



Senate Committee on Commerce and Consumer Protection
February 20, 2024

Re: Support SB 2747, SD1, Relating to Aircraft

Aloha Chair Keohokalole, Vice Chair Fukunaga, and members of the committee!

We are writing to support SB 2747, SD1, Relating to Aircraft. This bill requires the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage not less than an unspecified percentage of the highest minimum similar coverage required by a United States international airport per person per incident.

Blue Hawaiian continues to support safety in the industry, and we firmly believe that adequate insurance coverage is the right thing to do for the customer and community. We note that this bill will likely need to be amended to apply to all aviation.

Our aircraft are equipped with technologies and equipment like Helicopter Terrain Awareness and Warning Systems (HTAWS), automatic dependent surveillance-broadcast (ADS-B), aircraft floats and upgraded with the newest GARMIN glass-cockpit avionics to exceed the federal regulatory requirements for helicopter air tour safety. To further that commitment, Blue Hawaiian Helicopters is the only air tour operator in Hawaii to be a member of the Tour Operators Program of Safety, as well as to also have a Voluntary FAA Safety Management System (SMS) implementation program and an accepted and approved Voluntary FAA Aviation Safety Action Program (ASAP).

We are all familiar with automotive insurance carriers having programs that encourage, promote, and incentivize safe driving and safety equipment. We believe that, with increased aviation insurance requirements, insurers will similarly promote increased adoption of technology, equipment, and programs that increase safety for our community.

We look forward to engaging with policy leaders and wish to be a resource to the legislature.

Thank you for the opportunity to testify in support of this measure.



LATE

February 19, 2024

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

RELATING TO AIRCRAFT.

Requires the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage not less than an unspecified percentage of the highest minimum similar coverage required by a United States international airport per person per incident. (SD1)

Committee Hearing Date: February 20, 2024 9:35AM

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Committee Members,

Jack Harter Helicopters opposes SB2747 that would make changes to Hawaii Revised Statute 261-12.

The US Congress has granted preemptive authority to the Federal Aviation Administration (FAA) over the operation of aircraft in the National Airspace System (NAS). This was done to provide a safe and sustainable aviation system across the entire country. If passed, this bill would limit the operation of tour aircraft in the NAS unless the operator of the aircraft met the minimum insurance requirements contained in this bill. A tour helicopter or airplane operator that is otherwise in compliance with the Federal Aviation Regulations (FARs), but is unable to obtain a State of Hawaii, Air Tour Operators Permit would be denied access to the NAS.

Paragraph 23 of the Federal Grant Assurances requires the State of Hawaii, Department of Transportation, Airports Division to operate the airports in the State of Hawaii in a non-discriminatory manner. This bill includes language that would establish discriminatory policies in that airplanes and helicopters that are not engaged in tour flights would not be subject to the same insurance requirements.

Thank you for considering our testimony and we urge your committee to **oppose passage of SB2747SD1**.

Casey Riemer
Special Project Manager