

By: Senator(s) Minor

To: Highways and
Transportation

SENATE BILL NO. 3024
(As Sent to Governor)

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 AND ARE OTHERWISE ELIGIBLE TO RECEIVE FEDERAL FUNDS
4 ARE INCLUDED WITHIN THE DEFINITION OF THE TERM "AERONAUTICS"; AND
5 FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

73 The singular shall include the plural, and the plural the
74 singular.

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