



## **Procedure No. 4.13 NONSIGNATORY LANDING FEES AND PASSENGER TERMINAL RENTAL RATES AND CHARGES**

**Approved by Ross Higashi**

**Effective Date: 10/11/2019**

Historical Note: This procedure supersedes Procedure No. 4.13 dated November 8, 2017. The rates and charges in this procedure shall be implemented on July 1, 2019.

### **4.13.01 PURPOSE**

The purpose of this procedure is to establish a schedule of rates and charges for the use of airports operated by the State Airports Division.

### **4.13.02 POLICY**

It is the policy of the State Airports Division to establish commercial air carrier rates and charges according to the 2007 First Amended Lease Extension Agreement (Agreement). Rates and charges for nonsignatory commercial air carriers as herein defined shall be set at 125% of the rate calculated pursuant to the Agreement with the signatory air carriers. Nonsignatory commercial air carriers shall not be subject to supplementary charges or credits payable to signatory air carriers calculated pursuant to the Agreement. Landing fees for other nonsignatory air operators will be less than or equal to those set for nonsignatory commercial air carriers.

### **4.13.03 APPLICABILITY**

This procedure applies to users of the State Airports System.

### **4.13.04 PROCEDURES**

#### **A. Definitions**

1. "2007 First Amended Lease Extension Agreement" means that particular lease executed by an operator of aircraft and the State Department of Transportation under which the aircraft operator is obligated to pay airport use charges, including the predecessor leases as such are incorporated into the Agreement.
2. "Aircraft operator" means the owner of an aircraft or any employee of such owner or any person who has the authorized use of such aircraft for the purpose of its operation.
3. "Airports System" means the state-wide system of airports including all airports, air navigation facilities, and other related facilities and properties (real, personal, or mixed), and any rights or interests in airports, air navigation facilities, and other related facilities and related properties, now or hereafter belonging to or controlled by the State or under the administration, jurisdiction, control, and management of the State, and all equipment, improvements, extensions, or betterments thereto hereafter constructed or acquired.
4. "Approved maximum landing weight" means the maximum landing weight for an aircraft as authorized in the Airplane Flight Manual by the Federal Aviation Administration. If the aircraft is registered in a foreign country and has not been certificated by the Federal Aviation Administration, the approved maximum landing weight is the maximum landing weight certified by such foreign country.
5. "Deplaned passenger" means a passenger deplaned at a facility in the Airports System.

6. "Enplaned passenger" means a passenger enplaned at a facility in the Airports System.
7. "Interisland landing" means any landing by an aircraft whose flight originated at an airport in the State.
8. "International facilities" means the international arrival areas at any airport in the Airports System used by passengers deplaning from an international arriving flight
9. "Nonsignatory air operator" means any aircraft operator other than a signatory carrier or nonsignatory commercial air carrier utilizing services, facilities and commodities of the Airports System.
10. "Nonsignatory commercial air carrier" means an entity that is not signatory to the 2007 First Amended Lease Extension Agreement and is providing air transportation of passengers or cargo (1) operating under Federal Aviation Regulations (FAR) Part 121 or Part 129, or (2) providing scheduled air transportation with a frequency of at least five round trips per week on at least one route between two or more points according to published flight schedules and operating under FAR Part 135.
11. "Overseas landing" means any landing by an aircraft whose flight originated at an airport which is not situated in the State.

B. Exemptions

This schedule of rates and charges for public aircraft operations at state airports shall not apply to the following types of aircraft:

1. Aircraft owned or operated by the:
  - a. Government of the United States, or any agency or department thereof;
  - b. State or any of its counties or any agency or department thereof, including, without limitation, the State Department of Transportation; or
  - c. Civil Patrol.
2. Aircraft with less than 12,500 pounds approved maximum landed weight using the airports system for aircraft flight training purposes, emergencies, private transportation, or test landings.
3. Aircraft with more than 12,500 pounds approved maximum landed weight and a maximum seating capacity of less than 20 passengers and not operating under the provisions of the Federal Aviation Regulations, 14 CFR Parts 121, 125, 127, 129, using the airports system for aircraft flight training purposes, emergencies, private transportation, or test landings.

