

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1963 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 1

Discard Previous Supplement

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1963

signals for the purpose of safeguarding or protecting its workmen and facilitating and protecting travel along the highway by the traveling public.

(1961, c. 119, § 2.)

Effect of amendment.—The 1961 amendment added the last sentence of the first paragraph.

As the rest of the section was not affected by the amendment, it is not set out.

Chapter 24.

Aviation.

Sec. 1. Title.

Cross references.—See c. 91-A, §§ 123-132, re excise tax on aircraft. See c. 91-A, § 128, re payment of excise tax as pre-

requisite to registration under this chapter.

Sec. 4. Aeronautics commission; appointment; terms.—The aeronautics commission, as heretofore established, shall consist of 5 persons who shall be residents of the state and who shall be appointed by the governor, with the advice and consent of the council, one to serve for one year, 2 to serve for 2 years and 2 to serve for 3 years. One member of the commission shall be a commercial airport operator, one member shall be regularly employed in the aviation trades and 3 members shall be in no way connected with the aviation industry. After the original appointments each member shall be appointed and serve for a term of 3 years and until his successor is duly appointed and qualified. Members to fill vacancies shall be appointed for the unexpired term and shall serve until their successors are appointed and qualified. The commission shall organize annually by electing from its membership a chairman. Each member of the commission shall receive as compensation for each day actually spent on the work of the commission the sum of \$20 and his actual and necessary expenses incurred in the performance of duties pertaining to his office. (R. S. c. 21. 1949, c. 389. 1959, c. 120.)

Effect of amendment.—The 1959 amendment rewrote this section, changing the terms of office.

Sec. 5. Duties.

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. The commission, with the consent of the governor and council, may lease facilities at state-owned airports on such terms as they direct.

The commission shall have the care and supervision of such planes as may be owned by the state for the use of its departments and agencies and shall provide adequate hanger facilities and be responsible for the maintenance, repair, upkeep and operation of such planes, and for that purpose the governor and council may authorize the advance of working capital from the unappropriated surplus of the general fund. The commission is authorized to charge said departments and agencies requisitioning planes amounts sufficient to reimburse the commission for operating expense of said planes. Planes owned or operated by the department of inland fisheries and game, the department of sea and shore fisheries or the forestry department are exempt and excluded from this paragraph. (R. S. c. 21. 1949, c. 389. 1957, c. 229. 1961, c. 347.)

Effect of amendments. — The 1957 amendment added the last sentence of the second paragraph.

The 1961 amendment, effective on its approval, June 8, 1961, added “the depart-

ment of sea and shore fisheries” in the last sentence of the last paragraph.

As the rest of the section was not changed by the amendments, only the second and last paragraphs are set out.

Sec. 11. Federal aid.—Cities, towns and counties separately and cities or towns jointly with one another or with counties are authorized to accept, establish, construct, own, lease, control, equip, improve, maintain and operate airports and landing fields for the use of aircraft within their boundaries or without the limits of such cities, towns or counties with the consent of the city, town or county where said airport or landing field is to be located, and may use for such purpose or purposes any land suitable therefor that is now or may at any time hereafter be owned or controlled by any city, town or county.

Cities, towns and counties separately and cities and towns jointly with one another or with counties, by and through their municipal officers or their duly constituted representatives, are authorized to accept federal funds and to do all things necessary or incidental to the acceptance of said federal funds.

Airports owned and operated by any city, town or county are declared to be governmental agencies and entitled to the same immunities as an agency of the state. (R. S. c. 21. 1949, c. 389. 1963, c. 414, § 3-H.)

Effect of amendment.—The 1963 amendment added the reference to counties after the reference to cities and towns throughout the section.

Sec. 13. Registration certificates. — The commission is empowered to issue registration certificates for airmen, aircraft, landing areas, manufacturers or dealers and air carriers and establish the requirements for the terms, conditions and limitations of such certificates. A state registration certificate for airmen, aircraft, manufacturers or dealers and air carriers shall not be effective until in actual possession of the applicant and, except for manufacturer or dealer registration, shall always be carried on the person of the operator or occupant, or in some easily accessible place in or about the aircraft. A dealer registration certificate shall be displayed at a permanent place of business and a tag issued under the registration shall be carried in the aircraft. A state registration certificate for airmen, aircraft, manufacturers or dealers and air carriers shall remain in force until the 1st day of January next following the date of its issue, except that on and after December 25th of each calendar year it shall be lawful to use and display in aircraft, the aircraft and air carrier registration certificate or dealer tag issued for the next succeeding year. Aircraft registrations issued in any calendar year shall be valid for use and display until March 1st of the next calendar year, or until sooner suspended, revoked or cancelled. A state registration certificate of aircraft shall not be transferable.

