

SENATE BILL NO. 433

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR ADAMS

Introduced: 2/18/92
Referred: Transportation, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act amending the requirements relating to the registration of aircraft with the
2 Department of Transportation and Public Facilities, and increasing the fee for the
3 registration of those aircraft; and providing for an effective date."

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

5 * **Section 1.** AS 02.20.010(a) is amended to read:

6 (a) Every owner or operator of an aircraft that is based in the state shall annually, not
7 later than a date determined by the department by regulation, register the aircraft with the
8 department [AT THOSE TIMES DESIGNATED BY IT WHEN, IN ITS JUDGMENT
9 REGISTRATION IS NECESSARY BY REASON OF EMERGENCY OR MILITARY
10 NECESSITY].

11 * **Sec. 2.** AS 02.20.010(b) is amended to read:

12 (b) Registration shall be made upon a form furnished by the department and shall set out
13 [FORTH] the following information:

14 (1) name and address of owner;

- 1 (2) make, type, model, and license number of aircraft;
- 2 (3) make, quantity, and horsepower of engines;
- 3 (4) seating capacity, cruising range, and special utility of aircraft;
- 4 (5) make, power, and frequencies of radio transmitter;
- 5 (6) other radio equipment and flight instruments;
- 6 (7) location of airport at which usually based;
- 7 (8) any additional [SUCH FURTHER] information [AS] the department may
- 8 require by regulation [DURING A NATIONAL EMERGENCY OR IF REQUESTED BY THE
- 9 MILITARY AUTHORITIES].

10 * Sec. 3. AS 02.20.010(c) is amended to read:

11 (c) The department shall make registration [REGISTRATION] forms [SHALL BE]

12 available at

- 13 (1) the offices [OFFICE] of the department; and
- 14 (2) at the manager's office at all major airports within the state.

15 (d) At the time of registration of the aircraft, the person submitting the registration

16 form shall pay, and the department shall collect, a registration fee. The registration fee [IS

17 \$1 FOR EACH AIRCRAFT, AND THIS FEE], together with the completed registration form,

18 shall be mailed or [OTHERWISE] delivered to the [OFFICE OF THE] department.

19 * Sec. 4. AS 02.20.010 is amended by adding new subsections to read:

20 (e) The department shall adopt regulations that establish the amount and manner of

21 payment of the fee required by this section. The fee

- 22 (1) may not be less than \$100 or more than \$250; and
- 23 (2) should reflect the value of the aircraft based on the factors set out in (b)(2) -
- 24 (4) of this section.

25 (f) Five percent shall be added to a fee for each 30-day period or fraction of the period

26 during which a person required to register an aircraft under this section fails to register at the

27 time required by regulation or fails to pay the full amount of the fee, or a portion or a deficiency

28 of the fee, as finally determined by the department and required by this section. The penalty may

29 not exceed 25 percent in the aggregate. The penalty imposed by this subsection shall be

30 collected at the same time, in the same manner, and as a part of the original fee.

31 (g) A person required to collect or account for a fee imposed by this section who wilfully

1 fails to collect the fee or to truthfully account for and pay over the fee, or wilfully attempts to
2 evade payment of the fee is, in addition to other penalties provided by law, liable for a civil
3 penalty equal to the total amount of the fee not collected, not accounted for, not paid over, or
4 evaded. The penalty imposed by this subsection is in place of the fee not paid to the state. This
5 penalty shall be paid upon demand by the commissioner or a designee of the commissioner, and
6 shall be assessed and collected in the same manner as assessment and collection of a fee under
7 AS 43.

8 (h) This section does not apply to

9 (1) aircraft used exclusively for commercial purposes; an aircraft is used for
10 commercial purposes if it is used exclusively for activities for which the person receives direct
11 monetary compensation and activities incidental to and done in furtherance of the person's
12 primary business; or

13 (2) public aircraft.

14 * Sec. 5. This Act takes effect January 1, 1993.