

STAND. COM. REP. NO.

277

Honolulu, Hawaii

FEB 17 , 2021

RE: H.B. No. 434
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 434 entitled:

"A BILL FOR AN ACT RELATING TO AIRCRAFT,"

begs leave to report as follows:

The purpose of this measure is to establish a non-commercial aircraft landing fee and non-commercial aircraft storage fee and direct the proceeds into the general fund.

Your Committee received testimony in opposition to this measure from the Department of Transportation and Aircraft Owners and Pilots Association. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that aviation contributes a significant amount of carbon dioxide emissions to the environment. Your Committee further finds that private aircrafts emit significantly greater amounts of carbon per passenger compared to commercial aircrafts. Your Committee believes that to better align with the State's goal of reaching net carbon neutrality by 2045, imposing additional fees for non-commercial aircrafts, such as landing and storage fees, will help reduce the demand for private aircrafts and its impact on carbon dioxide emission.



Your Committee notes the testimony of the Department of the Attorney General regarding a potential conflict with federal law, which requires that revenues generated by a public airport be expended for the capital or operating costs of the airport, airport system, or other local facilities owned or operated by the airport owner. As currently drafted, this measure would require the revenues to be deposited into the general fund, creating the potential conflict with federal law.

Accordingly, your Committee has amended this measure by:

- (1) Changing the fund in which the proceeds from the non-commercial aircraft landing fee and non-commercial aircraft storage fee are deposited into from the general fund to the Airport Revenue Fund;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 434, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,


HENRY J.C. AQUINO, Chair



