

Introduced: 3/18/81
Referred: Labor & Commerce

1 IN THE SENATE

BY FAHRENKAMP AND FERGUSON

2 SENATE BILL NO. 308

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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 chapter to read:

9 CHAPTER 37. AIRWORTHINESS DIRECTIVES.

10 Sec. 02.35.117. MANUFACTURERS TO REIMBURSE FOR COSTS OF AIRWORTHINESS DIRECTIVES. (a) The owner of an aircraft registered under AS 02.35.040 shall be reimbursed by the manufacturer of the aircraft for money expended to bring the aircraft into compliance with airworthiness directives issued under 49 U.S.C.A. sec. 1429 by the Federal Aviation Administration of the United States Department of Transportation.

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

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

1 (d) Reimbursement under (a) of this section is limited to the
2 five-year period following the date of first delivery by the manufac-
3 turer or his agent to the first registered owner of the aircraft.

4 (e) This section does not apply to a manufacturer who manufactures
5 50 or fewer aircraft a year.
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