accordingly, the purpose of this Act is to exempt persons operating wing-in-ground craft from the application of the Hawaii Water Carriers Act.

SECTION 2. Section 271G-5, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

""Wing-in-ground craft" means a vessel that is capable of operating completely above the surface of water on a dynamic air cushion created by the aerodynamic lift caused by the ground effect between the vessel and the water's surface."

SECTION 3. Section 271G-6, Hawaii Revised Statutes, is amended to read as follows:

"**§271G-6 Exemptions, generally.** Notwithstanding any other provisions of this chapter, its contents shall not apply to:

(1) Persons transporting their own property where the transportation is in furtherance of a primary business purpose or enterprise of that person except where the transportation is undertaken by a water carrier to evade the regulatory purposes of this chapter;

(2) Nonprofit agricultural cooperative associations to the extent that they engage in the transportation of their own property or the property of their members;

(3) Persons engaged in the transportation over water of passengers or property for compensation, other than transportation referred to in the definition of "water carrier" or "common carrier by water" in section 271G-5 under continuing contracts with one person or a limited number of persons for the furnishing of transportation services:

(A) Through the assignment of vessels for a continuing period of time to the exclusive use of each person served; or

(B) Designed to meet the distinct need of each individual customer;

(4) Persons transporting their own property or employees where the transportation is in furtherance of a business or enterprise of fishing or taking of fish for profit or gain as a means of livelihood; [~~or~~]

(5) Persons engaged in the business of transporting persons for sightseeing and other recreational activities[~~.~~]; or

(6) Persons operating wing-in-ground craft."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: Maurice R. Kanuha

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Report Title:
Transportation; Hawaii Water Carriers Act; Wing-in-Ground Craft; Seagliders; Exemption

Description:
Exempts persons operating wing-in-ground craft from the application of the Hawaii Water Carriers Act. Defines "wing-in-ground craft."

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