
A BILL FOR AN ACT

RELATING TO AIRCRAFT.

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

1 SECTION 1. Section 261-12, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Tour aircraft operations. Any other law to the
4 contrary notwithstanding, no tour aircraft operation shall be
5 permitted in any airport under the State's control without
6 having a permit. The director shall adopt rules to regulate
7 tour aircraft operations by permit, which shall include but not
8 be limited to:

9 (1) Identification of the types of aircraft to be
10 utilized;

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

13 (3) Verification that the applicant is in compliance with
14 all state statutes, including but not limited to this
15 section;

16 (4) Verification that the applicant has the Federal
17 Aviation Administration certificate 121 or 135;



- 1 (5) A written assessment by the department of the impact
2 to the surrounding area and to the subject state
3 airport;
- 4 (6) Revocation of a permit based on the failure to comply
5 with the information provided by the applicant and the
6 terms and conditions set forth by the department in
7 the permit; and any false statement or
8 misrepresentation made by the applicant;
- 9 (7) Establishment of penalties for revocation and
10 suspension of a permit for failure to comply with
11 permit conditions;
- 12 (8) Submission of monthly written reports to the
13 department, which shall be made available to the
14 public, of each tour operation that occurred during
15 the duration of the preceding month, including:
 - 16 (A) The date and time that the aircraft took off and
17 landed;
 - 18 (B) The number of individuals aboard the aircraft
19 during the operation;
 - 20 (C) The flight path from takeoff through landing; and



1 (D) Whether the aircraft deviated from its intended
2 flight plan;

3 (9) Verification that the applicant has in effect aircraft
4 liability insurance coverage of not less than
5 a per cent of the highest minimum similar
6 coverage required by a United States international
7 airport, per person per incident, that covers at a
8 minimum:

9 (A) Bodily injury and death; and

10 (B) Loss and damage to property;

11 [~~9~~] (10) Annual renewal of permits; and

12 [~~10~~] (11) Any change of operations under the existing
13 permit to be approved by the director.

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

19 For the purposes of this subsection, "tour aircraft
20 operations" means any business operation that offers aircraft
21 for hire by passengers for the purpose of aerial observation of



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

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

6 SECTION 3. This Act shall take effect on July 1, 2040.



Report Title:

Department of Transportation; Tour Aircraft Operations;
Insurance; Rules

Description:

Requires the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage not less than an unspecified percentage of the highest minimum similar coverage required by a United States international airport per person per incident. Takes effect 7/1/2040. (SD2)

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