

CS FOR SENATE BILL NO. 345(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/26/04

Referred: Rules

Sponsor(s): SENATORS SEEKINS, Dyson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to civil liability associated with aircraft runways, airfields, and landing
2 areas."

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

4 * **Section 1.** AS 09.65.093 is amended to read:

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

1 or intentional misconduct, for the injury to or the death of a person or for damage to an
2 aircraft, resulting from the use or attempted use of the runway, airfield, or landing area
3 to take off, land, **park**, or operate an aircraft while the runway, airfield, or landing
4 area [IS]

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

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