
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 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, Hawaii department of transportation, some Hawaii
14 tour helicopter companies, and other interested stakeholders
15 have formed an unofficial Hawaii air noise and safety task force
16 with the stated intent of addressing increasing safety and
17 community disruption concerns, but has been criticized for not



1 fully 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:

- 8 (1) Formally establish the air, noise, and safety task
9 force in the department of transportation; and
10 (2) Require tour aircraft operators to file appropriate
11 reports and disclosures so that the State can monitor
12 compliance with federal regulations.

13 SECTION 2. Chapter 261, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§261- Air noise and safety task force. (a) There is
17 established an air noise and safety task force in the department
18 of transportation.

19 (b) The task force shall:

- 20 (1) Identify key noise and safety issues facing Hawaii
21 relating to aircrafts;



- 1 (2) Address increasing safety and community disruption
2 concerns;
- 3 (3) Explore and recommend changes needed to law and
4 business practices to protect the public from the
5 inherent dangers presented by aircrafts; and
- 6 (4) Engage with and respond to public concerns in
7 determining regulatory or voluntary changes in
8 aircraft operations.
- 9 (c) The members of the task force shall include:
- 10 (1) The chairs of the Senate and House of Representatives
11 standing committees with jurisdiction over
12 transportation, who shall serve as the co-chairs of
13 the task force; and
- 14 (2) The director of transportation or their designee.
- 15 (d) The co-chairs of the task force shall invite the
16 following persons to join the task force:
- 17 (1) A representative from the Federal Aviation
18 Administration;
- 19 (2) At least one representative from the helicopter
20 industry;



1 (3) At least one representative from the small aircraft
2 industry; and

3 (4) Representatives from communities impacted by aircraft
4 noise.

5 (e) The members of the task force shall serve without
6 compensation and for two-year terms, but shall be reimbursed for
7 expenses, including travel expenses, necessary for the
8 performance of their duties.

9 (f) The task force shall submit a report of its findings
10 and recommendations, including any proposed legislation, to the
11 legislature no later than twenty days prior to the convening of
12 each regular session."

13 SECTION 3. Section 261-12, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

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



- 1 (1) Identification of the types of aircraft to be
2 utilized;
- 3 (2) The number of operations daily for each type of
4 aircraft used and the days and hours of operation;
- 5 (3) Verification that the applicant is in compliance with
6 all state statutes, including but not limited to this
7 section;
- 8 (4) Verification that the applicant has the Federal
9 Aviation Administration certificate 121 or 135;
- 10 (5) A written assessment by the department of the impact
11 to the surrounding area and to the subject state
12 airport;
- 13 (6) Revocation of a permit based on the failure to comply
14 with the information provided by the applicant and the
15 terms and conditions set forth by the department in
16 the permit; and any false statement or
17 misrepresentation made by the applicant;
- 18 (7) Establishment of penalties for revocation and
19 suspension of a permit for failure to comply with
20 permit conditions;



- 1 (8) Submission of monthly written reports to the
2 department which shall be made available to the
3 public, of each tour operation that occurred during
4 the duration of the preceding month, including:
5 (A) The date and time that the aircraft took off and
6 landed;
7 (B) The number of individuals aboard the aircraft
8 during the operation;
9 (C) The flight path from takeoff through landing; and
10 (D) A disclosure if the aircraft deviated from its
11 intended flight plan.
- 12 ~~(8)~~ (9) Annual renewal of permits; and
13 ~~(9)~~ (10) Any change of operations under the existing
14 permit to be approved by the director.

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

20 For the purposes of this subsection, "tour aircraft
21 operations" means any business operation that offers aircraft



1 for hire by passengers for the purpose of aerial observation of
2 landmarks and other manmade or natural sites within an island of
3 the State and for the purpose of transporting passengers for
4 tourist-related activities."

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

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



Report Title:

Tour Aircraft Operations; Task Force; Records

Description:

Establishes the Air Noise and Safety Task Force. Requires the Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis. (SD1)

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

