

CS FOR HOUSE BILL NO. 360(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/8/94
Referred: Rules

Sponsor(s): REPRESENTATIVE BUNDE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to civil liability for guest passengers on an aircraft or
2 watercraft; and providing for an effective date."

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

4 * Section 1. AS 09.65 is amended by adding a new section to read:

5 Sec. 09.65.112. CIVIL LIABILITY FOR AIRCRAFT AND WATERCRAFT
6 GUEST PASSENGERS. (a) An owner or operator of an aircraft or watercraft is not
7 liable for the civil damages of a person being transported in the owner's or operator's
8 aircraft or watercraft if the owner or operator is not being compensated for the
9 transportation.

10 (b) This section does not apply to a civil action

11 (1) for damages resulting from

12 (A) gross negligence or reckless or intentional misconduct;

13 (B) an act or omission of an owner or operator of an aircraft or
14 watercraft who is a common carrier; or

1 (C) an act or omission of an owner or operator of an aircraft or
2 watercraft that occurs while demonstrating an aircraft or watercraft to a
3 prospective buyer; or

4 (2) described under (a) of this section if the owner or operator has
5 insurance that would compensate the claimant for civil damages awarded against the
6 owner or operator; an owner or operator who is insured as described in this paragraph
7 is not liable for civil damages described in (a) of this section that exceed the applicable
8 insurance.

9 (c) In this section, "compensated" means substantial payment in money,
10 services, or materials, but does not include a token payment.

11 * Sec. 2. This Act applies to a cause of action that accrues on or after the effective date
12 of this Act.

13 * Sec. 3. This Act takes effect July 1, 1994.