CONSENT CALENDAR

February 14, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Resources, Recreation and Development to which was referred HB 1316,

AN ACT directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Suzanne Gottling

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Resources, Recreation and Development**
Bill Number:	**HB 1316**
Title:	**directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.**
Date:	**February 14, 2022**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This bill directs the Director of the State Police to make rules relative to safety requirements of efoil and electric hydrofoil surfboard watercraft. An efoil is a surfboard with motor, propeller and hydrofoil powered by a lithium-ion battery. The rider usually rides the board standing up which enables the efoil to travel 2 to 3 feet above water level at 25 to 30 miles per hour. It is noiseless and wakeless. This watercraft is designated a boat at present but does not have appropriate safety requirements in rules. This bill enables the director of state police to make these rules.

Vote 20-0.

Rep. Suzanne Gottling
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Resources, Recreation and Development

HB 1316, directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft. **OUGHT TO PASS.**

Rep. Suzanne Gottling for Resources, Recreation and Development. This bill directs the Director of the State Police to make rules relative to safety requirements of efoil and electric hydrofoil surfboard watercraft. An efoil is a surfboard with motor, propeller and hydrofoil powered by a lithium-ion battery. The rider usually rides the board standing up which enables the efoil to travel 2 to 3 feet above water level at 25 to 30 miles per hour. It is noiseless and wakeless. This watercraft is designated a boat at present but does not have appropriate safety requirements in rules. This bill enables the director of state police to make these rules. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1316

BILL TITLE: directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.

DATE: February 9, 2022

LOB ROOM: 305 - 307

MOTIONS: **OUGHT TO PASS**

Moved by Rep. Gottling | Seconded by Rep. Connors | Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Juliet Harvey-Bolia, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1316

BILL TITLE: directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.

DATE: 2-9-22

LOB ROOM: 305-307

MOTION: (Please check one box)

☒ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. Gotthing Seconded by Rep. Connors Vote: 20-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: X **YES** ____ **NO**

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion_____

Respectfully submitted: _____

Rep Juliet Harvey-Bolia, Clerk

OFFICE OF THE HOUSE CLERK

1/10/2022 9:09:24 AM
Roll Call Committee Registers Report

2022 SESSION

Resources, Recreation and Development

Bill #: 1316 **Motion:** OTP **AM #:** _____ **Exec Session Date:** 2-9-22

Members	YEAS	Nays	NV
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
~~Spang, Judith T.~~ Perez	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
~~Moran, Melbourne R.~~ Jack	✓		
Egan, Timothy T. NOT PRESENT			
	20	0	

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 1316

BILL TITLE: **directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.**

DATE: **January 26, 2022**

LOB ROOM: **305 - 307** **Time Public Hearing Called to Order:** **9:00 a.m.**

Time Adjourned: **9:20 a.m.**

Committee Members: **Reps. Renzullo, Harb, Hough, Gould, Creighton, Dodge, Healey, Mayville, Post, Suzanne Smith, Gottling, Cohen and Connors**

Bill Sponsors:
Rep. Gottling **Rep. Deshaies**

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Suzanne Gottling introduced her bill. Prime sponsor of the bill. Efoils are classified as boat, but efoils, which look like a surfboard with a propeller which glides above the water, does not follow boat regulations. The sponsor claims the craft are a danger to the public.

Rep. Brodie Deschaies spoke in favor. He is a co-sponsor of the bill. He testified that the efoilers are like skateboards. They can be reckless and do not always respect boating rules.

Captain Tim Dunleavey, Captain of the Marine Patrol, spoke in favor of the bill. He clarified that the efoils has not been designated a boat, but that the designation is pending.

Respectfully submitted,

Rep. Juliet Harvey-Bolia

Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1316 Date 1/26/22

Committee Resources, Recreation + Development

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Tim Dunleavy	Marine Patrol	227-2110	Dept Safety	✓	
Alvin See	London				✓

House Remote Testify

Resources, Recreation and Development Committee Testify List for Bill HB1316 on 2022-01-26

