H.B. NO. 434 H.D. 1 S.D. 1 Proposed

A BILL FOR AN ACT

RELATING TO AIRCRAFT.

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

1	SECT	ION 1. Section 261-12, Hawaii Revised Statutes, is	
2	amended by	y amending subsection (b) to read as follows:	
3	"(b)	Tour aircraft operations. Any other law to the	
4	contrary r	notwithstanding, no tour aircraft operation shall be	
5	permitted	in any airport under the State's control without	
6	having a p	permit. The director shall adopt rules to regulate	
7	tour airc	raft 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	

Aviation Administration certificate 121 or 135;



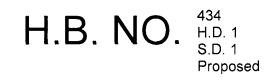
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1	(5)	A written assessment by the department of the impact
2		to the surrounding area and to the subject state
3		airport;
4	(6)	Revocation of a permit based on the failure to comply
5		with the information provided by the applicant and the
6		terms and conditions set forth by the department in
7		the permit; and any false statement or
8		misrepresentation made by the applicant;
9	(7)	Establishment of penalties for revocation and
10		suspension of a permit for failure to comply with
11		permit conditions;
12	(8)	Verification that the applicant has commercial general
13		liability insurance coverage of not less than
14		\$10,000,000 arising from any one accident or other
15		cause that covers but is not limited to:
16		(A) Bodily injury and death; and
17		(B) Contractual liability;
18	(9)	A requirement that each tour aircraft operation
19		applying to renew a permit provide to the department a
20		written report, which shall be made available to the

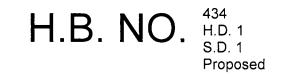


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1	publ	ic, of each tour flight taken during the duration
2	<u>of t</u>	he expiring permit, including:
3	<u>(A)</u>	The date and time that the aircraft took off and
4		landed;
5	<u>(B)</u>	The number of individuals aboard the aircraft
6		during the flight;
7	<u>(C)</u>	The flight path from takeoff through landing; and
8	<u>(D)</u>	A disclosure if the aircraft deviated from its
9		intended flight plan;
10	[(8)] <u>(10)</u>	Annual renewal of permits; and
11	[(9)] <u>(11)</u>	Any change of operations under the existing
12	perm	it to be approved by the director.
13	No permit	shall be authorized unless accompanied by a
14	Hawaii section	al aeronautical chart marked to indicate routes
15	and altitudes	to be used in conducting aerial tours and noise
16	abatement proc	edures to be employed in the vicinity of
17	identified noi	se sensitive areas.
18	For the p	ourposes of this subsection, "tour aircraft
19	operations" me	ans any business operation that offers aircraft
20	for hire by pa	ssengers for the purpose of aerial observation of
21	landmarks and	other manmade or natural sites within an island of

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1	the State and for the purpose of transporting passengers for
2	tourist-related activities."
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.





Report Title:

Tour Aircraft Operations; Insurance; Records

Description:

Requires the Director of Transportation to adopt rules to require tour aircraft operators to have commercial general liability insurance coverage of at least \$10,000,000 and to report details of each flight taken by the tour aircraft operation in order to renew a tour aircraft operation permit. (SD1 Proposed)

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

