

Schatz -1
AS modified

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the FAA to participate in the Hawaii Air Noise and Safety Task Force.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1939

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHATZ

Viz:

- 1 At the appropriate place in title III, insert the fol-
- 2 lowing:
- 3 **SEC. _____. HAWAII AIR NOISE AND SAFETY TASK FORCE.**
- 4 (a) PARTICIPATION.—The FAA shall participate as
- 5 a technical advisor in the air noise and safety task force
- 6 established by State legislation in the State of Hawaii.
- 7 (b) RULEMAKING.—Not later than 18 months after
- 8 the date of the first meeting of the task force described
- 9 in subsection (a), the Administrator shall—
- 10 (1) issue an intent to proceed with proposed
- 11 rulemaking;

1 (2) take other action sufficient to carry out fea-
2 sible, consensus recommendations; or

3 (3) issue a statement determining that no such
4 rule or other action is warranted, including a de-
5 tailed explanation of the rationale for such deter-
6 mination.

7 (c) CONSIDERATIONS.—In determining whether to
8 proceed with a proposed rulemaking or other action under
9 subsection (b) and, if applicable, in developing the pro-
10 posed rule or carrying out the other action, the Adminis-
11 trator shall consider the findings and consensus rec-
12 ommendations of the task force described in subsection
13 (a).

14 (d) AUTHORITIES.—The Administrator, in issuing
15 the rule or carrying out the other action described in sub-
16 section (b), may take the following actions in the State
17 of Hawaii:

18 (1) Set minimum altitudes for commercial air
19 tours for the purpose of noise reduction, provided
20 that such minimums do not negatively impact safety
21 conditions.

22 (2) Set time-of-day restrictions on commercial
23 air tours for the purpose of reducing noise disrupt-
24 tions, provided that such restrictions do not nega-
25 tively impact safety conditions.

1 (3) Set limits on the number of flights in a cer-
2 tain area per unit of time.

3 (4) Require the use of quiet aircraft technology
4 by commercial air tour operators conducting com-
5 mercial air tours in the State of Hawaii.

6 (5) Prohibit hovering or circling in certain or
7 all areas in the State of Hawaii.

8 (6) Prohibit commercial air tours in certain or
9 all areas in the State of Hawaii.

10 (7) Establish certain required routes for com-
11 mercial air tours in certain or all areas in the State
12 of Hawaii.

13 (8) Establish a method for residents of the
14 State of Hawaii to publicly report noise disruptions
15 due to commercial air tours and for commercial air
16 tour operators to respond to complaints.

17 (e) DEFINITIONS.—In this section:

18 (1) COMMERCIAL AIR TOUR.—The term “com-
19 mercial air tour” means a flight conducted for com-
20 pensation or hire in an airplane or helicopter where
21 the purpose of the flight is sightseeing.

22 (2) COMMERCIAL AIR TOUR OPERATOR.—The
23 term “commercial air tour operator” means any per-
24 son who conducts a commercial air tour.