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308



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

SUMMARY SB 308:

The owner of an aircraft registered under AS02.35.040 shall be reimbursed by the manufacturer for money expended to bring the aircraft into compliance with airworthiness directives as established by the FAA.

The registered owner of the aircraft shall give written notice to the manufacturer of the costs incurred in achieving compliance with the airworthiness directives. The notice must include proof of payment, the name of the repair agency, the airworthiness directive involved, and the serial number of the aircraft. Failure of the manufacturer to reimburse the owner within 60 days after receipt of the notice is a violation of this section and constitutes a cause of action in favor of the registered owner for all costs incurred in seeking reimbursement, including reasonable attorney fees.

Reimbursement is limited to the cost of parts, labor, and expenses necessary to comply with airworthiness directives. Does not include reimbursement for the loss of service.

Reimbursement is limited to the 5 year period after the date of delivery by the manufacturer to the first registered owner.

A manufacturer of 50 or fewer aircraft a year is exempt from this Statute.

Sec. 02.35.030. Airman license required. No person may act as an airman of a civil aircraft when that aircraft is flown or operated in this state unless that person has an appropriate existing license or permit under federal law. (§ 32-6-4 ACLA 1949)

Sec. 02.35.040. Registration of aircraft. No aircraft shall be operated or be flown in this state until a certified copy of federal license or permit, as required in AS 02.35.020, has been filed with the department, and persons operating aircraft in the state shall within 30 days after the first day of January of each year file a certified copy of the federal license or permit with the department. (§ 32-6-5 ACLA 1949; am § 16 ch 123 SLA 1949)

Sec. 02.35.050. Registration of airmen. No person may act as an airman of a civil aircraft when that aircraft is flown or operated in the state until a certified copy of that person's federal license or permit, as required in AS 02.35.030, has been filed with the department, and every airman of any civil aircraft in the state shall within 30 days after the first day of January of each year file a certified copy of his federal license or permit with the department. (§ 32-6-6 ACLA 1949; am § 16 ch 123 SLA 1949)

Sec. 02.35.060. Proper officer to make and certify copies of licenses. The certified copies of licenses and permits required to be filed with the department under the provisions of this chapter may be made and certified by any officer authorized to administer oaths and having an official seal, inside or outside the state. No charge may be made by the department for the filings required. (§ 32-6-7 ACLA 1949; am § 16 ch 123 SLA 1949)

Sec. 02.35.070. Receipts for certified certificates. The department, upon receipt of certified certificates as provided by AS 02.35.020 — 02.35.050, shall immediately issue to the proper party a receipt for the certified certificate, which is prima facie evidence that the party has complied with the registration requirements of this chapter. (§ 32-6-8 ACLA 1949; am § 16 ch 123 SLA 1949)

Probative value of receipt. — The receipt for the certified certificate, which is made prima facie evidence by this section, would be better evidence of the issuance and registration and contents of a pilot's license than the testimony of a witness thereto. This receipt would be of equal

probative value with the license itself, and cover the additional point of compliance with the law of Alaska. *Smith v. Pacific Alaska Airways, Inc.*, 9 Alaska 86, 89 F.2d 253 (9th Cir.), cert. denied, 9 Alaska 234, 302 U.S. 760, 58 S. Ct. 20, 82 L. Ed. 541 (1937).

Sec. 02.35.080. Exceptions to application of chapter. The provisions of this chapter do not apply to the first entry of a civil aircraft or airman while engaged exclusively in commercial flying, constituting an act of interstate or foreign commerce, nor does it apply to a public aircraft. (§ 32-6-10 ACLA 1949)

Sec. 02.35.090. Certificate, permit, or federal government operating in demand of a municipality, official, or airman lands certificate, permit, or aircraft shall operating in where it may presented for officer of the employee of an airport request of an

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THE LEGISLATURE OF THE STATE OF ALASKA
 TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 308
 Title An act relating to aircraft.
 Requested by (Senate Labor & Commerce Committee) Date 3/24/81

II. FISCAL DETAIL

Agency Affected _____
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY'81	FY82	FY83	FY84	FY 85	FY'86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact on this department.

IV. DATE 3/31/81 PREPARED BY John Bates
 AGENCY Transportation & Public Facilities
 PHONE _____
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)