

JAN 23 2020

A BILL FOR AN ACT

RELATING TO TOUR AIRCRAFTS.

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) Verification that the applicant has fitted their
2 aircraft with Federal Aviation Administration approved
3 flotation equipment;

4 (6) Verification that the applicant has equipped their
5 aircraft with and uses during operation of their
6 aircraft an automatic dependent surveillance-broadcast
7 system;

8 [~~(5)~~] (7) A written assessment by the department of the
9 impact to the surrounding area and to the subject
10 state airport;

11 [~~(6)~~] (8) Revocation of a permit based on the failure to
12 comply with the information provided by the applicant
13 and the terms and conditions set forth by the
14 department in the permit; and any false statement or
15 misrepresentation made by the applicant;

16 [~~(7)~~] (9) Establishment of penalties for revocation and
17 suspension of a permit for failure to comply with
18 permit conditions;

19 [~~(8)~~] (10) Annual renewal of permits; and

20 [~~(9)~~] (11) Any change of operations under the existing
21 permit to be approved by the director.



1 All tour aircraft operators shall comply with the National
2 Transportation Safety Board safety recommendations.

3 No tour aircraft operator shall operate an aircraft
4 within feet of a residential property.

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

10 For the purposes of this subsection[7]:

11 "Automatic dependent surveillance-broadcast system" is a
12 function of an aircraft's onboard avionics that periodically
13 broadcasts the aircraft's state vector (3-dimensional position
14 and 3-dimensional velocity) and other required information as
15 described in 14 Code of Federal Regulations section 91.277.

16 [~~tour~~] "Tour aircraft operations" means any business
17 operation which offers aircraft for hire by passengers for the
18 purpose of aerial observation of landmarks and other manmade or
19 natural sites within an island of the State, and for the purpose
20 of transporting passengers for tourist-related activities."

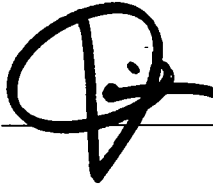


S.B. NO. 3154

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

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

4

INTRODUCED BY:  (BR)



S.B. NO. 3154

Report Title:

Tour Aircraft; Federal Compliance; Safety

Description:

Requires verification that an applicant for a tour aircraft permit fitted their aircraft with Federal Aviation Administration approved flotation equipment. Requires verification that an applicant for a tour aircraft permit equipped their aircraft with and uses during operation an automatic dependent surveillance-broadcast system. Requires tour aircraft operators to comply with the National Transportation Safety Board safety recommendations. Prohibits any tour aircraft operator from operating an aircraft near a residential property.

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

