

SECOND REGULAR SESSION

SENATE BILL NO. 701

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WIGGINS.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2603S.01I

AN ACT

To repeal sections 305.120, 305.130 and 305.140, RSMo, relating to the operation of aircraft, and to enact in lieu thereof three new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 305.120, 305.130 and 305.140, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 305.120, 305.130 and 305.140, to read as follows:

305.120. As used in sections 305.120 to 305.270, the following terms mean:

(1) "Aeronautics" includes the art and science of flight; aviation; the construction, operation, navigation of aircraft and all component parts thereof; air navigation aids, such as markings, lighting, electric and electronic devices that transmit or receive visual, audible or electronic signals, sounds or displays; navigation and piloting; and also includes airports and the planning, design, construction, repair, improvement, or maintenance thereto or any part thereof; and the dissemination of information and instruction pertaining to all of the foregoing;

(2) "Aircraft", any device now known or hereafter invented, used or designed for navigation of or flight through the air;

(3) "Airman", a person, including the person in command of

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

an aircraft or a pilot, mechanic, or member of the crew, who engages in the navigation of an aircraft while under way;

(4) "Airman certificate", a certificate issued to an airman pursuant to 49 U.S.C. 44702;

[(3)] (5) "Airport", an area on land or water that is used or intended to be used for the landing and takeoff of aircraft including buildings, equipment, facilities, rights-of-way, property and appurtenant areas;

[(4)] (6) "Airport authority", an entity established in accordance with state law which may plan for, acquire, construct, operate, and maintain an airport or airports as a political subdivision within this state;

[(5)] (7) "Pilot", any person licensed to operate aircraft;

[(6)] (8) "Political subdivision", any county, city, town, village or other political entity having the authority to tax and to exercise the power of eminent domain;

[(7)] (9) "Runway", a defined rectangular area on a land airport prepared specifically for the landing and takeoff of aircraft.

305.130. It shall be unlawful for any person to operate any aircraft within this state in carrying a passenger or passengers, or any property, or in the prosecution of a business or commercial enterprise, or for instruction in the art of flying, without a [pilot's license] **airman certificate for such purposes issued by the [Department of Commerce of the United States] **Federal Aviation Administration**, and without a valid certificate of airworthiness for such aircraft issued by [said Department of Commerce] **the Federal Aviation Administration**.**

305.140. The [pilot's license] **airman certificate and certificate of airworthiness required by sections 305.120 to 305.160 shall be kept in the personal possession of the licensee when operating aircraft within this state, and must be presented for inspection upon the demand of any passenger, or any peace officer, or any official, manager or person in charge of any airport, or landing field in this state upon which he shall land.**

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