Use by U.S. military aircraft in common with other aircraft shall be without charge except that if the use by military aircraft is excessive and substantial, the cost of operating and maintaining facilities so used may be charged to the U.S. Government. The amount of use to be considered "excessive and substantial," and the rental charges to be paid by the U.S. Government shall be determined jointly by the state Department of Transportation and the using federal agency.

C. Fees and Charges

The rates and charges presented in Table 1 shall apply to nonsignatory commercial air carriers effective July 1, 2019. In addition to the rates specified in Table 1, other rates applicable to the use and occupancy of state Airports Division facilities shall also apply to nonsignatory commercial air carriers.

The rates and charges presented in Table 2 shall apply to nonsignatory air operators effective September 1, 2013.

The rates and charges established by this procedure shall not apply to those aircraft that qualify for exemption as established in Section B herein.

D. Payment

The payment of airport fees and charges shall be made at the Airports Division, Department of Transportation, Daniel K. Inouye International Airport, Honolulu, Hawaii 96819; or any of its representative offices located at Hilo International Airport, Hilo, Hawaii 96720; Ellison Onizuka Kona International Airport at Keahole, Kailua-Kona, Hawaii 96740; Kahului Airport, Kahului, Hawaii 96732; or Lihue Airport, Lihue, Hawaii 96766.

E. Table 1: Nonsignatory Commercial Air Carrier Rates and Charges

1. Landing Fee Rates

<u>Description</u>	<u>Rate Per 1,000 Pounds Approved Maximum Landed Weight</u>
Overseas (including Budgeted Airport System Support Charge)	\$4.81
Interisland (including Budgeted Airport System Support Charge)	2.31

2. Terminal Use Rates

a. Daniel K. Inouye International Airport

<u>Description</u>	<u>Rate</u>
Terminal Rental Rate	\$ 92.34 per square foot per year
Joint Use Holdroom Rate	1.84 per enplaned passenger
Joint Use Baggage Claim Rate	5.30 per deplaned passenger
Joint Use Baggage Makeup Rate	1.96 per enplaned passenger
International Arrival Area Rate	8.78 per deplaned passenger

b. Kahului Airport

<u>Description</u>	<u>Rate</u>
Terminal Rental Rate	\$116.75 per square foot per year
Joint Use Holdroom Rate - Overseas	2.55 per enplaned passenger
Joint Use Holdroom Rate - Interisland	1.23 per enplaned passenger
Joint Use Baggage System Rate	1.28 per deplaned passenger

c. Ellison Onizuka Kona International Airport at Keahole

<u>Description</u>	<u>Rate</u>
Terminal Rental Rate	\$ 68.46 per square foot per year
Joint Use Holdroom Rate - Overseas	1.16 per enplaned passenger
Joint Use Holdroom Rate - Interisland	0.55 per enplaned passenger
Joint Use Baggage System Rate	1.74 per deplaned passenger
International Arrival Area Rate	8.78 per deplaned passenger

d. Lihue Airport

<u>Description</u>	<u>Rate</u>
Terminal Rental Rate	\$ 97.64 per square foot per year
Joint Use Holdroom Rate - Overseas	1.40 per enplaned passenger
Joint Use Holdroom Rate - Interisland	0.68 per enplaned passenger
Joint Use Baggage System Rate	2.19 per deplaned passenger

e. Hilo International Airport

DescriptionRate

Terminal Rental Rate

\$ 51.80 per square foot per year

Joint Use Holdroom Rate - Overseas

8.64 per enplaned passenger

Joint Use Holdroom Rate - Interisland

4.15 per enplaned passenger

Joint Use Baggage System Rate

1.96 per deplaned passenger

F. Table 2: Nonsignatory Air Operator Rates and ChargesDescription

Rate Per 1,000 Pounds Approved

Maximum Landed Weight

Overseas

\$2.48

Interisland

0.85