



LAWS OF ALASKA

2004

Source

CSHB 474(JUD) am

Chapter No.

AN ACT

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

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.

2 _____
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 charted, 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.