THE SENATE TWENTY-NINTH LEGISLATURE, 2018 STATE OF HAWAII S.B. NO. ²⁶¹⁹ S.D. H.D.

A BILL FOR AN ACT

RELATING TO AERONAUTICS.

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

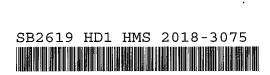
1 The legislature finds that the imposition of SECTION 1. 2 criminal penalties for violations of certain categories of 3 airport rules has been excessive and disproportionate to the 4 gravity of the acts committed. A more just approach would be to 5 impose only civil penalties for violations of rules 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 a doctor, lawyer, or certified public 14 accountant, may lose the clearance or license because of a 15 criminal conviction. Sometimes, the loss of the clearance or 16 license and its associated privileges may continue for the 17 person's entire lifetime.

SB2619 HD1 HMS 2018-3075

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S.B. NO. ²⁶¹⁹ S.D. 2 H.D. 1

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 civil penalties.
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 hangar use practices are
18	violated, the person shall be subject to a civil
19	penalty not to exceed \$500; or
20	(2) When the licensing and regulation of persons engaged
21	in commercial activities at public airports is



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S.B. NO. ²⁶¹⁹ S.D. 2 H.D. 1

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1	involved, the person shall be subject to a civil
2	penalty not to exceed \$500."
3	SECTION 3. It is the intent of this Act not to jeopardize
4	the receipt of any federal aid nor to impair the obligation of
5	the State or any agency thereof to the holders of any bond
6	issued by the State or by any such agency.
7	SECTION 4. Statutory material to be repealed is bracketed
8	and stricken. New statutory material is underscored.
9	SECTION 5. This Act shall take effect on July 1, 2050.

S.B. NO. ²⁶¹⁹ S.D. 2 H.D. 1

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. (SB2619 HD1)

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

