

By: Representative Barnett (92nd)

To: Transportation

HOUSE BILL NO. 1094

1 AN ACT TO AMEND SECTION 61-1-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF WHAT CONSTITUTES OPERATION OF AN AIRCRAFT
3 FOR THE PURPOSES OF STATE AERONAUTICS LAWS; AND FOR RELATED
4 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 are otherwise eligible to receive
20 federal funds; and air instruction;

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

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



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

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

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

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

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

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

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

48 (j) "Operation of aircraft" or "operate aircraft" means
49 the * * * navigation or piloting of aircraft * * *;

50 (k) "Person" means any individual, firm, partnership,
51 corporation, company, association, joint-stock association or body
52 politic, and includes any trustee, receiver, assignee or other
53 similar representative thereof;

54 (l) "Navigable air space" means air space above the
55 minimum altitudes of flight prescribed by the laws of the United
56 States;

57 (m) "Municipality" means any county, incorporated city,
58 village or town of this state and any other political subdivision
59 or district in this state which is or may be authorized by law to



60 acquire, establish, construct, maintain, improve and operate
61 airports and other air navigation facilities;

62 (n) The Mississippi Aeronautics Chart, published
63 annually, will identify "private airport," and if an airport is
64 open to the public, as determined by the owner, the chart will
65 note "open to the public" under the airport identifier.

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67 **SECTION 2.** This act shall take effect and be in force from
68 and after July 1, 2003.

