

JAN 17 2025

A BILL FOR AN ACT

RELATING TO AIRCRAFT.

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

1 SECTION 1. The legislature finds that the use of
2 helicopters for business and recreational purposes brings a risk
3 of property damage, bodily injury, and even death. In July
4 2024, the National Transportation Safety Board issued a warning
5 about local air tour operators and pilots employing "risky
6 weather-related operating practices". The recent helicopter
7 crash in Kauai that killed three people brings the total count
8 of people killed in Hawaii in air tour accidents since 2000 to
9 forty-eight.

10 The legislature further finds that helicopters flying over
11 populated areas present an additional risk to Hawaii residents
12 and visitors on the ground below. These dangers highlight the
13 need for greater safety and risk mitigation among tour
14 helicopter operators in the State.

15 Accordingly, the purpose of this Act is to require tour
16 aircraft operators in the State to carry aircraft liability
17 insurance coverage.



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

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

- (1) Identification of the types of aircraft to be utilized;
- (2) The number of operations daily for each type of aircraft used and the days and hours of operation;
- (3) Verification that the applicant is in compliance with all state statutes, including but not limited to this section;
- (4) Verification that the applicant has the Federal Aviation Administration certificate 121 or 135;
- (5) A written assessment by the department of the impact to the surrounding area and to the subject state airport;



(6) Revocation of a permit based on the failure to comply with the information provided by the applicant and the terms and conditions set forth by the department in the permit; and any false statement or misrepresentation made by the applicant;

(7) Establishment of penalties for revocation and suspension of a permit for failure to comply with permit conditions;

(8) Submission of monthly written reports to the department, which shall be made available to the public, of each tour operation that occurred during the duration of the preceding month, including:

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

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

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

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

(9) Verification that the applicant has in effect aircraft liability insurance coverage of not less than



1 \$ _____ per person per incident, that covers at a
2 minimum:
3 (A) Bodily injury and death; and
4 (B) Loss and damage to property;
5 ~~[(+9)]~~ (10) Annual renewal of permits; and
6 ~~[(+10)]~~ (11) Any change of operations under the existing
7 permit to be approved by the director.

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

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

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: Cen



S.B. NO. 1197

Report Title:

Department of Transportation; Tour Aircraft Operations; Aircraft Liability Insurance; Rules

Description:

Requires the Director of Transportation to adopt rules that require tour aircraft operators to carry aircraft liability insurance coverage.

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