

Introduced: 4/12/66
Referred: Commerce

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE
BY REQUEST

2 HOUSE BILL NO. 525

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to air taxi operators; and
7 providing for an effective date."

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

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

11 Sec. 02.05.055. PUBLIC CONVENIENCE AND NECESSITY
12 REQUIRED FOR OPERATION OF DIFFERENT TYPES OF AIRCRAFT.

13 Before a certificated contract or air taxi operator may
14 operate a different type of air craft than that which he
15 operated in Alaska during the period of May 1, 1965, to
16 May 1, 1966, there must be a finding by the commission that
17 public convenience and necessity require it.

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

19 (2) if the commission finds that air commerce and
20 the performance of it by the applicant in the type of air-
21 craft for which a certificate is requested under (e) of
22 this section is required by the public convenience and
23 necessity and is consistent with the declaration of policy
24 contained in sec. 10 of this chapter.

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

27 (e) A certificate issued by the commission after May 1,
28 1966, shall specify whether the certificated air carrier may
29 operate fixed-wing aircraft, rotary-wing aircraft, or both.

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

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

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

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

22 (d) Regardless of the date of issuance of a certificate,
23 a transferee or lessee who wishes to operate aircraft of the
24 type not operated by the transferor or lessor must apply to
25 the commission for a certificate of convenience and necessity
26 under sec. 70 of this chapter and qualify as a certified
27 carrier with respect to operating that type of aircraft in
28 air commerce.

29 * Sec. 5. AS 02.05.250 is amended by adding a new paragraph

1 to read:

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

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

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