

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1594

By: Representative Fuller

For An Act To Be Entitled

"AN ACT TO PROHIBIT OPERATION OF AN AIRCRAFT WITHOUT IDENTIFICATION MARKINGS; TO MAKE AIRCRAFT WITHOUT MARKINGS SUBJECT TO INSPECTION BY LAW ENFORCEMENT OFFICERS; TO PROHIBIT NONCONFORMING FUEL TANKS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. As used in this act, unless the context otherwise requires:

(1) "Aircraft" means any contrivance invented, used or designed for the navigation of or flight in the air and which is required to be registered under the laws of the United States. Aircraft does not include experimental aircraft.

(2) "Federal aviation regulations" means regulations adopted by the Federal Aviation Administration regarding identification and registration markings, procedures for products and parts, maintenance, preventive maintenance, rebuilding and alteration regulations, general operating and flight rules, 14 C.F.R. Parts 21, 43, 45, 47 and 91 as those regulations existed on January 1, 1990.

SECTION 2. (a) A person commits the offense of operation of a prohibited aircraft if the person knowingly:

(1) Operates an aircraft that does not have aircraft identification numbers that comply with identification and registration marking regulations adopted by the Federal Aviation Administration, 14 C.F.R. Part 45;

(2) Operates or navigates an aircraft that is not properly registered under Federal Aviation Administration aircraft registration regulations, 45 C.F.R. Part 47; or

(3) Operates an aircraft equipped with a fuel tank, bladder, drum,

or other container for fuel that does not conform to federal aviation regulations or that has not been approved by the Federal Aviation Administration by inspection or special permit under regulations adopted by the Federal Aviation Administration, 14 C.F.R. Parts 21, 43 or 91.

(b) Operation of a prohibited aircraft is a Class C felony.

(c) (1) The failure to properly display on an aircraft identification numbers in compliance with federal aviation regulations shall be probable cause for a law enforcement officer to inspect the aircraft to determine the identity of the owner.

(2) A law enforcement officer may inspect an aircraft under this section if the aircraft is located:

(A) on public property; or

(B) on private property, if the officer has the consent of the property owner.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

