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# A BILL FOR AN ACT

RELATING TO AERONAUTICS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the imposition of  
2 criminal penalties for violations of certain categories of  
3 airport rules has been excessive and disproportionate to the  
4 gravity of the acts committed. A more just approach would be to  
5 impose only fines for violations of rules relating to airport  
6 safety and licensing of persons engaged in commercial activities  
7 at public airports, and reserve criminal penalties for conduct  
8 that causes more harm. Furthermore, the legislature recognizes  
9 that the current misdemeanor penalty for certain airport  
10 offenses can result in significantly harsh consequences. For  
11 example, a holder of a pilots' license, military security  
12 clearance, civilian federal security clearance, or professional  
13 license, such as doctor, lawyer, or certified public accountant,  
14 may lose the clearance or license because of a criminal  
15 conviction. Sometimes, the loss of the clearance or license and  
16 its associated privileges may continue for the person's entire  
17 lifetime.



1           The purpose of this Act is to replace criminal penalties  
2 for certain airport offenses under Hawaii's aeronautics laws, or  
3 in certain administrative rules or orders issued pursuant  
4 thereto, with fines.

5           SECTION 2. Section 261-21, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7           "(a) Except as provided in subsection (c), any person  
8 violating this chapter, or any of the rules or orders issued  
9 pursuant thereto and ~~[relating to:~~

- 10           ~~(1) Safety measures, practices, or requirements;~~  
11           ~~(2) Airport security measures or requirements; or~~  
12           ~~(3) The licensing and regulation of persons engaged in~~  
13           ~~commercial activities at public airports,]~~

14 duly adopted or served, shall be guilty of a ~~[misdemeanor.]~~  
15 violation subject to the following penalties:

16           (1) When safety measures or Federal Aviation  
17           Administration acceptable hangar use practices are  
18           violated, the person shall be subject to a fine not to  
19           exceed \$500; or

20           (2) When the licensing and regulation of persons engaged  
21           in commercial activities at public airports is



1           involved, the person shall be subject to a fine not to  
2           exceed \$500."

3           SECTION 3. It is the intent of this Act not to jeopardize  
4 the receipt of any federal aid nor to impair the obligation of  
5 the State or any agency thereof to the holders of any bond  
6 issued by the State or by any such agency.

7           SECTION 4. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10          SECTION 5. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12          SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

Aeronautics; Administrative Rules; Penalties

**Description:**

Replaces criminal penalties for certain airport offenses addressed in the State's aeronautics laws or in certain administrative rules or orders issued pursuant thereto with fines. (SB2619 HD2)

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

