

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2418

4
5 By: Representative Gillespie

For An Act To Be Entitled

6
7
8 AN ACT TO TRANSFER THE OWNERSHIP OF ALL AIRPLANES
9 OWNED BY STATE AGENCIES TO THE DEPARTMENT OF
10 AERONAUTICS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO TRANSFER THE OWNERSHIP OF ALL
14 AIRPLANES OWNED BY STATE AGENCIES TO THE
15 DEPARTMENT OF AERONAUTICS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Title 27, Chapter 115, Subchapter 1 is
22 amended to add additional sections to read as follows:

23 27-115-111. Transfer of state agency airplanes.

24 (a) Any title to, or lease agreement for, an airplane held by a state
25 agency shall be transferred to and shall be the property of the Department of
26 Aeronautics.

27 (b) All future purchases or future lease agreements for airplanes to
28 be used by a state agency shall be made by the Department of Aeronautics.

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30 27-115-112. Definitions

31 For purposes of this act, "state agency" means any agency, board,
32 office, commission, department, division, or institution of the State of
33 Arkansas.

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35 SECTION 2. Arkansas Code § 27-115-102 is amended to read as follows:

36 27-115-102. Purpose.



1 (a) The department is established and authorized to represent the
2 State of Arkansas in the promotion and development of landing fields,
3 airports, hangars, and other aeronautical projects and to cooperate with and
4 secure the cooperation of the Federal Aviation Administration and any other
5 duly authorized federal agencies interested in the development of
6 aeronautics.

7 (b)(1) The department is authorized to accept title to or lease
8 agreements for an airplane from a state agency.

9 (2) The department is authorized to provide pilots, maintenance,
10 and storage for all airplanes used by a state agency.

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12 SECTION 3. Arkansas Code § 27-115-107(b), concerning the power of the
13 Department of Aeronautics, is amended to read as follows:

14 (b) The department is authorized:

15 (1) To accept as a loan or a gift any aircraft made available
16 for its use by the federal government, or any agency thereof; ~~or~~

17 (2) To match any funds made available by the federal government,
18 any agency thereof, or any person or corporation, with any moneys available
19 to the department, for the purpose of acquiring any aircraft which it may
20 deem necessary to the proper performance of its duties as provided by law; ~~;~~
21 or

22 (3) Accept the title to, or lease agreement for, an airplane
23 from a state agency.

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25 SECTION 4. Arkansas Code § 27-115-108(a), concerning duties of the
26 department, is amended to read as follows:

27 (a) It shall be the duty of the department to:

28 (1) Provide for the examination, rating, and licensing of
29 airports, landing fields, and air navigation facilities available for the use
30 of aircraft;

31 (2) Adopt rules and regulations for the issuance, expiration,
32 suspension, or revocation of license of airports, landing fields, and air
33 navigation facilities, and of other licenses or certificates that the
34 department deems necessary in administering the functions vested in the
35 department under this chapter and chapter 116 of this title;

36 (3) Establish, set apart, and provide for the protection of

1 necessary air space reservations within the state in addition to, and not in
2 conflict with, air space reservations established by the President of the
3 United States, or any department of the United States or with any civil or
4 military airway designated under the provisions of the Air Commerce Act and
5 the amendments thereto, or other act of Congress pertaining thereto;

6 (4) Designate, establish, and chart civil airways within, over,
7 and above the lands or waters of the state and arrange for publication of
8 maps of such airways, utilizing the facilities and assistance of existing
9 agencies of the state as far as practicable. The department shall grant no
10 exclusive right for the use of any civil airway, airport, intermediate
11 landing field, or other air navigation facility under its jurisdiction;

12 (5) Investigate, record, and report the causes of accidents in
13 civil air navigation within this state;

14 (6) Encourage the establishment of airports, civil airways, and
15 other air navigation facilities;

16 (7) Supervise and regulate the safety, adequacy, and sufficiency
17 of all airports, landing fields, and air navigation facilities and equipment
18 used, or to be used, in private or commercial flying;

19 (8) Adopt rules and regulations governing instruction in flight
20 or ground school offered to student fliers or mechanics when the instruction
21 is conducted by individual flight instructors licensed under appropriate
22 Federal Aviation Administration regulations and adopt rules and regulations
23 governing the safety, adequacy, and sufficiency of airports, landing fields,
24 and air navigation facilities and equipment used, or to be used, in the
25 instruction of student fliers or mechanics;

26 (9) Adopt rules and regulations for the marking of highways,
27 municipalities, and all other serial markings used throughout the state;

28 (10) Adopt rules and regulations governing the erection,
29 location, and maintenance of aerial beacon lights and other aerial night
30 lighting equipment within the state;

31 (11) Exchange with the Federal Aviation Administration, and
32 other state governments through existing governmental channels, information
33 pertaining to civil air navigation;

34 (12) Enforce the regulations and air traffic rules, promulgated
35 as provided hereunder, through the assistance and cooperation of state and
36 local authorities charged with the enforcement of law in their respective

1 jurisdictions; ~~and~~

2 (13) Establish by regulation the minimum safe altitudes for
3 flight, including air traffic rules; and

4 (14) Provide pilots for airplanes used by a state agency;

5 (15) Provide maintenance for airplanes used by a state agency;

6 and

7 (16) Provide storage facilities for airplanes used by a state
8 agency.

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