## HOUSE RESOLUTION

URGING THE FEDERAL AVIATION ADMINISTRATION TO ADVOCATE THE ENACTMENT OF THE FEDERAL LEGISLATION ESTABLISHING THE "SAFE AND QUIET SKIES ACT OF 2019" AND VIGOROUSLY ENFORCE IT WHEN IT BECOMES LAW.

WHEREAS, communities throughout the State have complained about the noise and safety hazards posed by commercial air tours; and

WHEREAS; in response to the challenges posed by commercial air tours, neighborhood boards on Oahu have passed resolutions that seek safety and peace for residents; and

WHEREAS, state efforts to prevent commercial air tour noise, limit tour flight paths, or ensure the safe operation of tour aircraft are usually thwarted by concerns that those state-level restrictions would be preempted by federal law; and

WHEREAS, the Federal Aviation Administration has the authority to impose and enforce regulations on the operation of aircraft; and

WHEREAS, according to the National Transportation Safety Board, fifty-one passengers and pilots have died in commercial helicopter collisions in the State since 2000; and

WHEREAS, in a letter to the National Transportation Safety Board dated February 25, 2020, Senator Brian Schatz of Hawaii cited recent aircraft fatalities and stated that 2019 "represented the deadliest year in Hawaii aviation in [twenty-eight] years", opined that the Federal Aviation Administration had a "disturbing trend of ineffective oversight and insufficient safety regulations", and called for the board to convene a roundtable discussion on the Hawaii air tour industry and safety regulations; and

WHEREAS, Ed Case, Representative for the First Congressional District of Hawaii, has introduced legislation, H.R. 4547, with a short title of the "Safe and Ouiet Skies Act of 2019"; and

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WHEREAS, if enacted, H.R. 4547 would, in pertinent part:

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(1) Require the Federal Aviation Administration to impose a "sterile cockpit rule" that would prohibit any commercial air tour pilot or crewmember from providing oral narration or engaging in certain tour-related activities while operating aircraft;

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(2) Prohibit commercial tour aircraft from operating at an altitude of less than one thousand five hundred feet, except for takeoff and landing, and in certain emergency situations;

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(3) Prohibit commercial tour aircraft from operating within a half a mile of an "occupied area", which is any land area that is used by people, including residential areas, commercial areas, and recreational areas;

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28 29 (4)Authorize state and local governments to impose additional requirements or prohibitions on commercial air tours, including the regulation of routes over occupied areas and the prohibition of flights over areas of state interest;

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Require the Federal Aviation Administration to (5) implement any recommendations issued by the National Transportation Safety Board concerning operators of commercial aircraft on which the Federal Aviation Administration has not provided an acceptable response to the board; and

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Require the Federal Aviation Administration to subject (6) commercial air tour operators to certain regulations relating to commercial aircraft operators, instead of regulations relating to non-commercial aircraft operators; and

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WHEREAS, H.R. 4547 could be a vehicle for the Federal Aviation Administration to improve its operations, serve the people of Hawaii, and build faith in the agency's regulatory efforts; now, therefore,

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BE IT RESOLVED by the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, that the Federal Aviation Administration is urged to review H.R. 4547, advocate for the legislation's enactment, and vigorously enforce the Safe and Quiet Skies Act of 2019 when it becomes law; and

BE IT FURTHER RESOLVED that the Federal Aviation Administration is urged to communicate with members of Hawaii's congressional delegation regarding H.R. 4547; and

BE IT FURTHER RESOLVED that the Federal Aviation Administration is urged to address any issue raised by any roundtable discussion convened by the National Transportation Safety Board and discuss how H.R. 4547 may make commercial air tours safer; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Administrator of the Federal Aviation Administration; Chairman of the National Transportation Safety Board; Majority Leader of the United States Senate; Speaker of the United States House of Representatives; members of Hawaii's congressional delegation; and Director of Transportation, State of Hawaii.

OFFERED BY:

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