Support: 2 Oppose: 6 Neutral: 0 Total to Testify: 0

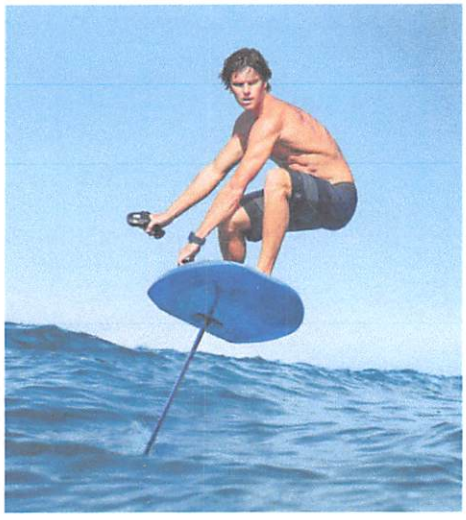
Export to Excel

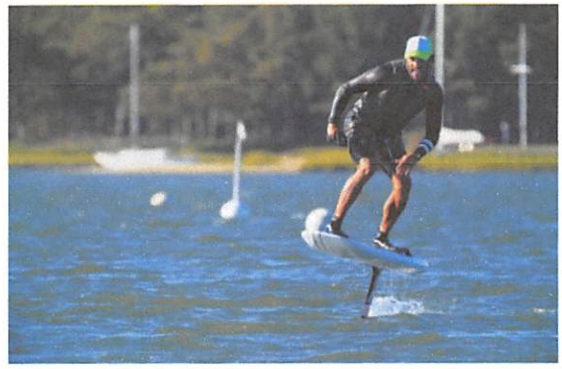
Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	1/23/2022 9:42 PM
Domenico, William	Manchester, NH bill@resunltd4u.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 9:55 AM
Packard, LMAC Chair, David	Geoffstown, NH appliedforce52@gmail.com	A Member of the Public	Lakes Management Advisory Committee	Support	No	No	1/24/2022 9:59 AM
Reed, Sarah	Concord, NH stubbs.saraha@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 12:47 PM
Reed, William	Concord, NH willie.b.reed@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 12:49 PM
Landers, Amy	Tilton, NH alanders@lakesregion.org	A Member of the Public	Lakes Region Tourism Association	Oppose	No	No	1/24/2022 1:51 PM
chapman, kevin	marlborough, NH denoct103@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 5:29 PM
Dunleavy, Tim	Gilford, NH timothy.c.dunleavy@dos.nh.gov	State Agency Staff	Marine Patrol	Support	No	No	1/25/2022 12:51 PM

Rep. Brodie Deshaies:

HB1316, an act directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft. "a delicate enterprise"

- The purpose of this legislation is to address the increasing use of eFoil and electric hydrofoil surfboard watercraft on NH's fresh bodies of water.
- As a resident of Wolfeboro, I have seen firsthand how several new technologies are revolutionizing personal watercraft, boats, and recreational activities on our lakes here in the Granite State. This development is great for tourism throughout NH and attracts many new seasonal vacationers and new homeowners. However, there are some drawbacks and stresses on our resources caused by this uncontrolled increase.
- The increase in eFoils and electric hydrofoil surfboards has created more traffic on Lake Winnipesaukee. Many users of these new personal watercraft are not necessarily trained or educated on boating laws or standard practices for navigating the lake. This means careless use of eFoils and electric hydrofoil surfboards can pose a hazard to boaters.
- A good analogy is longboarders, skateboarders, or cyclists using the roads without any understanding of traffic safety laws. There would be increased accidents.
- A lake is different because it is not a narrow strip of area everyone must share to travel. It is open, and you can travel in unlimited directions. This also means lakes can be more chaotic to traverse, especially with less experienced boaters on busy weekends. Adding eFoils and electric hydrofoil surfboards to this mix—mainly when operated by less experienced users—makes this complex travel even more difficult.
- This legislation is not seeking to ban eFoils and electric hydrofoil surfboards in any way. We aim to give the State Police—our Marine Patrol—the power to ensure everyone can safely use this resource. This power would have public oversight via NH's rule-making process.
- As all of you know, the State of New Hampshire holds in trust all the public waters, including all natural lakes and ponds of ten acres or more in size, navigable rivers, and tidal waters for the use and benefit of the people of the state. Our job as state legislators—the trustees of this public trust—is to responsibly regulate these resources so everyone can safely and effectively use them. This legislation strikes a balance between over stringent regulations and creating some basic safety and standardized practices.
- This aforementioned responsibility is significant to my constituency of Wolfeboro. Residents, business owners, and tourists expect to utilize a myriad of fun watercraft and want some security while using these watercraft. This keeps people coming to Wolfeboro and enjoying our resources. It also drives our local economy, which depends upon tourism.
- I encourage the committee to vote "Ought to Pass" on HB1316. I would also be happy to work with the committee to make any changes to the legislation if necessary, and I will remain open to any questions.






