



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.hawaii.gov/labor](http://www.hawaii.gov/labor)

March 19, 2012

To: The Honorable Robert N. Herkes, Chair,  
The Honorable Ryan I. Yamane, Vice Chair, and  
Members of the House Committee on Consumer Protection & Commerce

The Honorable Gilbert S.C. Keith-Agaran, Chair,  
The Honorable Karl Rhoads, Vice Chair, and  
Members of the House Committee on Judiciary

Date: Monday, March 19, 2012  
Time: 2:00 p.m.  
Place: Conference Room 325, State Capitol

From: Dwight Y. Takamine, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: SB2433 SD2HD1 Relating to Challenge Course Technology**

SB2433SD2HD1 adds a new chapter to the Hawaii Revised Statutes (HRS) to establish standards and regulations for operators of ziplines and canopy tours. The department lauds the intent to ensure the safety and security for participants and employees—we note the department is still in the process of investigating a zipline accident that killed one employee and seriously hurt another. The department also appreciates the growing contribution of zipline and canopy tours to the state's economy.

DLIR supports the measure as currently drafted.

**Testimony for SB2433 on 3/19/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Sunday, March 18, 2012 8:40 PM**To:** CPCtestimony**Cc:** ilenecallaway@yahoo.com

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Testimony for CPC/JUD 3/19/2012 2:00:00 PM SB2433

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Shady Callaway  
Organization: Individual  
E-mail: ilenecallaway@yahoo.com  
Submitted on: 3/18/2012

**Comments:**

My Dad was taken from my life so suddenly, I didn't get a chance to say goodbye to him. In fact, the last words I spoke to him were out of anger. Normal, I suppose, for a 17 yr. old but it hurts all the same. I feel like I have fallen. I feel lost and broken. The sadness I feel in my heart is sometimes unbearable. I tell myself every day some kind of good just has to come from all this pain. My dad died on a zip line in Hawaii. he was 36 yrs old. While he died doing something he loved, his death was still tragic and preventable. Since his passing I have learned that this popular and growing business has little standards or regulations. It is not inspected and there is little accountability. To profit from this all you need is a business license. So shocking to me when your life is literally on the line. Right now, right this minute there is someone getting strapped up, ready to fly down a zip line, naively believing they are protected and safe. The reality is there is human error, mechanical error, mistakes made and corners cut. I understand DLIR's director Dwight Takamine said "passing this bill would implement higher costs to the state." Apparently saving lives isn't important if it costs money. I wonder if Mr. Takamine would feel different if it was his wife, or father or sister or friend or son that fell 200 ft to his death that day! To you Teddy Callaway is "just one man who has died" to everyone he knew and touched and loved he was the world. He was beautiful and charming and full of life. He was frustrating, invigorating, maddening, intoxicating, fun and funny, loud and crazy. he was my dad!

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Testimony for CPC/JUD 3/19/2012 2:00:00 PM SB2433

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Ilene Callaway  
Organization: Individual  
E-mail: ilenecallaway@yahoo.com  
Submitted on: 3/18/2012

**Comments:**

On 9/21/11 a Zip Line tower collapsed and my son Ted Callaway accompanied the line to the rocky bottom below, resulting in his death. I became aware of the lax regulations in the state of Hawaii regarding Zip Lines. At that time I naively believed that due to this tragedy, that of course changes would be made. For the next few months I went through the various stages of grief and then several weeks ago I read an article stating that a bill calling for stricter regulations for Zip Lines had been deferred. At that time I realize that if Ted's Mother didn't speak up and support this proposal who would.

I have great appreciation for the promoters of this bill. They, without added emotional stimuli but only out of sound reason realize the urgency of a better regulated industry.

I am fully aware that I don't understand all the logistics of creating regulations for an industry or for designing and passing a bill in the legislature for that matter. But what I do know is no matter the cost or inconvenience the public's safety and their very lives should be foremost concern. Respectfully I might suggest if it was your son, or daughter, brother or sister that had just died, you would find this a more personal cause.

I have made a personal commitment that I will do what ever it takes to insure that no one else has to wonder what their loved one was thinking when they realized the line was going down or picture in their minds eye their loved ones body crushed in a ravine.

I urge you to work at making this wrong right by passing bill 2433