



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 29, 2018

GOV. MSG. NO. 1165

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 29, 2018, the following bill was signed into law:

SB2619 SD2 HD2 CD1

RELATING TO AERONAUTICS
ACT 064 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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 a doctor, lawyer, or certified public
14 accountant, may lose the clearance or license because of a
15 criminal conviction. Sometimes, the loss of the clearance or
16 license and its associated privileges may continue for the
17 person's entire 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, 2018.

APPROVED this 29 day of JUN, 2018

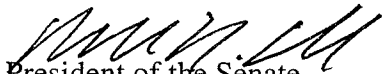



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate

SB No. 2619, SD 2, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives