

STATE OF NEW YORK

8016

IN SENATE

March 10, 2020

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring registration of general aviation aircrafts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 47-A to read as follows:

ARTICLE 47-A

REGISTRATION OF GENERAL AVIATION AIRCRAFT

5 Section 2240. Jurisdiction of the department.

6 2241. Definitions.

7 2242. Registration.

8 2243. Certificate of registration.

9 2244. Proof of insurance.

10 2245. Registration record.

11 § 2240. Jurisdiction of the department. The state registration of
12 general aviation aircraft shall be under the jurisdiction of the depart-
13 ment of transportation. State registration is in addition, and not in
14 place of, any registration requirements for general aviation aircraft
15 set out by the Federal Aviation Administration.

16 § 2241. Definitions. For the purposes of this article, "general
17 aviation aircraft" shall mean an aircraft that is used in civil
18 aviation, other than commercial aircraft as defined in paragraph seven-
19 teen of subdivision (b) of section eleven hundred one of the tax law,
20 military aircraft, unmanned aerial vehicles or drones.

21 § 2242. Registration. 1. Prohibitions. No person residing in New York
22 state shall own a general aviation aircraft, unless such general
23 aviation aircraft is registered, as evidenced by a registration certif-
24 icate in accordance with the provisions of this article.

25 2. Issuance and period of validity. The commissioner is authorized to
26 register a general aviation aircraft and issue a registration certif-
27 icate. Unless otherwise prescribed by the commissioner, any such regis-
28 tration shall be valid for a period of three years unless, prior to such

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 registration date, it is surrendered, cancelled, revoked or suspended
2 pursuant to the provisions of this article, or the general aviation
3 aircraft is transferred to another owner. At the end of such registra-
4 tion period, the registration shall expire and the owner of the general
5 aviation aircraft shall reapply for the registration.

6 3. Application. The owner of each general aviation aircraft requiring
7 registration under this article shall present an application for regis-
8 tration to the commissioner within thirty days of becoming an owner
9 thereof, on a form provided by the department on paper or online. Such
10 application shall contain the name of the owner, address of residence, a
11 specific description of the aircraft and identification number assigned
12 by the Federal Aviation Administration, proof of insurance as described
13 under this article, the primary location or locations where the general
14 aviation aircraft will be stored and any other information required by
15 the commissioner.

16 4. Change of address. The owner of any general aviation aircraft
17 registered pursuant to the provisions of this section shall notify the
18 commissioner in writing of any change of address within ten days after
19 such change occurs and the new address of such owner shall be noted on
20 the certificate of registration for such general aviation aircraft.

21 5. Change of ownership. Upon the change in ownership of a general
22 aviation aircraft registered pursuant to this section, unless otherwise
23 provided by regulation of the commissioner, the certificate of registra-
24 tion shall be signed and dated by the former owner and surrendered to
25 the commissioner. The commissioner shall be notified by the former
26 owner, in a manner prescribed by the commissioner, of the name and
27 address of the purchaser, the date of the transfer and the Federal
28 Aviation Administration identification number.

29 6. Destruction, theft, loss or abandonment of general aviation
30 aircraft. The owner of any general aviation aircraft registered pursuant
31 to the provisions of this section shall notify the commissioner in writ-
32 ing of the destruction, theft, loss or abandonment of such general
33 aviation aircraft within fifteen days thereafter, and in the event of
34 the loss, destruction or abandonment of such general aviation aircraft,
35 the certificate of registration shall be surrendered with such notice.

36 § 2243. Certificate of registration. 1. Issuance. