
A BILL FOR AN ACT

RELATING TO AIR CARGO.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the widespread use
2 of unmanned aerial vehicles, more commonly known as drones, is
3 inevitable. The federal aviation administration predicts that
4 ten thousand drones will be flying in our nation's skies by
5 2017. Aviation consultants estimate that by 2022, annual
6 spending on drones will nearly double, rising from the current
7 \$6.6 billion to \$11.4 billion.

8 It is foreseeable that drone technology has many useful
9 applications worldwide, such as border surveillance, policing,
10 and cargo delivery. The use of small drones to deliver parcels
11 is currently being tested by companies like Amazon and DHL.
12 However, a more exciting use with greater potential impact will
13 be the completely automated piloting of full-sized cargo
14 delivery planes outside the controller's field of vision,
15 including during takeoff and landing. Aerospace engineers
16 predict that all cargo aircraft will soon be unmanned.
17 Economists say that unmanned cargo flights would result in



1 significant cost savings: drone flights without humans on board
2 do not need expensive, heavy life-support systems to keep cabins
3 pressurized; planes can also be made from more efficient,
4 lightweight materials that cut fuel costs and reduce carbon
5 emissions.

6 The legislature further finds that the rising interest in
7 drone-piloted cargo planes is also due to the greater
8 reliability and accuracy of drone flights. Drone piloting makes
9 for an overall safer experience, compared to human-piloted
10 flights that leave room for human error, especially in difficult
11 flying conditions such as poor visibility and bad weather.

12 The purpose of this Act is to aid in the research and
13 development of drone-powered cargo planes by authorizing test
14 flights arriving or departing from Honolulu International
15 Airport, provided that all necessary clearances have been
16 obtained from the federal government.

17 SECTION 2. Chapter 261, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:

20 **"§261-A Unmanned aerial vehicles; cargo test flights.**

21 **The department shall authorize flights by air cargo carriers**



1 conducted for the limited purpose of testing the use of unmanned
2 aerial vehicles or drones to deliver cargo, with or without
3 human pilots on board as a safety feature, provided that all
4 necessary clearances have been obtained from the federal
5 government. Such flights shall be limited to cargo test flights
6 arriving at or departing from Honolulu International Airport."

7 SECTION 3. Section 261-15.5, Hawaii Revised Statutes, is
8 amended to read as follows:

9 " ~~[+]~~§261-15.5~~[+]~~ **Aircraft registration.** Unless an
10 aircraft is exempted by this section, no person shall operate or
11 cause or authorize to be operated any aircraft at an airport
12 owned or controlled by the department, unless the aircraft has a
13 certificate of registration issued in accordance with rules
14 adopted by the department. Aircraft exempt from registration
15 required by this section include:

- 16 (1) Aircraft operating primarily in interstate or foreign
17 commerce;
- 18 (2) Aircraft owned or operated by the United States;
- 19 (3) Aircraft in transit through the State; ~~[and]~~
- 20 (4) Aircraft operated by any scheduled airline carrier
21 which is a lessee of the State under an airport-



1 airline lease at the Honolulu International Airport
2 and which is commonly referred to as signatory
3 airline[-]; and

4 (5) Cargo aircraft featuring unmanned aerial vehicle or
5 drone technology, authorized by the department to
6 conduct test flights pursuant to section 261-A."

7 SECTION 4. Section 261E-3, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "~~§~~261E-3~~§~~ **Exemptions; generally.** Notwithstanding any
10 other provisions of this chapter, this chapter shall not apply
11 to:

12 (1) Persons transporting their own property where the
13 transportation is in furtherance of a primary business
14 purpose or enterprise of that person, except where the
15 transportation is undertaken by a Hawaii air carrier
16 to evade the regulatory purposes of this chapter; ~~[or]~~

17 (2) Persons engaged in the business of transporting
18 persons solely for sightseeing and other recreational
19 activities not involving point-to-point travel[-]; or

20 (3) Air cargo carriers conducting test flights using cargo
21 aircraft featuring unmanned aerial vehicle or drone



1 technology, as authorized by the department of
2 transportation pursuant to section 261-A."

3 SECTION 5. Section 263-1, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§263-1 Definition of terms.** In this chapter, "aircraft"
6 includes balloon, airplane, hydroplane, and every other vehicle
7 used for navigation through the air[-], including cargo aircraft
8 featuring unmanned aerial vehicle or drone technology,
9 authorized by the department of transportation to conduct test
10 flights pursuant to section 261-A. A hydroplane, while at rest
11 on water and while being operated on or immediately above water,
12 shall be governed by the rules regarding water navigation; while
13 being operated through the air otherwise than immediately above
14 water, it shall be treated as an aircraft.

15 "Aeronaut" includes aviator, pilot, balloonist, and every
16 other person having any part in the operation of aircraft while
17 in flight.

18 "Commercial use" includes the carriage in air commerce of
19 persons or property for compensation or hire, and the lease or
20 rental of any aircraft.



1 "Passenger" includes any person riding in an aircraft but
2 having no part in its operation."

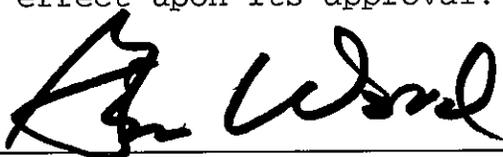
3 SECTION 6. The department of transportation shall adopt
4 rules in accordance with chapter 91 to effectuate the purpose of
5 this Act.

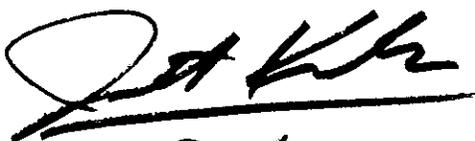
6 SECTION 7. In codifying the new section added by section 2
7 and referenced in sections 3, 4, and 5 of this Act, the revisor
8 of statutes shall substitute appropriate section numbers for the
9 letters used in designating the new section in this Act.

10 SECTION 8. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 9. This Act shall take effect upon its approval.

13

INTRODUCED BY: 


Felicia Poul

JAN 27 2016



H.B. NO. 2684

Report Title:

Unmanned Aerial Vehicles; Cargo Flights.

Description:

Aids in the research and development of drone-powered cargo planes by authorizing test flights arriving or departing from Honolulu International Airport, provided that all necessary clearances have been obtained from the federal government.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

