
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

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

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



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

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

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

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

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

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

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



1 the legislature pursuant to Act 238, Session Laws of
2 Hawaii 2022, identified the use of wing-in-ground
3 craft as a strategic decarbonization measure. The use
4 of wing-in-ground craft also helps to fulfill the
5 requirements of the Navahine settlement agreement
6 between the department of transportation and the youth
7 plaintiffs;

8 (2) Enhancing connectivity for underserved communities,
9 including improving health care access between the
10 islands of the State and the hospitals and medical
11 facilities on Oahu by providing an affordable
12 transportation option;

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

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

20 (5) Attracting sustainable infrastructure investment; and



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

3 Accordingly, the purpose of this Act is to exempt persons
4 operating wing-in-ground craft engaged in the transportation of
5 passengers from the application of the Hawaii Water Carrier Act.

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

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

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

15 "**§271G-6 Exemptions, generally.** Notwithstanding any other
16 provisions of this chapter, its contents shall not apply to:

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



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

4 (3) Persons engaged in the transportation over water of
5 passengers or property for compensation, other than
6 transportation referred to in the definition of "water
7 carrier" or "common carrier by water" in section
8 271G-5 under continuing contracts with one person or a
9 limited number of persons for the furnishing of
10 transportation services:

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

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

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



- 1 (5) Persons engaged in the business of transporting
2 persons for sightseeing and other recreational
3 activities[-]; or
4 (6) Persons operating wing-in-ground craft engaged in the
5 transportation of passengers."

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

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



Report Title:

Transportation; Hawaii Water Carrier Act; Wing-in-ground Craft;
Seaglidery; Passengers; Exemption

Description:

Exempts persons operating wing-in-ground craft engaged in the transportation of passengers from the application of the Hawaii Water Carrier Act. Defines "wing-in-ground craft". (CD1)

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