
HOUSE CONCURRENT RESOLUTION

URGING THE FEDERAL AVIATION ADMINISTRATION TO ADVOCATE THE ENACTMENT OF THE FEDERAL LEGISLATION ESTABLISHING THE "SAFE AND QUIET SKIES ACT OF 2019" AND VIGOROUSLY ENFORCE IT WHEN IT BECOMES LAW.

1 WHEREAS, communities throughout the State have complained
2 about the noise and safety hazards posed by commercial air
3 tours; and
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5 WHEREAS, in response to the challenges posed by commercial
6 air tours, neighborhood boards on Oahu have passed resolutions
7 that seek safety and peace for residents; and
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9 WHEREAS, state efforts to prevent commercial air tour
10 noise, limit tour flight paths, or ensure the safe operation of
11 tour aircraft are usually thwarted by concerns that those state-
12 level restrictions would be preempted by federal law; and
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14 WHEREAS, the Federal Aviation Administration has the
15 authority to impose and enforce regulations on the operation of
16 aircraft; and
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18 WHEREAS, according to the National Transportation Safety
19 Board, fifty-one passengers and pilots have died in commercial
20 helicopter collisions in the State since 2000; and
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22 WHEREAS, in a letter to the National Transportation Safety
23 Board dated February 25, 2020, Senator Brian Schatz of Hawaii
24 cited recent aircraft fatalities and stated that 2019
25 "represented the deadliest year in Hawaii aviation in [twenty-
26 eight] years", opined that the Federal Aviation Administration
27 had a "disturbing trend of ineffective oversight and
28 insufficient safety regulations", and called for the board to



1 convene a roundtable discussion on the Hawaii air tour industry
2 and safety regulations; and

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4 WHEREAS, Ed Case, Representative for the First
5 Congressional District of Hawaii, has introduced legislation,
6 H.R. 4547, with a short title of the "Safe and Quiet Skies Act
7 of 2019"; and

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9 WHEREAS, if enacted, H.R. 4547 would, in pertinent part:

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11 (1) Require the Federal Aviation Administration to impose
12 a "sterile cockpit rule" that would prohibit any
13 commercial air tour pilot or crewmember from providing
14 oral narration or engaging in certain tour-related
15 activities while operating aircraft;
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17 (2) Prohibit commercial tour aircraft from operating at an
18 altitude of less than one thousand five hundred feet,
19 except for takeoff and landing, and in certain
20 emergency situations;
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22 (3) Prohibit commercial tour aircraft from operating
23 within a half a mile of an "occupied area", which is
24 any land area that is used by people, including
25 residential areas, commercial areas, and recreational
26 areas;
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28 (4) Authorize state and local governments to impose
29 additional requirements or prohibitions on commercial
30 air tours, including the regulation of routes over
31 occupied areas and the prohibition of flights over
32 areas of state interest;
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34 (5) Require the Federal Aviation Administration to
35 implement any recommendations issued by the National
36 Transportation Safety Board concerning operators of
37 commercial aircraft on which the Federal Aviation
38 Administration has not provided an acceptable response
39 to the board; and
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41 (6) Require the Federal Aviation Administration to subject
42 commercial air tour operators to certain regulations



1 relating to commercial aircraft operators, instead of
2 regulations relating to non-commercial aircraft
3 operators; and
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5 WHEREAS, H.R. 4547 could be a vehicle for the Federal
6 Aviation Administration to improve its operations, serve the
7 people of Hawaii, and build faith in the agency's regulatory
8 efforts; now, therefore,
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10 BE IT RESOLVED by the House of Representatives of the
11 Thirtieth Legislature of the State of Hawaii, Regular Session of
12 2020, the Senate concurring, that the Federal Aviation
13 Administration is urged to review H.R. 4547, advocate for the
14 legislation's enactment, and vigorously enforce the Safe and
15 Quiet Skies Act of 2019 when it becomes law; and
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17 BE IT FURTHER RESOLVED that the Federal Aviation
18 Administration is urged to communicate with members of Hawaii's
19 congressional delegation regarding H.R. 4547; and
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21 BE IT FURTHER RESOLVED that the Federal Aviation
22 Administration is urged to address any issue raised by any
23 roundtable discussion convened by the National Transportation
24 Safety Board and discuss how H.R. 4547 may make commercial air
25 tours safer; and
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27 BE IT FURTHER RESOLVED that certified copies of this
28 Concurrent Resolution be transmitted to the Administrator of the
29 Federal Aviation Administration; Chairman of the National
30 Transportation Safety Board; Majority Leader of the United
31 States Senate; Speaker of the United States House of
32 Representatives; members of Hawaii's congressional delegation;
33 and Director of Transportation, State of Hawaii.
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OFFERED BY: 

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