II. Aircraft.

A. No aircraft shall be registered under this section until the excise tax or personal property tax has been paid in accordance with chapter 91-A, sections 124 and 126. (1951, c. 16, § 2. 1959, c. 308, § 4)

IV. Exemptions.

B. an aircraft registered under the laws of a foreign country and not engaged in air commerce within the state; (1955, c. 161)

C. an aircraft not engaged in air commerce within the state which is owned by a nonresident and registered in another state, or otherwise qualified therein; (1953, c. 59 1955 c. 161)

F. an individual piloting any aircraft registered under the laws of a foreign country and not engaged in air commerce within the state; (1955, c. 161)

G. a nonresident not engaged in air commerce and piloting aircraft in this state who is registered in another state, or otherwise qualified therein; (1953. c. 58 1955. c. 161)

VI. Dealer registration certificates; application; fee. Every manufacturer or dealer in new or used aircraft may, instead of registering each aircraft owned or controlled by him, make application upon a blank provided by the commission for a dealer registration. The commission, if satisfied that the applicant maintains a permanent place of business in the state where said applicant will be principally engaged in the business of manufacturing, buying

and selling of aircraft and is also satisfied with the other facts stated in the application, shall issue a certificate of registration. Such certificate of registration shall contain the name, place of residence and business of the applicant and the general distinguishing number assigned to him and made in such form as the commission may determine, and all aircraft owned or controlled by such applicant shall be regarded as registered under such general distinguishing number until sold, exchanged or operated for hire. To be eligible for the renewal of such aircraft dealer registration, the applicant must maintain in said state a permanent place of business where said applicant is principally engaged in the business of buying and selling aircraft. The annual fee for every such certificate of registration shall be \$15. The commission shall furnish applicant with 3 dealer aircraft tags free of cost, and upon payment of \$5 per tag additional dealer tags shall be furnished. On application for registration, or for additional tags applied for during the period between the 1st day of September and the 31st day of December in any year $\frac{1}{2}$ of the registration fee shall be charged. [1957, c. 116, § 2]. (R. S. c. 21, 1949, c. 389, 1951, c. 16, §§ 1, 2; c. 17, § 2; c. 264, § 5, 1953, cc. 57, 58, 59, 1955, c. 161, 1957, c. 116, §§ 1, 2, 1959, c. 308, § 4.)

Effect of amendments.—The 1955 amendment added the words “and not engaged in the air commerce within the state” at the end of paragraphs B and F, and the words “or otherwise qualified therein” at the end of paragraphs C and G, of subsection IV.

The 1957 amendment inserted in the first paragraph of this section all of the provisions relative to manufacturers and

dealers and added subsection VI.

The 1959 amendment added paragraph A to subsection II of this section.

As only the first paragraph of the section, paragraphs B, C, F and G of subsection IV, and paragraph A of subsection II and subsection VI were changed or added by the amendments, the rest of the section is not set out.

Sec. 20. Airport construction fund.

II. State aid. The commission with the consent of the governor and council may, from the amount appropriated to aid in the construction, extension and improvement of state, municipal or county airports, known as the “Airport Construction Fund,” grant to cities, towns or counties separately and cities and towns jointly with one another or with counties an amount not to exceed 50% of the total cost of the construction, extension or improvement of such airport or airports. (1955, c. 372, 1963, c. 414, § 3-I.)

III. State approval. No municipality or county in this state, whether acting alone or jointly with another municipality or county or with the state, shall submit to the administrator of civil aeronautics of the United States any project application under section 9 of the federal airport act, so called, or any amendment thereof, unless the project and the project application have been first approved by the aeronautics commission. [1963, c. 414, § 3-I]. (R. S. c. 21, 1949, c. 389, 1955, c. 372, 1963, c. 414, § 3-I.)

Effect of amendments.—The 1955 amendment deleted “25%” in line five of subsection II and inserted in place thereof “an amount not to exceed 50%.” The amendment also deleted from the end of the subsection the words “or any lesser

per cent of said costs.”

The 1963 amendment added the reference to counties in subsections II and III.

As the rest of the section was not affected by the amendment, it is not set out.