

STAND. COM. REP. NO. 2917

Honolulu, Hawaii

FEB 27 2020

RE: S.B. No. 2649  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 2649 entitled:

"A BILL FOR AN ACT RELATING TO TOUR AIRCRAFT,"

begs leave to report as follows:

The purpose and intent of this measure is to amend section 261-12, Hawaii Revised Statutes, to require tour aircraft operations permit applicants to operate only aircraft that are outfitted with certain Federal Aviation Administration (FAA) approved safety devices.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Island Coalition Malama Pono, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, Kailua Neighborhood Board No. 31, Pearl City Neighborhood Board No. 21, Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5, thirteen individuals, and a petition signed by one hundred eighty-six individuals. Your Committee received testimony in opposition to this measure from Mauna Loa Helicopters, Paradise Helicopters Hawai'i, Hawaii Helicopter Association, Jack Harter Helicopters, Magnum Helicopters, and six individuals.

Your Committee finds that Hawaii has experienced recent events that have escalated public concern for the safety of tour helicopters. Hawaii residents continue to express concerns that the widespread self-regulated operation of helicopters and other



small aircraft pose significant safety risks for not only those in the air, but also those on the ground below. This measure would require that helicopter tour operators comply with existing FAA requirements by outfitting their tour aircraft with FAA-approved safety flotation devices and automatic dependent surveillance-broadcast devices before being granted permits to operate.

Your Committee further finds that there are numerous studies on what effect aircraft noise has on humans. As this measure continues to move through the legislative process, your Committee encourages those committees hearing this measure to determine an appropriate definition for the term "noise footprint".

Your Committee has amended this measure by inserting language providing that:

- (1) All tour aircraft permit holders shall be prohibited from allowing the noise footprint of their tour aircraft to enter any occupied property; and
- (2) Failure to comply with the requirements imposed by this measure shall result in the denial of a permit or rescission of permit.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2649, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2649, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2649	TRS, CPH	2/20/20		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.				✓
THIELEN, Laura H.				✓
WAKAI, Glenn	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes