

By: Senator(s) Minor

To: Highways and
Transportation

SENATE BILL NO. 3024

1 AN ACT TO AMEND SECTION 61-1-3, MISSISSIPPI CODE OF 1972, TO
2 MAKE IT CLEAR THAT PRIVATELY-OWNED AIRPORTS THAT ARE OPEN TO THE
3 GENERAL PUBLIC ARE INCLUDED WITHIN THE DEFINITION OF THE TERM
4 "AERONAUTICS"; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 61-1-3, Mississippi Code of 1972, is
7 amended as follows:

8 61-1-3. For the purpose of the laws of this state relating
9 to aeronautics the following words, terms and phrases shall have
10 the meanings herein given, unless otherwise specifically defined,
11 or unless another intention clearly appears, or the context
12 otherwise requires:

13 (a) "Aeronautics" means transportation by aircraft; the
14 operation, construction, repair or maintenance of aircraft,
15 aircraft power plants and accessories; the design, establishment,
16 construction, extension, operation, improvement, repair or
17 maintenance of airports or other air navigation facilities,
18 including, but not limited to, privately-owned airports that are
19 open to the general public; and air instruction;

20 (b) "Aircraft" means any contrivance now known or
21 hereafter invented, used or designed for navigation of or flight
22 in the air;

23 (c) "Public aircraft" means an aircraft exclusively in
24 the service of any government or of any political subdivision
25 thereof, including the government of any state, territory or
26 possession of the United States or the District of Columbia, but

27 not including any government-owned aircraft engaged in carrying
28 persons or property for commercial purposes;

29 (d) "Civil aircraft" means any aircraft other than a
30 public aircraft;

31 (e) "Airport" means any area of land or water which is
32 designed for the landing and take off of aircraft, whether or not
33 facilities are provided for the shelter, servicing or repair of
34 aircraft, or for receiving or discharging passengers or cargo, and
35 all appurtenant areas used or suitable for airport buildings or
36 other airport facilities, and all appurtenant rights-of-way,
37 whether heretofore or hereafter established;

38 (f) "Commission" means the Mississippi Transportation
39 Commission;

40 (g) "State" or "this state" means the State of
41 Mississippi;

42 (h) "Director" means the Executive Director of the
43 Mississippi Department of Transportation or his designee.

44 (i) "Air navigation" means the operation or navigation
45 of aircraft in the air space over this state, or upon any airport
46 within this state;

47 (j) "Operation of aircraft" or "operate aircraft" means
48 the use of aircraft for the purpose of air navigation, and
49 includes the navigation or piloting of aircraft. Any person who
50 causes or authorizes the operation of aircraft, whether with or
51 without the right of legal control (in the capacity of owner,
52 lessee, or otherwise) of the aircraft, shall be deemed to be
53 engaged in the operation of aircraft within the meaning of the
54 statutes of this state;

55 (k) "Person" means any individual, firm, partnership,
56 corporation, company, association, joint stock association, or
57 body politic, and includes any trustee, receiver, assignee or
58 other similar representative thereof;

59 (1) "Navigable air space" means air space above the
60 minimum altitudes of flight prescribed by the laws of the United
61 States;

62 (m) "Municipality" means any county, incorporated city,
63 village or town of this state and any other political subdivision
64 or district in this state which is or may be authorized by law to
65 acquire, establish, construct, maintain, improve and operate
66 airports and other air navigation facilities.

67 The singular shall include the plural, and the plural the
68 singular.

69 SECTION 2. This act shall take effect and be in force from
70 and after July 1, 2001.