

Original sponsor: Transportation Committee

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 196 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to enplanements, enforcement of  
7 compliance with financial responsibility and certi-  
8 ficate of compliance requirements for air carriers,  
9 penalties, issuance and display of certificates of  
10 compliance, and the definition of aircraft; and  
11 providing for an effective date."

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

13 \* Section 1. AS 02.15.050 is amended by adding a new subsection to  
14 read:

15 (g) The department may acquire data on passenger enplanements  
16 from air carriers; however, the department may not obtain passenger  
17 manifests.

18 \* Sec. 2. AS 42.30.200(c) is amended to read:

19 (c) The department may authorize department personnel to enforce  
20 this section and may adopt procedural regulations necessary to imple-  
21 ment this section. Upon finding a violation the department may issue  
22 a stop use order.

23 \* Sec. 3. AS 42.30.200(e) is amended to read:

24 (e) A person who violates [(a) OF] this section is guilty of a  
25 class A [B] misdemeanor and is punishable by a fine of not less than  
26 \$1,000 [\$500] or more than \$5,000 for each day of violation but not to  
27 exceed \$10,000 for each violation [\$1,000].

28 \* Sec. 4. AS 42.30.225(a) is amended to read:

29 (a) A person may not use an aircraft in air commerce before

1 obtaining an annual certificate of compliance for that aircraft from  
2 the department. The department may issue a certificate of compliance  
3 for one aircraft or a fleet of two or more aircraft. The department  
4 shall issue or renew a certificate of compliance upon application and  
5 presentation of

6 (1) proof of financial responsibility required under  
7 AS 42.30.200;

8 (2) proof of compliance with Federal Aviation Adminis-  
9 tration requirements, and, where applicable, federal certification for  
10 scheduled airline service.

11 \* Sec. 5. AS 42.30.225(b) is amended to read:

12 (b) The annual fee for a certificate of compliance is \$50 per  
13 calendar year for one aircraft and \$100 per calendar year for a fleet  
14 of two or more aircraft [. THE CERTIFICATE IS VALID FOR A PERIOD OF  
15 12 MONTHS FOLLOWING THE DATE OF CERTIFICATION]. The certificate shall  
16 be [DISPLAYED ON THE AIRCRAFT SO THAT IT IS] visible to boarding  
17 passengers.

18 \* Sec. 6. AS 42.30.225(b) is repealed and reenacted to read:

19 (b) The annual fee for a certificate of compliance for one  
20 aircraft and for a fleet of two or more aircraft shall be set by the  
21 department by regulation. The certificate is valid for a calendar  
22 year. The certificate shall be visible to boarding passengers.

23 \* Sec. 7. AS 42.30.225(e) is amended to read:

24 (e) The department may authorize department personnel to enforce  
25 this section and may adopt procedural regulations necessary to imple-  
26 ment this section. Upon finding a violation the department may issue  
27 a stop use order.

28 \* Sec. 8. AS 42.30.225 is amended by adding a new subsection to read:

29 (g) A person who violates this section is guilty of a class B

1       misdemeanor and is punishable by a fine of not less than \$500 or more  
2       than \$1,000.

3       \* Sec. 9. AS 42.30.380(3) is amended to read:

4               (3) "aircraft" means a propeller, rotor, or jet-powered  
5       device used or designed for flight in the air;

6       \* Sec. 10. Notwithstanding AS 42.30.225(b), as amended by sec. 5 of  
7       this Act, a certificate of compliance issued by the Department of Commerce  
8       and Economic Development and in effect on the day before the effective date  
9       of sec. 5 of this Act is valid for the period issued.

10      \* Sec. 11. AS 42.30.225(c) and 42.30.225(d) are repealed.

11      \* Sec. 12. Section 6 of this Act takes effect January 1, 1989.