

---

---

# HOUSE CONCURRENT RESOLUTION

REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND  
CANOPY TOURS.

1           WHEREAS, ziplines and canopy tours are a unique and  
2 exciting way to experience the beauty of Hawaii's natural  
3 landscape; and  
4

5           WHEREAS, there are ziplines or canopy tours on most  
6 islands, including Hawaii Island, Maui, Oahu, and Kauai where  
7 locals and tourists alike can experience the thrill of soaring  
8 above the trees and over such natural wonders as waterfalls and  
9 gullies; and  
10

11           WHEREAS, ziplines and canopy tours are among the fastest  
12 growing segments of the State's activities and attractions,  
13 providing a distinctive experience for those who visit the  
14 islands and bring memories home; and  
15

16           WHEREAS, ziplines and canopy tours are inherently  
17 dangerous, with several mechanical functions that require close  
18 supervision and fastidious attention to detail; and  
19

20           WHEREAS, it is imperative that the State ensure the safety  
21 and well-being of those who enjoy Hawaii's scenic landscape via  
22 ziplines and canopy tours offered throughout the islands; and  
23

24           WHEREAS, ziplines and canopy tours can be safe and easily  
25 used, but operators and employees must be adequately trained and  
26 infrastructure must be properly maintained; and  
27

28           WHEREAS, regulations for ziplines and canopy tours have  
29 already been established by two trade groups in the United  
30 States--the Association for Challenge Course Technology and the  
31 Professional Ropes Course Association; and  
32



1 WHEREAS, section 26H-6, Hawaii Revised Statutes (HRS),  
2 requires a review by the Auditor prior to the enactment of a  
3 measure that would subject an unregulated profession or vocation  
4 to licensing or other regulatory control; and  
5

6 WHEREAS, legislation introduced in the Regular Session of  
7 2012 proposes regulations for ziplines and canopy tours which  
8 are currently unregulated; and  
9

10 WHEREAS, legislation introduced in the Regular Session of  
11 2012 called upon the Department of Labor and Industrial  
12 Relations boiler and elevator inspectors to conduct the  
13 inspections of ziplines and canopy tours; and  
14

15 WHEREAS, the Department of Labor and Industrial Relations  
16 testified at a public hearing that its boiler and elevator  
17 inspectors do not have the expertise to administer inspections  
18 of ziplines and canopy tours; and  
19

20 WHEREAS, the Department of Commerce and Consumer Affairs  
21 also testified at the public hearing and questioned which agency  
22 is the proper authority to inspect ziplines and canopy tours and  
23 enforce regulations; now, therefore,  
24

25 BE IT RESOLVED by the House of Representatives of the  
26 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
27 of 2012, the Senate concurring, that the Auditor is requested to  
28 perform a sunrise review on the regulation of ziplines and  
29 canopy tours as proposed in legislation during the Regular  
30 Session of 2012, including an assessment of alternative forms of  
31 regulation, pursuant to section 26H-6, HRS; and  
32

33 BE IT FURTHER RESOLVED that the Auditor specifically  
34 address the issues of inspectors and inspector qualifications  
35 raised by the Department of Labor and Industrial Relations and  
36 the Department of Commerce and Consumer Affairs in testimony on  
37 legislation introduced during the Regular Session of 2012; and  
38

39 BE IT FURTHER RESOLVED that the Auditor is requested to  
40 submit findings and recommendations, including any proposed  
41 legislation, to the Legislature not later than twenty days prior  
42 to the convening of the Regular Session of 2013; and



1 BE IT FURTHER RESOLVED that a certified copy of this  
2 Concurrent Resolution be transmitted to the Auditor.

