
A BILL FOR AN ACT

RELATING TO AERONAUTICS.

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

1 SECTION 1. The legislature finds that the imposition of
2 criminal penalties for violations of certain categories of
3 airport rules has been excessive and disproportionate to the
4 gravity of the acts committed. A more just approach would be to
5 impose only civil penalties for violations of rules relating to
6 airport safety and licensing of persons engaged in commercial
7 activities at public airports, and reserve criminal penalties
8 for conduct that causes more harm. Furthermore, the legislature
9 recognizes that the current misdemeanor penalty for certain
10 airport offenses can result in significantly harsh consequences.
11 For example, a holder of a pilots' license, military security
12 clearance, civilian federal security clearance, or professional
13 license, such as doctor, lawyer, or certified public accountant,
14 may lose the clearance or license because of a criminal
15 conviction. Sometimes, the loss of the clearance or license and
16 its associated privileges may continue for the person's entire
17 lifetime.



1 The purpose of this Act is to replace criminal penalties
2 for certain airport offenses addressed in chapter 261, Hawaii
3 Revised Statutes, or in certain administrative rules or orders
4 issued pursuant thereto, with a civil penalty.

5 SECTION 2. Section 261-21, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) Except as provided in subsection (c), any person
8 violating this chapter, or any of the rules or orders issued
9 pursuant thereto and ~~[relating to:~~

10 ~~(1) Safety measures, practices, or requirements,~~

11 ~~(2) Airport security measures or requirements, or~~

12 ~~(3) The licensing and regulation of persons engaged in~~
13 ~~commercial activities at public airports,]~~

14 duly adopted or served, shall be ~~[guilty of a misdemeanor.]~~
15 subject to the following penalties:

16 (1) When safety measures or Federal Aviation

17 Administration acceptable hanger use practices are
18 violated, the person shall be guilty of a violation

19 and subject to a civil penalty not to exceed \$200; or

20 (2) When the licensing and regulation of persons engaged
21 in commercial activities at public airports is



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involved, the person shall be subject to a civil
penalty not to exceed \$200."

SECTION 3. It is the intent of this Act not to jeopardize
the receipt of any federal aid nor to impair the obligation of
the State or any agency thereof to the holders of any bond
issued by the State or by any such agency.

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2018.

INTRODUCED BY:

[Handwritten signatures and names:]
 J. K. Calkins, J. C. Calkins, Tom Ben, B. O., S. Calkins, Lyn Deloitte, Nicole E. Lowe, M. H. Calkins, N. K. Calkins, R. Calkins

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Report Title:

Aeronautics; Administrative Rules; Penalties

Description:

Replaces criminal penalties for certain airport offenses addressed in Chapter 261, Hawaii Revised Statutes, or in certain administrative rules or orders issued pursuant thereto, with a civil penalty.

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

