

JAN 21 2021

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# A BILL FOR AN ACT

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RELATING TO TOUR AIRCRAFT.

**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;



(5) A written assessment by the department of the impact to the surrounding area and to the subject state airport;

(6) Revocation of a permit based on the failure to comply with the information provided by the applicant and the terms and conditions set forth by the department in the permit; and any false statement or misrepresentation made by the applicant;

(7) Establishment of penalties for revocation and suspension of a permit for failure to comply with permit conditions;

(8) Annual renewal of permits; and

(9) Any change of operations under the existing permit to be approved by the director.

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



# S.B. NO. 17

1        Tour aircraft permit holders shall be prohibited from  
2   allowing the noise footprint of their tour aircraft to enter any  
3   occupied property.

4        No permit shall be authorized unless the tour aircraft is  
5   fitted with a flotation device and an automatic dependent  
6   surveillance-broadcast device that have been approved by the  
7   United States Federal Aviation Administration.

8        Failure to comply with the above requirements shall result  
9   in a denial of a permit or rescission of a permit.

10       For the purposes of this subsection, "tour aircraft  
11 operations" means any business operation that offers aircraft  
12 for hire by passengers for the purpose of aerial observation of  
13 landmarks and other manmade or natural sites within an island of  
14 the State, and for the purpose of transporting passengers for  
15 tourist-related activities."

16       SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 17

**Report Title:**

Helicopters; Safety; Tourism

**Description:**

Requires tour aircraft operations permit applicants to have aircraft that are outfitted with FAA approved safety devices. Prohibits tour aircraft permit holders from allowing the noise footprint of their aircraft to enter any occupied property. Requires denial of permit or rescission of permit if requirements are not met.

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

