

February 22, 2024
TESTIMONY IN OPPOSITION TO SB2746 RELATING TO HARBOR SAFETY
Senate Committee on Ways and Means
The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair
Thursday, February 22, 2024, 10:05 AM
Conference Room 224
State Capitol 415 South Beretania Street

Senator Donovan M. Dela Cruz, Chairman, Senator Sharon Y. Moriwaki, Vice Chair, and Members of the Committee:

Thank you for the opportunity to provide testimony in STRONG opposition to SB 2746, Relating to Harbor Safety.

The American Waterways Operators (AWO) is the tugboat, towboat and barge industry's advocate, resource, and united voice for safe, sustainable, and efficient transportation on America's waterways, oceans, and coasts. Our industry is the largest segment of the nation's 40,000-vessel domestic maritime fleet and moves 665 million tons of cargo each year safely and efficiently. AWO member companies move cargo both between the Hawaiian Islands and from the mainland to the state, which ranks number two in per capita jobs related to the domestic maritime industry, contributing over \$3.3 billion to the state's economy. AWO appreciates the opportunity to testify regarding SB 2746. This bill will unnecessarily raise the costs on Hawaiians by adding an unneeded step to be taken when tugs, including ship assist vessels, tie up their mooring lines.

AWO agrees wholeheartedly with the sentiment that Hawaii's ports and harbors are of the utmost importance, as they provide the most cost-effective way to get needed products to the state, including food, fuel, and other important necessities of everyday life. With regard to SB 2746, however, we believe that this bill will not improve safety at Hawaii ports and will instead simply increase the costs of goods for Hawaiians statewide.

The towing industry is proud of our safety record, and it's worth mentioning here that our industry has not experienced the sort of safety incidents this bill purports to address. If you know our industry, then that accomplishment should not surprise you. Our mode of transportation is the safest because we have asked the Coast Guard to create regulations for the tugboat and towboat industry. This was done to improve mariner safety, vessel safety, harbor safety, and improve customer service. This has also led to improvements in sustainability and environmental responsibility in our sector. Tugboats, towboats, and barges receive rigorous inspections on a regular basis, mariners onboard are credentialed by the U.S. Coast Guard, and require endorsements in order to serve in various roles, such as Master of Towing Vessels, Mate of Towing Vessels, and others. Moreover, men and women working on towing vessels undergo rigorous training, above and beyond the training found on uninspected fishing vessels, including navigation, towing operations, firefighting, and

pollution control. Additionally, regulated towing vessels are required to maintain health and safety plans. Finally, customers of the tugboat and towboat business often have strict guidelines for safety and performance in the movement of their products, further upping the standard of service in our industry. Given all of these federal requirements, added state requirements with regard to line handling are simply unnecessary.

As you think about the towing industry and our friends in commercial fishing, we would like to draw a distinction. Compare the towing-industry requirements to the most recent incident touted by proponents of SB 2746, where a fishing vessel struck a bridge in Honolulu Harbor. It is important to point out that when comparing safety requirements of fishing industry vessels to the tugboats operating on Hawaii waters, there is no comparison. The vast majority of fishing industry vessels are not inspected and are regulated only for general safety equipment and navigational safety requirements. There are no specific certifications required for individuals working on these vessels, and the training required pales in comparison to the requirements of Subchapter M, that portion of the Code of Federal Regulations pertaining to tugboats and towboats. Our industry invests in mariner training on an annual basis and the lack of incidents shows.

Hawaii ports are the most remote in the world and are a critical lifeline for goods needed by Hawaiians. As a result, the cost of living in Hawaii is among the highest in the United States. Requiring tugboat and barge crews to engage the use of line handlers is an unnecessary expense that will be passed onto consumers who should not have to bear it.

Thank you for your consideration. We would ask that you oppose SB 2746.

Sincerely,
Peter Schrappen, CAE

Vice President – Pacific Region
American Waterways Operators