Electric Box
Battery
Propulsion
Board
Wing


1,200 × 624

Voting Members:

David Packard
Chair
NH Lakes Assn.

Shane Bradt
Scientific Community

Ryan Cardella
Marine Trades Association

Tiffany Grade
Conservation Community

Sara Holland
NH Association of Realtors

Janet Kidder
Planning Boards

Frank Lemay
NH BIA

Jared Maralo
NH Travel Council

Lisa Morin
State Conservation Committee

Dick Smith
Fishing Interests

Meredith Smith
Municipal Official

Bruce Temple
NH Fish & Game Commission

Vacant
Conservation Commissions

Non-Voting Members:

Garret Graaskamp
Vice Chair
NH Fish & Game Dept.

Capt. Tim Dunleavy
NH Dept. of Safety

Eric Feldbaum
NH Dept. of Natural and Cultural Resources

Jennifer Gilbert
NH Office of Strategic Initiatives

Mark Hemmerlein
NH Dept. of Trans.

Shawn Jasper
NH Dept. of Ag, Markets & Food

Staff:

Tracie Sales
Program Manager

Nisa Marks
Program Assistant

Vacant
Watershed Coordinator

N.H. Lakes Management and Protection Program

N.H. Lakes Management Advisory Committee

January 26, 2022

The Honorable Andrew Renzullo, Chair
House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 1316 - AN ACT directing the director of state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.

Dear Chair Renzullo and Members of the Committee:

RSA 483-A established the New Hampshire Lakes Management and Protection Program and the Lakes Management Advisory Committee (LMAC) to complement and reinforce existing state and federal water quality laws. Within its responsibilities of advising the NHDES Commissioner and the department, the LMAC reviews and takes positions on legislation pertaining to New Hampshire's lakes. The LMAC appreciates the opportunity to comment on House Bill 1316.

The LMAC **supports HB 1316.** EFoils are a relatively new type of watercraft that we expect to become increasingly used on New Hampshire waterbodies. Their potential to reach speeds of 20-30 mph and the skill required to operate them make it sensible to develop safety requirements. The process laid out in HB 1316 is an appropriate approach for developing safety requirements that will protect everyone recreating on our lakes and rivers, including eFoil users and people enjoying our waters in other ways.

The LMAC is a legislatively created body of lake stakeholders, representing the NH Lakes Association, conservation commissions, the scientific community, conservation community, planning boards, Business and Industry Association, tourism industry, state conservation committee, NH Municipal Association, fishing interests, NH Fish & Game Commission, NH Association of Realtors, Marine Trades Association, and several state agencies. Committee members are appointed by the Governor and Council or the head of the state agency and are charged with supporting the legislative intent of the Lakes Management and Protection Program.

In conclusion, the LMAC supports HB 1316 for the reasons stated above. Thank you for the opportunity to comment. Should you have questions, please feel free to contact me at (603) 867-9299 or appliedforce52@gmail.com.

Respectfully,



David Packard, Chair

ec: Rep.s Gottling and Deshaies
LMAC Representatives
Robert R. Scott, Commissioner, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES

Heather Goley

From: Yva Gallant <yvagallant@yahoo.com>
Sent: Monday, January 31, 2022 4:39 PM
To: ~House Resources Recreation and Development
Subject: Docket #HB1316

Hello,
Is an eFoil considered a "skicraft" and if so, is there anything in this docket that may change it's classification? The lake I am on in NH has a ban on skicraft that was imposed way before eFoils were invented so I am asking if they are in fact considered a skicraft...and if so is there any consideration to exempt them in some way...? Thank you for your attention to this matter. Yva

HB 1316 - AS INTRODUCED

2022 SESSION

22-2392
08/05

HOUSE BILL ***1316***

AN ACT directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.

SPONSORS: Rep. Gottling, Sull. 2; Rep. Deshaies, Carr. 6

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill directs the director of the state police to make rules relative to safety requirements for eFoil and electric hydrofoil surfboard watercraft.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1316 - AS INTRODUCED

22-2392
08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; eFoil and Electric Hydrofoil Surfboard Watercraft; Safety Requirements. Amend RSA 270:12-a by inserting after paragraph VI the following new paragraph:

VII. The director of state police shall adopt rules pursuant to RSA 541-A relative to safety requirements for operation of eFoils and electric hydrofoil surfboards.

2 Effective Date. This act shall take effect 60 days after its passage.