
HOUSE 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
29 convene a roundtable discussion on the Hawaii air tour industry
30 and safety regulations; and
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1 WHEREAS, Ed Case, Representative for the First
2 Congressional District of Hawaii, has introduced legislation,
3 H.R. 4547, with a short title of the "Safe and Quiet Skies Act
4 of 2019"; and

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

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



