

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 888

(Transmitted from the Revisor of Statutes under Joint Order)

S. P. 440

In Senate, February 14, 1941.

Referred to Committee on Legal Affairs. Sent down for concurrence and 650 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Fellows of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Consolidating the Aviation Laws.

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

Sec. 1. P. L., 1939, c. 8, amended. Sections 1 and 2 of chapter 8 of the public laws of 1939 are hereby amended to read as follows:

‘Sec. 1. Commission to be appointed. The governor, with the advice and consent of the council, is hereby authorized to appoint a ~~committee~~ **commission** of 3, ~~all residents of Maine, to serve during the pleasure of the governor and council~~ **citizens of the state, to serve for the following terms; in the first instance, one for a term of 3 years, one for a term of 2 years, and one for a term of 1 year. Thereafter at the expiration of the term of office of any member, the governor shall appoint a citizen of the state to serve for a term of 3 years or until his successor is duly appointed and qualified. In case of the death or resignation of any member, the governor with the advice and consent of his council shall appoint a citizen of Maine to serve for the remainder of the unexpired term, or until his successor is duly appointed and qualified.’**

‘Sec. 2. No compensation. The said ~~committee~~ **commission** shall re-

ceive ~~neither~~ no compensation for their services ~~nor expenses incurred~~ during their term of office but shall be reimbursed for actual expenses incurred in the performance of their official duties.'

Sec. 2. P. L., 1939, c. 8, amended. Sections 3, 4 and 5 of chapter 8 of the public laws of 1939 are hereby repealed and the following sections enacted, to be numbered as follows:

'Sec. 3. Duties of commission. The commission shall administer the laws relating to aeronautics and shall make such rules and regulations concerning air traffic as may be necessary to promote public safety and the best interests of aviation in the state; provided, however, that such rules and regulations shall not be inconsistent with the then current federal regulations governing aeronautics. The commission shall advance the interests of aeronautics within the state by studying aviation needs, assisting and advising authorized representatives of political subdivisions within the state in the development of aeronautics and by cooperating and coordinating with such other agencies, whether local, state, regional or federal, as may be working toward the development of aeronautics within the state.

The commission shall supervise and control all state airports and shall make such rules and regulations concerning the use of the said airports and their facilities as they deem necessary for the efficient management thereof and the development of aviation.'

'Sec. 4. Registration of pilots, riggers and planes. No civil aircraft shall be flown in the state unless such aircraft and its pilot are properly licensed under federal law and unless they have an unrevoked or unsuspended certificate of registration as provided for by this chapter.

All aircraft pilots operating in the state shall register with the commission and pay a fee of \$1.

All aircraft owners operating planes in the state shall register each aircraft with the commission and pay a fee of \$1 for each registration.

All parachute riggers operating in the state shall register with the commission and shall pay a fee of \$1.

All persons, firms or corporations registering under the provisions of this act shall receive a certificate thereof.

Any certificate issued under the provisions of this act may be revoked or suspended by the commission after hearing, whenever the owner thereof violates any of the provisions of this chapter or any of the rules and regulations issued under the authority of the provisions of this chapter.'

'Sec. 5. Terms defined. When used in this chapter, the term "aircraft" means any contrivance now known or hereafter invented, used, or designed

for navigation of, or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment.

The term "public aircraft" means any aircraft used exclusively in the governmental service of the United States or of any state or territory thereof.

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

The term "airman" means any individual, including the person in command, and any pilot, mechanic or member of the crew, who engages in the navigation of aircraft, while under way, and any individual who is in charge of the inspection, overhauling or repairing of aircraft.

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

The term "aeronautics" means the operation of aircraft and all acts incidental or necessary to their operations, such as promotion of corporations, building and equipping landing fields, improving and marking the fields and establishing directional signs.

The term "rigger" means any persons licensed by the federal government for packing, repairing and maintaining parachutes.'

'Sec. 6. Aeronautical director. The commission shall appoint an aeronautical director to serve at its pleasure. The director shall act as executive officer of the commission and under its direction shall administer the aeronautical laws and enforce the rules and regulations of the commission. The salary of the director shall be fixed by the commission subject to the approval of the governor and council.'

'Sec. 7. Penalty. Whoever violates any provision of this chapter or any rules or regulations promulgated hereunder shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months.'

'Sec. 8. Inconsistent statutes repealed. Sections 1 to 12 inclusive, of chapter 30 of the revised statutes, chapter 148 of the public laws of 1931, chapter 265 of the public laws of 1933, chapter 148 of the public laws of 1935, section 1 of chapter 168 of the public laws of 1939, being inconsistent with the provisions of this chapter, are hereby repealed.'