

ACT 308

S.B. NO. 866

A Bill for an Act Relating to Air Transportation.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated to read as follows:

“Sec. 261- Promotion of safety and efficient use of facilities where congestion occurs. (a) The legislature recognizes that air traffic congestion, constitutes a serious safety problem and reduces the efficient and effective use of limited airspace and terminal facilities. The legislature also recognizes that the development of addi-

tional airports will assist in the solution to such safety and efficiency problems, but that such development may not always be a feasible or complete solution to such problems.

Nevertheless, the legislature is determined that all possible actions be taken to promote safety, to alleviate safety hazards and to reduce congestion at airports under the State's control. The department of transportation shall do everything within its authority to enhance the safe use of the State's airports and shall cooperate with appropriate federal agencies and other affected parties to assist said agencies in meeting their responsibility to alleviate safety hazards resulting from air traffic congestion. In carrying out this responsibility, the department shall consider all possible alternatives including but not limited to reliever airports and limiting the number of aircraft allowed to use state airports. The department shall take appropriate action to enhance safety and to alleviate safety hazards, or, if legislative action is required, make appropriate recommendations to the legislature.

(b) To the fullest extent possible within the State's authority to act in the area of airport and air traffic safety, the department of transportation shall be responsible for promoting safe operating conditions and alleviating safety hazards due to air traffic congestion at airports under its control. To this end, the department, in close cooperation with appropriate federal authorities and other affected parties, shall examine and conduct research into the causes of and solutions for safety problems at such airports, especially those problems associated with air traffic congestion. Pursuant to sections 261-12 and 261-13, the director of transportation shall adopt such rules, regulations, and standards which may include the imposition of landing surcharges or differential landing fees, the assignment of particular runways for particular uses, the establishment of the number and types of aircraft allowed to use each public airport, and the use of similar measures where such actions may contribute to the segregation of different types of aircraft and to the reduction of peak air traffic usage at airports under State control."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

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

The foregoing became law on July 2, 1980, without the Governor's signature, pursuant to Art. III, §16, State Constitution.

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.