A BILL FOR AN ACT

RELATING TO TOUR AIRCRAFTS.

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

SECTION 1. Section 261-12, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Any other law to the contrary notwithstanding, no tour aircraft operation shall be permitted in any airport under the State's control without having a permit. The director shall adopt rules to regulate tour aircraft operations by permit which shall include but not be limited to:

(1) Identification of the types of aircraft to be utilized;

(2) The number of operations daily for each type of aircraft used and the days and hours of operation;

(3) Verification that the applicant is in compliance with all state statutes, including but not limited to this section;

(4) Verification that the applicant has the Federal Aviation Administration certificate 121 or 135;
(5) Verification that the applicant has fitted their aircraft with Federal Aviation Administration approved flotation equipment;

(6) Verification that the applicant has equipped their aircraft with and uses during operation of their aircraft an automatic dependent surveillance-broadcast system;

(7) A written assessment by the department of the impact to the surrounding area and to the subject state airport;

(8) Revocation of a permit based on the failure to comply with the information provided by the applicant and the terms and conditions set forth by the department in the permit; and any false statement or misrepresentation made by the applicant;

(9) Establishment of penalties for revocation and suspension of a permit for failure to comply with permit conditions;

(10) Annual renewal of permits; and

(11) Any change of operations under the existing permit to be approved by the director.
All tour aircraft operators shall comply with the National Transportation Safety Board safety recommendations.

No tour aircraft operator shall operate an aircraft within ___ feet of a residential property.

No permit shall be authorized unless accompanied by a Hawaii sectional aeronautical chart marked to indicate routes and altitudes to be used in conducting aerial tours and noise abatement procedures to be employed in the vicinity of identified noise sensitive areas.

For the purposes of this subsection:

"Automatic dependent surveillance-broadcast system" is a function of an aircraft's onboard avionics that periodically broadcasts the aircraft's state vector (3-dimensional position and 3-dimensional velocity) and other required information as described in 14 Code of Federal Regulations section 91.277.

"Tour aircraft operations" means any business operation which offers aircraft for hire by passengers for the purpose of aerial observation of landmarks and other manmade or natural sites within an island of the State, and for the purpose of transporting passengers for tourist-related activities."
SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

INTRODUCED BY: [Signature] (BR)
Report Title:
Tour Aircraft; Federal Compliance; Safety

Description:
Requires verification that an applicant for a tour aircraft permit fitted their aircraft with Federal Aviation Administration approved flotation equipment. Requires verification that an applicant for a tour aircraft permit equipped their aircraft with and uses during operation an automatic dependent surveillance-broadcast system. Requires tour aircraft operators to comply with the National Transportation Safety Board safety recommendations. Prohibits any tour aircraft operator from operating an aircraft near a residential property.

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