

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 23

S. P. 31

In Senate, Jan. 23, 1929.

Referred to Committee on Aeronautics and Radio Control and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Spear of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Concerning the Licensing of Airmen and Aircraft,
Concerning Air Traffic Rules, and to Make Uniform the
Law with Reference Thereto.

Be it enacted by the People of the State of Maine, as follows:

Section 1. (*Definition of Terms.*) In this act,

The term "aircraft" means any contrivance now known
2 or hereafter invented, used, or designed for navigation of
3 or flight in the air, except a parachute or other contrivance
4 designed for such navigation but used primarily as safety
5 equipment.

The term "public aircraft" means an aircraft used exclu-
2 sively in the governmental service of the United States or
3 of any state or territory thereof.

The term "civil aircraft" means any aircraft other than
2 a public aircraft.

The term "airman" means any individual (including the
2 person in command, and any pilot, mechanic or member of
3 the crew) who engages in the navigation of aircraft, while
4 under way, and any individual who is in charge of the in-
5 spection, overhauling or repairing of aircraft.

The term "person" means an individual, a partnership, or
2 two or more individuals having a joint or common interest,
3 or a corporation.

Sect. 2. (*Federal Law Followed.*) It is hereby declared
2 that the policy, principles and practices established by the
3 United States Air Commerce Act of 1926, and all amend-
4 ments thereto, are hereby adopted and extended and made
5 applicable, mutatis mutandis, to cover all air traffic in this
6 state, so far as not covered by federal law at any time.

Sect. 3. (*Power to Regulate.*) The secretary of state
2 shall administer the provisions of this act, and for such
3 purpose is authorized to make such regulations as are neces-
4 sary to execute the functions vested in him by this act, in-
5 cluding air traffic rules, which regulations shall conform
6 to and coincide with, so far as possible, the provisions of
7 the Air Commerce Act of 1926, and amendments thereto,
8 passed by the Congress of the United States and air com-
9 merce regulations and air traffic rules issued from time to
10 time pursuant thereto.

Sect. 4. (*Aircraft License Required.*) No civil aircraft

2 shall be flown in this state unless such aircraft either is
3 licensed as provided by section six of this act, or shall have
4 an appropriate existing license under federal law.

Sect. 5. (*Airman License Required.*) No person shall
2 act as an airman of any civil aircraft when such aircraft
3 is flown or operated in this state unless he shall have either
4 a license as provided in section seven of this act, or an
5 appropriate existing license under federal law.

Sect. 6. (*Licensing of Aircraft.*) The secretary of state
2 shall provide for the issuance and expiration, and for the
3 suspension and revocation of licenses of civil aircraft, in
4 accordance with regulations promulgated by him, which reg-
5 ulations shall conform to and coincide with, so far as pos-
6 sible, the provisions of the Air Commerce Act of 1926, and
7 amendments thereto, passed by the Congress of the United
8 States, and air commerce regulations issued from time to
9 time pursuant thereto.

Sect. 7. (*Licensing of Airmen.*) The secretary of state
2 shall provide for the issuance and expiration, and for the
3 suspension and revocation of licenses as airmen to persons
4 applying therefor in accordance with regulations promul-
5 gated by him, which regulations shall conform to and coin-
6 cide with, so far as possible, the provisions of the Air Com-
7 merce Act of 1926, and amendments thereto, passed by the
8 Congress of the United States, and air commerce regula-
9 tions issued from time to time pursuant thereto.

Sect. 8. (*Fees.*) The secretary of state shall collect fees
2 as follows:

- 3 For the examination and tests of an applicant
- 4 for an airman's license..... (\$15.00)
- 5 For the examination and inspection of an air-
- 6 craft (\$25.00)
- 7 For the issuance of certificate of registration for
- 8 every aircraft (\$5.00)

9 which fees shall be paid over to the state treasury.

Sect. 9. (*Exceptions.*) The provisions of this act shall
2 not apply to civil aircraft or airmen while engaged exclu-
3 sively in commercial flying constituting an act of interstate
4 or foreign commerce, nor to public aircraft.

Sect. 10. (*Penalties for Violation of This Act.*) Any
2 person who acts as an airman for any civil aircraft when
3 flown or operated in this state (except as in section nine
4 provided) without holding an existing airman's license is-
5 sued either in accordance with the provisions of this act or
6 under federal law; or who flies or causes to be flown in
7 this state any civil aircraft (except as in section nine pro-
8 vided) without an existing license for such aircraft issued
9 either in accordance with the provisions of this act or un-
10 der federal law; or who violates any provision of this act
11 or any rule or regulation promulgated hereunder, shall be
12 punishable by a fine of not more than five hundred dollars
13 or by imprisonment for not more than six months or both.

Sect. 11. (*Uniformity of Interpretation.*) This act shall

2 be so interpreted and construed as to effectuate its general
3 purpose to make uniform the law of those states which
4 enact it.

Sect. 12. (*Short Title.*) This act may be cited as the
2 Uniform Air Licensing Act.

Sect. 13. (*Repeal.*) Chapter two hundred twenty of the
2 public laws of nineteen hundred twenty-three as amended
3 by chapter one hundred eighty-five of the public laws of
4 nineteen hundred twenty-five, and all other acts or parts
5 of acts which are inconsistent with the provisions of this
6 act are hereby repealed.