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# A BILL FOR AN ACT

RELATING TO 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;



- 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) Submission of monthly written reports to the
- 13                   department, which shall be made available to the
- 14                   public, of each tour operation that occurred during
- 15                   the duration of the preceding month, including:
- 16                   (A) The date and time that the aircraft took off and
- 17                               landed;
- 18                   (B) The number of individuals aboard the aircraft
- 19                               during the operation;
- 20                   (C) The flight path from takeoff through landing; and



1 (D) Whether the aircraft deviated from its intended  
2 flight plan;

3 (9) Verification that the applicant has in effect aircraft  
4 liability insurance coverage of no less than  
5 \$20,000,000 per person per incident, that covers at a  
6 minimum:

7 (A) Bodily injury and death; and

8 (B) Loss and damage to property;

9 [~~9~~] (10) Annual renewal of permits; and

10 [~~10~~] (11) Any change of operations under the existing  
11 permit to be approved by the director.

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

17 For the purposes of this subsection, "tour aircraft  
18 operations" means any business operation that offers aircraft  
19 for hire by passengers for the purpose of aerial observation of  
20 landmarks and other manmade or natural sites within an island of



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 on July 1, 3000.



S.B. NO. 2747  
S.D. 2  
H.D. 2

**Report Title:**

Department of Transportation; Tour Aircraft Operations; Aircraft Liability Insurance; Rules

**Description:**

Requires the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage no less than \$20,000,000 per person per incident. Effective 7/1/3000. (HD2)

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

