



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

January 28, 2025  
10:00 A.M.  
State Capitol, Room 430

**H.B. 810**  
**RELATING TO NOISE POLLUTION**

House Committee on Transportation

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The Department of Transportation (DOT) provides comments on this measure, which seeks to amend Chapter 342F, Hawaii Revised Statutes, to classify helicopters as a public nuisance due to noise pollution.

The DOT notes that this measure may fall under federal preemption, as the regulation of aircraft noise is primarily governed by the Federal Aviation Administration (FAA). Therefore, we will work with FAA and Attorney General (AG) to determine the State's jurisdiction in this matter.

For residents wishing to report helicopter noise concerns, we encourage them to utilize the FAA's noise complaint portal, which can be accessed at <https://www.faa.gov/noise/inquiries>.

The DOT remains supportive of efforts to reduce helicopter noise in communities across the state and is committed to working collaboratively to address this issue.

Thank you for the opportunity to provide comments on this measure.



House Committee on Transportation  
Hawaii State Legislature  
Monday, January 27, 2025

RE: House Bill 810

As the leading representatives of the vertical flight industry, Vertical Aviation International (VAI) expresses serious concerns regarding HB810. VAI represents over 1,100 companies and more than 16,000 professionals across 65+ countries. Each year, our members safely operate more than 3,700 helicopters and remotely piloted aircraft, logging approximately 2.9 million flight hours. VAI is committed to promoting vertical flight as a safe, effective mode of commerce and advancing the industry's community.

We oppose HB810 on the grounds that it conflicts with established federal law and could invite unnecessary litigation. The Federal Aviation Administration (FAA) holds exclusive authority over airspace including aircraft noise standards. Accordingly, states lack the legal authority to impose noise thresholds for aircraft operations or to impose penalties for noise or any other flight-related violations. Federal statutes such as 49 U.S.C. §§ 47521 and 41713, as well as FAA Advisory Circular 36-1H (Nov. 15, 2001, revised Mar. 25, 2012), clearly preempt such state-level actions.

HB810 mirrors previous legislative efforts, including Hawaii's HB1201 (2023) and New York's SB7493-A (2022), both of which were ultimately unsuccessful due to conflicts with federal preemption principles. These bills sought to enable legal actions against individuals generating unreasonable helicopter noise. The Hawaii legislature did not move HB1201 while SB7493-A was vetoed by the New York governor. In both cases, it was recognized that Federal law assigns the regulation of aircraft and airspace solely to the FAA, and case law reinforces federal preemption of this domain.

While we recognize the intent of HB810 to address noise concerns, the proposed legislation introduces significant legal and logistical challenges that are impractical and unlawful. VAI remains committed to collaborating with Hawaii operators, legislators, and community members to address these issues in a lawful and effective manner.

We respectfully urge the House Committee on Transportation to oppose HB 810 due to its inherent irreconcilability with the federal preemption of aviation airspace.

Thank you for the opportunity to provide input on this matter.

Sincerely,  
Katia Veraza, Assistant Director of Government Affairs – VAI



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