

SENATE BILL REPORT

SSB 5337

AS PASSED SENATE, MARCH 8, 1993

Brief Description: Regulating aeronautics.

SPONSORS: Senate Committee on Transportation (originally sponsored by Senators Sutherland and Vognild)

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5337 be substituted therefor, and the substitute bill do pass.

Signed by Senators Vognild, Chairman; Loveland, Vice Chairman; Skratek, Vice Chairman; Drew, Haugen, Nelson, Oke, Prentice, M. Rasmussen, Sheldon, and Winsley.

Staff: Jennifer Joly (786-7305)

Hearing Dates: February 2, 1993; February 8, 1993

BACKGROUND:

The Department of Transportation's Aeronautics Division provides technical assistance and grants to general aviation airports statewide. The division also maintains state-owned emergency airfields, responds to search and rescue requests, provides aviation safety education classes, registers pilots and aircraft, plans for the state aviation system, and coordinates aviation with other transportation modes.

The definition of a dealer includes persons engaged in the business of selling, exchanging, or acting as a broker of aircraft. It is unlawful to sell aircraft without a license, but there is no penalty for the offense.

Only an aircraft that is operated within the state must register with the department.

SUMMARY:

The definition of aircraft dealer is expanded to include persons who offer for sale two or more aircraft within a calendar year.

A provision is added to penalize persons who act as aircraft dealers without a license. A person who acts as an aircraft dealer without first obtaining an aircraft dealer's license is guilty of a misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. A second or subsequent offense within a five-year period is considered a gross misdemeanor and is punishable by a fine of not more than \$5,000 or imprisonment for not more than one year, or both. The court may also prohibit the violator from

acting as an aircraft dealer within the state for a period of up to one year.

References to airman in existing law are changed to read airman/airwoman.

The definition of airman/airwoman is expanded to include those persons who also work on airframes.

Every airman or airwoman who is not registered as a pilot and who is a resident of the state, or every nonresident who works regularly as an airman/airwoman in the state must register with the department. A fee of up to \$10 is charged to be used for the division's safety and rescue program and safety and education program.

The penalty for violating the laws enforced by the Aeronautics Division, is increased from \$100 to \$1,000. Imprisonment for a violation is increased from 30 to 90 days. The fine for operating while under the influence of drugs or alcohol is increased from \$1,000 to \$5,000. The penalties that may be imposed by the district and superior court will be the same.

The requirement for aircraft registration is expanded to include an aircraft that is based within the state.

Exemptions for registration requirements are expanded to include aircraft based in the state that are not in an airworthy condition, are not operated within the registration period, and have obtained a written exemption issued by the Secretary of Transportation.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Changes to the existing statutory scheme are necessary in order to add a penalty for the sale of aircraft without a license. The Aeronautics Divisions at the Department of Transportation provides services for aviation mechanics and inspectors. This bill will require aviation mechanics and inspectors to register with the department.

TESTIMONY AGAINST: None

TESTIFIED: PRO: William Hamilton, Dept. of Transportation; Assistant Secretary of Aeronautics, Department of Transportation; John Wulle, Assistant Attorney General; Gordon Walgren, Washington Airport Managers Assn.