

HB

544

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMFR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

*House Transportation:*

*3/30/88*



Official Business

# Alaska State Legislature

House of Representatives

House Transportation Committee

P. O. Box V  
Juneau, Alaska  
99811

Phone:  
(907) 465-4859

March 30, 1988

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## COMMITTEE CALENDAR:

SJR 27: Urging the United States Army Corps of Engineers to dredge the shoal developing in St. Paul Harbor, Kodiak.

SJR 68: Relating to radioluminescent runway lights.

HB 544: "An Act relating to civil liability for voluntary aircraft inspection programs."

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

a folder on SJR 27 that includes:

- item #1: SJR 27
- #2: a statement from Senator Zharoff
- #3: fiscal note - DOT/PF
- #4: position paper - DOT/PF
- #5: map of the shoal
- #6: status of the shoal
- #7: correspondences to and from the Governor
- #8: correspondences to and from the Alaska's congressional delegation
- #9: information on the original soundings

a folder on SJR 68 that includes:

- item #1: SJR 68
- #2: fiscal note - DOT/PF
- #3: a statement from Sen. John Binkley
- #4: letter of support - DOT/PF Commissioner
- #5: resolutions and a letter of support

a folder on HB 544 that includes:

- item #1: HB 544
- #2: fiscal note - Dept. of Public Safety
- #3: position paper - Dept. of Public Safety
- #4: background information
- #5: statutes

FISCAL NOTE

REQUEST

Revision Date: \_\_\_\_\_  
Title: "An Act relating to civil liability for  
voluntary aircraft inspection programs."  
Sponsor: Transportation Committee  
Requestor: House Transportation

Agency Affected: Public Safety  
BRU: DPS Administration  
Components: Civil Air Patrol

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Capt. C. Roger McCoy

Division: Commissioner's Office

Phone: 465-4322

Date: 3/30/88

Approved by Commissioner: Arthur English 

Agency: Public Safety

Date: 3/30/88

Distribution: (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)



*from Rep. Barnes' Office*

SUBJECT: Immunity from civil liability for voluntary aircraft inspections.

TO: Transportation Committee

The objective of this bill is to encourage qualified personnel to participate in a voluntary, complimentary aircraft safety inspection program. Each Spring, various groups of individuals visit airports across the State to perform complimentary aircraft inspections. The purpose of these inspections is to seek out winter damage to frames, struts, etc., and to inform the pilots and owners of the potentially dangerous situations involving their aircraft. As the situation now stands, as a result of these Good Samaritan efforts, should one of these persons miss a potentially hazardous situation and an injury result, the resulting liabilities would be ruinous to the person performing the complimentary inspection, even though there was no charge for the inspection and it was performed at the request of the aircraft owner.

The only solution to this problem would seem to be introduction and passage of Good Samaritan legislation protecting such endeavors. Failing this remedy, the only alternative seems to be some form of State funded insurance program, which is economically impossible at this time, and extremely unsound under any conditions.

TO: REP. BETTE CATO, CHARIPERSON  
HOUSE TRANSPORTATION COMMITTEE

RE: HB 544

Formerly, the FAA conducted a "Spring Break" safety inspection program, but this has been discontinued. Currently the only program being conducted in Alaska is an educational safety program conducted by the Alaska Aviation Safety Foundation. This program is presented on public television on Thursday nights. The program features interviews with various persons, ranging from FAA employees to private pilots, and deals with various phases of safety training.

In 1987, the Foundation conducted in excess of 400 tests on Emergency Locator Transmitters, and found approximately one-half of them to be defective. The Foundation also conducted approximately 40 Educational Safety Programs for pilots. These programs were presented from Bethel to Glen Allen and from Barrow to Ketchikan. There have been over 500 pilots reached through this program. Additionally, the Foundation has produced a video entitled "Passenger Safety In Alaska" which has been shown all over the State.

To conduct a voluntary or complimentary inspection such as the Foundation has in mind would require a team of qualified persons and would be performed at the aircraft owner's request. This is not being done at the present time, due to the liability factor. The objective of this bill is to extend freedom from liability to these persons under the Good Samaritan theory. There would be no exemption from liability for intentional or wilful acts, or omissions.

# HOUSE COMMITTEE REPORT

(7)

Date referred: 3/21/88

FURTHER REFERRALS: Labor & Commer

DATE: 3-30-88

The Transportation Committee has considered HB 544

"An Act relating to civil liability for voluntary aircraft inspection programs."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

**SIGNING OTHER RECOMMENDATIONS:**

*Ed C. Boucher*  
*Bill Anderson*  
*Mike Miller*  
*Heinrich Spruijs*

*Heinrich Spruijs - No Rec*

*Heinrich Spruijs*  
 Chairman's signature



Official Business

**COMMITTEE:**

House Transportation Committee

**DATE:** March 30, 1988

**SIGN-IN**

**Subject of meeting:**

- SJR 27: Urging the U.S. Army Corps of Engineers to dredge the shoal developing in St. Paul Harbor, Kodiak.
- SJR 68: Relating to Radioluminescent Runway Lights.
- \* HB 544: "An Act relating to civil liability for Voluntary Aircraft Inspection Programs."

NAME Please include title	ADDRESS Please use full address. Please include zip.	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY? <i>which legislator</i>
Roger McCoy	P.O. Box 2 JUNEAU, AK, 99811	465-4322	DEPT. OF PUBLIC SAFETY	AVAILABLE FOR QUESTIONS THAT MAY ARISE
MICHAEL THILL	CAP RM 121	4922	SEN ZHAROFF	SJR 27
Janice Blair		4985	Binkley	SJR 68

\* indicates first public hearing