
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that residents in the
2 State must endure the excessive noise that helicopter tours and
3 small aircrafts generate. Federal legislation, such as the
4 National Parks Air Tour Management Act of 2000, established
5 rules that tour operators must follow when flying over national
6 parks like Hawaii Volcanoes National Park, Pearl Harbor National
7 Memorial, and Haleakala National Park. Therefore, it is in the
8 interest of the State to monitor and ensure that federal
9 regulations are being followed and that the State has the option
10 not to renew a tour aircraft operation permit for any company
11 that repeatedly deviates from flight plans over sensitive areas.

12 The legislature further finds that the Federal Aviation
13 Administration, department of transportation, some Hawaii tour
14 helicopter companies, and other interested stakeholders have
15 formed an unofficial Hawaii air noise and safety task force with
16 the stated intent of addressing increasing safety and community
17 disruption concerns, but have been criticized for not fully



1 engaging and responding to public concerns in determining
2 regulatory or voluntary changes in operations. An increasing
3 number of elected officials and community organizations have
4 expressed increasing concern with safety risks and community
5 disruption arising from tour helicopter and small aircraft
6 operations.

7 The purpose of this Act is to require tour aircraft
8 operations to file appropriate reports and disclosures so that
9 the State can monitor their compliance with federal regulations.

10 SECTION 2. Section 261-12, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) Tour aircraft operations. Any other law to the
13 contrary notwithstanding, no tour aircraft operation shall be
14 permitted in any airport under the State's control without
15 having a permit. The director shall adopt rules to regulate
16 tour aircraft operations by permit, which shall include but not
17 be limited to:

18 (1) Identification of the types of aircraft to be
19 utilized;

20 (2) The number of operations daily for each type of
21 aircraft used and the days and hours of operation;



- 1 (3) Verification that the applicant is in compliance with
2 all state statutes, including but not limited to this
3 section;
- 4 (4) Verification that the applicant has the Federal
5 Aviation Administration certificate 121 or 135;
- 6 (5) A written assessment by the department of the impact
7 to the surrounding area and to the subject state
8 airport;
- 9 (6) Revocation of a permit based on the failure to comply
10 with the information provided by the applicant and the
11 terms and conditions set forth by the department in
12 the permit; and any false statement or
13 misrepresentation made by the applicant;
- 14 (7) Establishment of penalties for revocation and
15 suspension of a permit for failure to comply with
16 permit conditions;
- 17 (8) Submission of monthly written reports to the
18 department, which shall be made available to the
19 public, of each tour operation that occurred during
20 the duration of the preceding month, including:



1 (A) The date and time that the aircraft took off and
2 landed;

3 (B) The number of individuals aboard the aircraft
4 during the operation;

5 (C) The flight path from takeoff through landing; and

6 (D) Whether the aircraft deviated from its intended
7 flight plan;

8 ~~(8)~~ (9) Annual renewal of permits; and

9 ~~(9)~~ (10) Any change of operations under the existing
10 permit to be approved by the director.

11 No permit shall be authorized unless accompanied by a
12 Hawaii sectional aeronautical chart marked to indicate routes
13 and altitudes to be used in conducting aerial tours and noise
14 abatement procedures to be employed in the vicinity of
15 identified noise sensitive areas.

16 For the purposes of this subsection, "tour aircraft
17 operations" means any business operation that offers aircraft
18 for hire by passengers for the purpose of aerial observation of
19 landmarks and other manmade or natural sites within an island of
20 the State and for the purpose of transporting passengers for
21 tourist-related activities."



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

3 SECTION 4. This Act shall take effect on January 1, 2050.



S.B. NO. 3272
S.D. 2
H.D. 2

Report Title:

Tour Aircraft Operations; Director of Transportation; Records;
Flight Details

Description:

Requires the director of transportation to adopt rules to
require tour aircraft operations to report details of each
flight taken by the tour aircraft operation on a monthly basis.
Effective 1/1/2050. (HD2)

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

