



LAWS OF ALASKA

1966

Source:

HB 525 am by Senate

Chapter No.:

147

AN ACT

Relating to air taxi operators; and providing for an effective date.

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

* Section 1. AS 02.05 is amended by adding a new section to read:

Sec. 02.05.055. PUBLIC CONVENIENCE AND NECESSITY REQUIRED FOR OPERATION OF DIFFERENT TYPES OF AIRCRAFT. Before a certificated contract or air taxi operator may operate a different type of aircraft than that which he operated in Alaska during the period of May 1, 1965, to May 1, 1966, there must be a finding by the commission that public convenience and necessity require it unless there is no service being provided in aircraft of that type within 50 miles of the operator's base of operations.

* Sec. 2. AS 02.05.080(a)(2) is amended to read:

(2) if the commission finds that air commerce and the performance of it by the applicant in the type of aircraft for which a certificate is requested under (e) of this section is required by the public convenience and

necessity and is consistent with the declaration of policy contained in sec. 10 of this chapter.

* Sec. 3. AS 02.05.080 is amended by adding a new subsection to read:

(e) A certificate issued by the commission after May 1, 1966, shall specify whether the certificated air carrier may operate fixed-wing aircraft, rotary-wing aircraft, or both.

* Sec. 4. AS 02.05.110 is amended to read:

Sec. 02.05.110. TRANSFER OF CERTIFICATES. (a) A certificate may be transferred or leased subject to the approval of the commission, and under such reasonable rules and regulations as the commission may prescribe. Except where a transfer of a certificate results by operation of law, approval of a transfer or lease may be given only upon a finding by the commission, after notice and opportunity for a hearing, that the transfer or lease will be consistent with the public interest. The application for approval shall be made jointly by the transferor and transferee or lessor and lessee.

(b) The transferee or lessee of a certificate issued after May 1, 1966, may only operate the type of aircraft specified on the certificate.

(c) A transferee or lessee of a certificate issued before May 1, 1966, may only operate the type of aircraft operated by the transferor or lessor in air commerce during the period of one year immediately preceding the date on which application is made for approval of the transfer or lease.

(d) Regardless of the date of issuance of a certificate, a transferee or lessee who wishes to operate aircraft of the

type not operated by the transferor or lessor must apply to the commission for a certificate of convenience and necessity under sec. 70 of this chapter and qualify as a certified carrier with respect to operating that type of aircraft in air commerce.

* Sec. 5. AS 02.05.250 is amended by adding a new paragraph to read:

(6) "type of aircraft" means the classification of aircraft as being either fixed-wing aircraft or rotary-wing aircraft.

* Sec. 6. This Act takes effect May 1, 1966.