

JAN 23 2020

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A BILL FOR AN ACT

RELATING TO AIRPORTS.

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

1 SECTION 1. Section 261-4, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§261-4 Airports, general.** (a) Establishment, operation,  
4 maintenance. The department [~~of transportation~~] may, on behalf  
5 of and in the name of the State, out of appropriations and other  
6 moneys available or made available for such purposes, plan,  
7 acquire, establish, construct, enlarge, improve, maintain,  
8 equip, install, operate, regulate, and protect, airports, air  
9 navigation facilities, buildings, and other facilities to  
10 provide for the servicing of aircraft; to provide for the  
11 comfort, accommodation, and convenience of air travelers; and to  
12 protect against airport hazards.

13 (b) Notwithstanding any law or provision to the contrary,  
14 the department is authorized to plan, construct, operate, and  
15 maintain any state airport facility in the State, including, but  
16 not limited to, the acquisition and use of lands necessary to  
17 stage construction activities, without the approval of county  
18 agencies.

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1        [~~(b)~~] (c) Acquisition of property. By purchase, gift,  
2        devise, lease, or condemnation in accordance with chapter 101,  
3        the department may acquire property, real or personal, or any  
4        interest therein, including the property rights, estates, and  
5        interests mentioned in section 262-11. The department may  
6        acquire rights and interests in airports owned or controlled by  
7        others, for the purpose of meeting a civilian need [~~which~~] that  
8        is within the scope of its functions, even though it does not  
9        have the exclusive control and operation of such airports. The  
10       department may also acquire excess federal lands as permitted by  
11       federal law.

12       [~~(e)~~] (d) Structures and improvements. All structures and  
13       improvements to land, to be used for airport purposes, may be  
14       planned, designed, and constructed by the department.

15       [~~(d)~~] (e) Use of state and municipal facilities and  
16       services. In carrying out this chapter, the department may use  
17       the facilities and services of other agencies of the State and  
18       of the municipalities of the State and the agencies and  
19       municipalities shall make available their facilities and  
20       services.

21       [~~(e)~~] (f) Fire and safety inspection. The State shall  
22       conduct fire and safety inspections at all state-owned airport

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1 facilities at least once a year, as provided in section 132-  
2 6(b)."

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

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Ann H. M.*

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BY REQUEST

# S.B. NO. 2926

**Report Title:**

Department of Transportation; Airports

**Description:**

Clarifies airport jurisdiction with respect to land use compliance and county permits.

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

## JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO AIRPORTS.

PURPOSE: To exempt the Department of Transportation from obtaining county approval for land use activities at State airports.

MEANS: Amend section 261-4, Hawaii Revised Statutes.

JUSTIFICATION: There is a need to exempt State airports from the county permitting process related to land use.

Amending section 261-4, Hawaii Revised Statutes promotes more efficient airport operations by allowing airport development to proceed at a quicker pace. Safety is not compromised because airport safety is governed by federal guidelines.

Impact on the public: This bill will allow airports to operate more efficiently, thereby improving service and value to the public.

Impact on the department and other agencies: This bill will allow airports to operate more efficiently.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN 195.

OTHER AFFECTED AGENCIES: Office of Planning, County Planning Offices.

EFFECTIVE DATE: Upon approval.