

Introduced: 2/18/80
Referred: State Affairs and
Judiciary

1 IN THE SENATE

BY FAHRENKAMP

2 SENATE BILL NO. 454

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to aircraft."

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

8 * Section 1. AS 02.35 is amended by adding a new section to read:

9 Sec. 02.35.117. MANUFACTURERS RESPONSIBILITY FOR AIRWORTHINESS
10 DIRECTIVES. (a) The owner of an aircraft registered under AS 02.35.040
11 shall be reimbursed by the manufacturer of the aircraft for money ex-
12 pended to bring the aircraft into compliance with airworthiness direc-
13 tives issued under 49 U.S.C.A. sec. 1429 by the Federal Aviation Adminis-
14 tration of the United States Department of Transportation.

15 (b) The registered owner shall give written notice to the manufac-
16 turer of the cost which he has incurred in bringing the aircraft into
17 compliance with airworthiness directives issued by the Federal Aviation
18 Administration. The notice shall include proof of payment, the name of
19 the repair agency, the particular airworthiness directive involved, and
20 the serial number of the aircraft. Failure to reimburse the registered
21 owner within 60 days after receipt of written notice is a violation of
22 this section and creates a cause of action in favor of the registered
23 owner for all costs incurred in seeking reimbursement, including reason-
24 able attorney fees.

25 (c) Reimbursement under (a) of this section is limited to the cost
26 of parts, labor, and related expenses necessary to comply with the
27 airworthiness directive and does not include reimbursement for loss of
28 service.

29 (d) Reimbursement under (a) of this section is limited to the

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five-year period following the date of first delivery by the manufacturer or his agent to the first registered owner of the aircraft.