

AERONAUTICS

CHAPTER 77

HOUSE BILL NO. 1486
(Representative Hokana)
(Senators Richard, Dotzenrod)

AIRCRAFT REGISTRATION FEES

AN ACT to create and enact three new sections to chapter 2-05 of the North Dakota Century Code, relating to aircraft registration; and to amend and reenact section 2-05-11 of the North Dakota Century Code, relating to aircraft registration fees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 2-05-11 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2-05-11. Aircraft registration - Fees. Every The following procedures governing fees and registration apply:

1. Except as provided in section 4 of this Act, every aircraft or ultralight vehicle operating within this state for more than thirty days shall must be registered with the aeronautics commission for each year in which the aircraft or ultralight vehicle is operated within this state, subject to rules and regulations established adopted by the commission. The commission shall charge a fee for each such registration, and for each annual renewal thereof; the. The following fees apply:

Gross Weight in Pounds	Registration Fees	
	Effective January 17, 1984	Effective January 17, 1985
0 to 500	\$ 10-00	\$ 15-00
501 to 1,000	22-00	30-00
1,001 to 1,500	28-00	38-00
1,501 to 2,000	34-00	45-00
2,001 to 2,500	45-00	60-00
2,501 to 3,000	56-00	75-00
3,001 to 3,500	68-00	90-00
3,501 to 4,000	79-00	105-00
4,001 to 5,000	90-00	120-00
5,001 to 6,000	113-00	150-00

6,001 to 7,000	135.00	180.00
7,001 to 8,000	158.00	210.00
8,001 to 9,000	180.00	240.00
9,001 to 10,000	203.00	270.00
10,001 to 15,000	225.00	300.00
15,001 to 20,000	338.00	450.00
20,001 to 30,000	450.00	600.00
30,001 to 40,000	675.00	900.00
40,001 to 50,000	900.00	1,200.00
50,001 to 75,000	1,125.00	1,500.00
75,001 to 100,000	1,688.00	2,250.00
100,001 and over	2,250.00	3,000.00

<u>Gross Weight in Pounds</u>	<u>Registration Fees</u>
0 to 500	\$ 15.00
501 to 1,000	30.00
1,001 to 1,500	38.00
1,501 to 2,000	45.00
2,001 to 2,500	60.00
2,501 to 3,000	75.00
3,001 to 3,500	90.00
3,501 to 4,000	105.00
4,001 to 5,000	120.00
5,001 to 6,000	150.00
6,001 to 7,000	180.00
7,001 to 8,000	210.00
8,001 to 9,000	240.00
9,001 to 10,000	270.00
10,001 to 15,000	300.00
15,001 to 20,000	450.00
20,001 to 30,000	600.00
30,001 to 40,000	900.00
40,001 to 50,000	1,200.00
50,001 to 75,000	1,500.00
75,001 to 100,000	2,250.00
100,001 and over	3,000.00

Registration fees effective on January 17, 1984, are for calendar year 1984. Registration fees effective on January 17, 1985, are for calendar year 1985. The above fees are to must be reduced ten percent each year after the initial registration, or if the aircraft is one year old or older and being registered for the first time, the fees shall must be reduced ten percent for each year after the year of manufacture of the aircraft, until the fee reaches a figure equal to fifty percent of the original registration fee, which shall be is the fee each year thereafter.

2. All weights shall must be based upon the maximum permissible take-off weight, except that the weights shall must be empty weights for all ultralight vehicles which are not certificated for maximum permissible take-off weight.

3. The aeronautics commission may charge a reasonable cost of service fee for registration of aircraft operated by state agencies, political subdivisions, or the civil air patrol in lieu of the regular registration fee.
4. There is hereby created an aeronautics distribution fund within in the state treasury of the state of North Dakota. All fees received from the provisions of under this section shall be deposited in the aeronautics distribution fund. The fees must be distributed as follows:
 - a. Seventy-five percent of the fees so collected and deposited in the aeronautics distribution fund shall be distributed by the state treasurer on vouchers prepared by the commission to the treasurer of the county of the registrant's residence or, if the registrant is not a resident of North Dakota, then to the treasurer of the county in which is located the airport at which the registrant's aircraft or ultralight vehicle is based ~~and the.~~ The county treasurer shall pay such remittances over to the municipality or airport authority operating an airport within said the county, provided, that if. If there is more than one publicly owned or operated airport within said the county, that the said moneys shall must be prorated between said the public airports on the same ratio that the assessed value of each municipality with a public airport shall bear bears to the total assessed value of all municipalities with airports within said the county, and if. If there are no publicly owned or operated airports in said the county, said the remittances so paid to the county treasurer shall must be held and retained by said the treasurer in a separate fund to be used in the future for airport purposes.
 - b. The remaining twenty-five percent shall be transferred to the state general fund.

The distribution of the fees in the aeronautics fund as hereinbefore provided shall be accomplished at the end of each calendar year.

