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## HOUSE RESOLUTION

STRONGLY URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
RECOGNIZE THAT EFOIL VESSELS CONSTITUTE THRILL CRAFT AND TO  
UPDATE THE DEPARTMENT'S WEBSITE AND ENFORCE THRILL CRAFT  
LAWS AND RULES ACCORDINGLY.

1           WHEREAS, the Marine Mammal Protection Act of 1972 (MMPA)  
2 prohibits the harassment of marine mammals; and  
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4           WHEREAS, the MMPA defines harassment as any act that "has  
5 the potential to disturb a marine mammal or marine mammal stock  
6 in the wild by causing disruption of behavioral patterns,  
7 including, but not limited to, migration, breathing, nursing,  
8 breeding, feeding, or sheltering"; and  
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10           WHEREAS, under Hawaii law, "thrill craft" are any motorized  
11 vessels that are less than thirteen feet in length and can  
12 exceed twenty miles per hour; and  
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14           WHEREAS, according to all major eFoil vessel manufacturers,  
15 these vessels include an electric motor and can reach up to  
16 twenty-five miles per hour; and  
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18           WHEREAS, eFoil vessels therefore fall under the definition  
19 of "thrill craft" and should be regulated as such by the  
20 Department of Land and Natural Resources; now, therefore,  
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22           BE IT RESOLVED by the House of Representatives of the  
23 Thirty-first Legislature of the State of Hawaii, Regular Session  
24 of 2021, that the Department of Land and Natural Resources is  
25 strongly urged to recognize that eFoil vessels constitute thrill  
26 craft and update the Department's website and enforce thrill  
27 craft laws and rules accordingly; and  
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29           BE IT FURTHER RESOLVED that the Department of Land and  
30 Natural Resources is strongly urged to apply and enforce  
31 existing state statutes and administrative rules for thrill



1 craft related to the maximum speed for eFoil vessels when in  
2 close proximity to:

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- 4 (1) Swimmers and beachgoers;
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- 6 (2) Marine life; and
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- 8 (3) Traditional surfers and traditional surf line-ups; and
- 9

10 BE IT FURTHER RESOLVED that the Department of Land and  
11 Natural Resources is strongly urged to develop administrative  
12 rules regarding how close, regardless of speed, eFoil vessels  
13 may come to:

- 14
- 15 (1) Swimmers and beachgoers;
- 16
- 17 (2) Marine life; and
- 18
- 19 (3) Traditional surfers and traditional surf line-ups; and
- 20

21 BE IT FURTHER RESOLVED that the Department of Land and  
22 Natural Resources is strongly urged to collaborate with the  
23 National Oceanic and Atmospheric Administration to enforce  
24 the MMPA as it relates to the impact of eFoil vessels on marine  
25 life; and

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27 BE IT FURTHER RESOLVED that certified copies of this  
28 Resolution be transmitted to the Administrator of the National  
29 Oceanic and Atmospheric Administration and Chairperson of the  
30 Board of Land and Natural Resources.

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33 OFFERED BY: T. Winger  
MAR 12 2021

