

JAN 27 2021

A BILL FOR AN ACT

RELATING TO AIRPORTS.

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

1 SECTION 1. Section 261-4, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§261-4 Airports, general.** (a) Establishment, operation,
4 maintenance. The department [~~of transportation~~] may, on behalf
5 of and in the name of the State, out of appropriations and other
6 moneys available or made available for such purposes, plan,
7 acquire, establish, construct, enlarge, improve, maintain,
8 equip, install, operate, regulate, and protect, airports, air
9 navigation facilities, buildings, and other facilities to
10 provide for the servicing of aircraft; to provide for the
11 comfort, accommodation, and convenience of air travelers; and to
12 protect against airport hazards.

13 (b) Notwithstanding any law or provision to the contrary,
14 the department is authorized to plan, construct, operate, and
15 maintain any state airport facility in the State, including, but
16 not limited to, the acquisition and use of lands necessary to
17 stage construction activities, without the approval of county
18 agencies.

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1 [~~b~~] (c) Acquisition of property. By purchase, gift,
2 devise, lease, or condemnation in accordance with chapter 101,
3 the department may acquire property, real or personal, or any
4 interest therein, including the property rights, estates, and
5 interests mentioned in section 262-11. The department may
6 acquire rights and interests in airports owned or controlled by
7 others, for the purpose of meeting a civilian need
8 [~~which~~] that is within the scope of its functions, even though
9 it does not have the exclusive control and operation of such
10 airports. The department may also acquire excess federal lands
11 as permitted by federal law.

12 [~~e~~] (d) Structures and improvements. All structures and
13 improvements to land, to be used for airport purposes, may be
14 planned, designed, and constructed by the department.

15 [~~d~~] (e) Use of state and municipal facilities and
16 services. In carrying out this chapter, the department may use
17 the facilities and services of other agencies of the State and
18 of the municipalities of the State and the agencies and
19 municipalities shall make available their facilities and
20 services.

21 [~~e~~] (f) Fire and safety inspection. The State shall
22 conduct fire and safety inspections at all state-owned airport

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1 facilities at least once a year, as provided in section 132-
2 6(b)."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Handwritten Signature]

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BY REQUEST

S.B. NO. 1205

Report Title:

Department of Transportation; Airports

Description:

Clarifies airport jurisdiction with respect to land use compliance and county permits.

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

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO AIRPORTS.

PURPOSE: To exempt the Department of Transportation from obtaining county approval for land use activities at State airports.

MEANS: Amend section 261-4, Hawaii Revised Statutes.

JUSTIFICATION: There is a need to exempt State airports from the county permitting process related to land use. Amending section 261-4, Hawaii Revised Statutes, promotes more efficient airport operations by allowing airport development to proceed at a quicker pace. Safety is not compromised because airport safety is governed by federal guidelines.

Impact on the public: This bill will allow airports to operate more efficiently, thereby improving service and value to the public.

Impact on the department and other agencies: This bill will allow airports to operate more efficiently.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN-195

OTHER AFFECTED AGENCIES: Office of Planning, County Planning Offices.

EFFECTIVE DATE: Upon approval.