SECTION 2. A new section to chapter 2-05 of the North Dakota Century Code is hereby created and enacted to read as follows:

Definitions. As used in sections 2 through 4 of this Act, unless the context otherwise requires:

1. "Antique aircraft" means an aircraft built and originally federally certified by its manufacturer before January 1, 1941.

2. "Classic aircraft" means an aircraft built and originally federally certified by its manufacturer after January 2, 1941, and before January 1, 1948.
3. "Warbird aircraft" means an aircraft built before January 1, 1948, expressly for the purpose of military service.

SECTION 3. A new section to chapter 2-05 of the North Dakota Century Code is hereby created and enacted to read as follows:

Permanent registration of certain older aircraft. On making proper application to the commission and paying the fee required under section 4 of this Act, the owner of an antique, classic, or warbird aircraft may permanently register that aircraft in accordance with this section. An aircraft so registered may be used only for display, airshow demonstration, testing, and maintenance, and preparation flights necessary to maintain flight safety of operations otherwise permitted under this section. An aircraft so registered cannot be used for conducting commercial or private aviation business. An aircraft entitled to a permanent registration may be transferred to a new owner under that permanent registration. The new owner is entitled to permanent registration as long as the owner qualifies in accordance with this section.

SECTION 4. A new section to chapter 2-05 of the North Dakota Century Code is hereby created and enacted to read as follows:

Fee for a permanent registration - Issuance of registration decal - Disposition of fee. The fee for a permanent registration under section 3 of this Act is eighty-five dollars. The commission shall prepare a distinctive decal denoting permanent registration under section 3 of this Act. That decal must be displayed in the aircraft in the same manner required for the registration decal otherwise issued under this chapter. Of the fee received for the registration, the commission may retain ten dollars for administering sections 2 through 4 of this Act and providing the distinctive decal required under this section. The rest of the fee must be deposited in the aeronautics distribution fund for distribution as provided by section 2-05-11.

Approved March 20, 1987
Filed March 23, 1987

CHAPTER 78

HOUSE BILL NO. 1117
(Committee on Political Subdivisions)
(At the request of the State Auditor)

AIRPORT AND LIBRARY FUNDS

AN ACT to amend and reenact section 2-06-14, subsection 2 of section 2-06-19, and subsection 2 of section 40-38-02 of the North Dakota Century Code, relating to the responsibility for maintaining airport authority and library funds and records.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 2-06-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2-06-14. Tax levy may be certified by airport authority or municipality. The airport authority may certify annually to the governing bodies, the amount of tax to be levied by each municipality participating in the creation of the airport authority, and the municipality shall levy the amount certified, pursuant to provisions of law authorizing cities and other political subdivisions of this state to levy taxes for airport purposes. The levy made shall not exceed the maximum levy permitted by the laws of this state for airport purposes. The municipality shall collect the taxes certified by an airport authority in the same manner as other taxes are levied and collected and make payment to the airport authority. The proceeds of such taxes when and as paid to the airport authority shall be deposited in a special account or accounts in which other revenues of the authority are deposited and may be expended by the authority as provided for in this chapter. Prior to the issuance of bonds under section 2-06-10 the airport authority or the municipality may by resolution covenant and agree that the total amount of such taxes then authorized by law, or such portion thereof as may be specified by the resolution, will be certified, levied and deposited annually as herein provided, until the bonds and interest thereon are fully paid.

SECTION 2. AMENDMENT. Subsection 2 of section 2-06-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Provide that all or a portion of the taxes or funds available or to become available to, or required by law to be used by, revenues received by the municipality for airport purposes, be transferred, or paid directly to the, or credited to an airport authority as such funds become available to the municipality fund. The city auditor or county treasurer may establish and maintain the fund to account for airport authority revenues and shall make payments from the fund for invoices that have been submitted and approved by the governing body of the airport authority. On request of the city auditor or county treasurer and during an audit, the governing board of the airport authority shall supply its records. The records must be provided on a timely basis. The fund may not revert to the governing body of the municipality at the end of any fiscal year. The fund must be used exclusively for the establishment and maintenance of airport facilities;

SECTION 3. AMENDMENT. Subsection 2 of section 40-38-02 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The city auditor or county treasurer shall keep establish and maintain the fund separate and apart from the other money of the county or municipality to account for library revenues and promptly transmit all funds received pursuant to this section within thirty days of receipt to the board of directors shall make payments from the fund for invoices that have been submitted and approved by the governing body of the library. In the case of a contract with another library for service delivery, the city auditor or county treasurer shall promptly transmit all funds received to the established library fund of the agency delivering service. On request of the city auditor or county treasurer and during an audit, the governing board of the library shall supply its records. The records must be provided on a timely basis. The funds fund may not revert to or be considered funds on hand by the governing body of the city or county at the end of any fiscal year. The fund shall must be used exclusively for the establishment and maintenance of public library service.

Approved March 27, 1987

Filed March 30, 1987