



# **LAWS OF ALASKA**

**2004**

**Source**

CSHB 474(JUD) am

**Chapter No.**

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**AN ACT**

Relating to civil liability associated with aircraft runways, airfields, and landing areas.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Relating to civil liability associated with aircraft runways, airfields, and landing areas.

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3 \* **Section 1.** AS 09.65.093 is amended to read:

4           **Sec. 09.65.093. Civil liability relating to aircraft runways, airfields, and**  
5 **landing areas.** (a) **Except as provided in (c) of this section, a** [A NATURAL]  
6 person who without compensation **constructs,** maintains, or repairs an aircraft  
7 runway, airfield, or landing area may not be held civilly liable, except for an act or  
8 omission that constitutes gross negligence or recklessness or intentional misconduct,  
9 for the injury to or death of a person or for damage to an aircraft, resulting from the  
10 use of the runway, airfield, or landing area to take off, land, **park,** or operate an  
11 aircraft.

12           (b) A [NATURAL] person who is the owner or operator of an aircraft runway,  
13 airfield, or landing area [THAT IS LOCATED ON PRIVATE LAND] is not civilly

1        liable, except for an act or omission that constitutes gross negligence or recklessness  
2        or intentional misconduct, for the injury to or the death of a person or for damage to an  
3        aircraft, resulting from the use or attempted use of the runway, airfield, or landing area  
4        to take off, land, **park**, or operate an aircraft while the runway, airfield, or landing  
5        area is

6                    (1) marked as closed by placement of a large "X" **on the runway, in**  
7        **accordance with Federal Aviation Administration guidelines** [THAT IS READILY  
8        VISIBLE FROM THE AIR]; and

9                    (2) listed **or chartered, and designated** as closed in the appropriate  
10        aeronautical charts and publications published by the Federal Aviation Administration.

11        \* **Sec. 2.** AS 09.65.093 is amended by adding a new subsection to read:

12                    (c) The immunity from civil liability under (a) of this section does not limit  
13        the liability of an owner or operator of an aircraft runway, airfield, or landing area to a  
14        provider of flight services or its passengers under contract with the owner or operator.