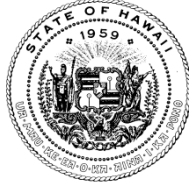


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STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 25, 2025
3:20 P.M.
State Capitol, Room 224

**S.C.R. 180 & S.R. 150
REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT AN
ANNUAL REPORT TO THE LEGISLATURE SUMMARIZING SPECIFIC
SAFETY-RELATED INFORMATION FOR EACH GENERAL AVIATION AND
COMMERCIAL TOUR OPERATOR IN THE STATE, POST AN ELECTRONIC COPY
OF EACH REPORT ON THE DEPARTMENT'S WEBSITE, AND ADOPT RULES
REQUIRING THE PUBLIC POSTING OF THE INFORMATION AT EVERY LOCATION
OF EACH OPERATOR**

Senate Committee on Transportation and Culture and the Arts

The Department of Transportation (HDOT) respectfully **opposes** S.C.R. 180 and S.R. 150 requiring that the HDOT to prepare an annual report on tour operators that is currently submitted to the Federal Aviation Administration (FAA).

The State of Hawaii does not have jurisdiction over tour operators and does not collect this information. FAA has oversight over issuing permits to tour operators which requires flight paths, insurance coverage and general maintenance program compliance as regulated and inspected by the FAA.

Thank you for the opportunity to provide testimony.



Senate Committee on Transportation and Culture and the Arts
March 25, 2025

Re: Support SCR 180/SR 150: REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE SUMMARIZING SPECIFIC SAFETY-RELATED INFORMATION FOR EACH GENERAL AVIATION AND COMMERCIAL TOUR OPERATOR IN THE STATE, POST AN ELECTRONIC COPY OF EACH REPORT ON THE DEPARTMENT'S WEBSITE, AND ADOPT RULES REQUIRING THE PUBLIC POSTING OF THE INFORMATION AT EVERY LOCATION OF EACH OPERATOR.

Aloha Chair Lee, Vice Chair Inouye, and members of the committee,

We are writing to support SCR 180 and SR 150 which are requesting the Department of Transportation to submit an annual report to the legislature summarizing specific safety-related information for each general aviation and commercial tour operator in the state, post an electronic copy on of each report on the department's website, and adopt rules requiring the

Blue Hawaiian continues to support safety in the industry, and we firmly believe that requiring that information about each air tour operator's safety-related equipment and policies is the right thing to do for the customer and community.

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 believe that increased transparency requirements will promote increased adoption of technology, equipment, and programs that increase safety.

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.



Senate Committee on Transportation & Culture & the Arts
Hawai'i State Legislature
tcacommittee@capitol.hawaii.gov

Tuesday, March 25, 2025

RE: Opposition to Senate Concurrent Resolution 180

As the leading representative of the vertical flight industry, Vertical Aviation International (VAI) expresses serious concerns regarding SCR180. 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. While we share the goal of enhancing aviation safety, this concurrent resolution conflicts with federal law, pursuant to which the federal government has sole oversight authority over aviation.

The resolution directs the Hawaii Department of Transportation (HDOT) to compile and publish data on air tour operators, including beneficial ownership details, insurance coverage, pilot training hours, and aircraft equipment specifications. However, HDOT lacks the legal authority to require operators to provide this information, as confirmed in recent litigation (*Helicopter Association International v. State of Hawai'i*, 2024 WL 3509769 (D.Haw. July 22, 2024)). The Federal Aviation Administration (FAA) has exclusive jurisdiction over aviation safety and operations, including any associated data reporting and operator disclosures. Any state-level mandate for additional reporting is federally preempted.

Furthermore, although the resolution does not specify how HDOT is to obtain the specified information, the clear implication is that HDOT could demand such data from operators. But as discussed above, that proposition is legally flawed, and any such demands would be federally preempted. Additionally, requiring operators to publicly post that information at their places of business would also constitute an unlawful state-imposed disclosure requirement, further conflicting with federal authority.

In sum, this resolution, while well-intended, exceeds state jurisdiction and imposes legally unenforceable obligations on both HDOT and the aviation industry. Safety in air tour operations is best addressed through the FAA, which already establishes and enforces rigorous standards nationwide. We urge the Legislature to recognize federal preemption in this matter and to oppose the adoption of this concurrent resolution.

VAI remains committed to collaborating with the Hawai'i State Legislature to explore solutions that align with FAA policies while addressing stakeholder concerns. We welcome further discussion on this matter.

Sincerely,

Katia Veraza, Assistant Director of Government Affairs – VAI