

By: Senator(s) White, Johnson (19th), Kirby, Hewes

To: Highways and Transportation

SENATE BILL NO. 2454

1 AN ACT TO AMEND SECTION 61-1-3. MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF WHAT CONSTITUTES OPERATION OF AN
3 AIRCRAFT; AND FOR RELATED PURPOSES.

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

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

7 61-1-3. For the purpose of the laws of this state relating
8 to aeronautics the following words, terms and phrases shall have
9 the meanings herein given, unless otherwise specifically defined,
10 or unless another intention clearly appears, or the context
11 otherwise requires:

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

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

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

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



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

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

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

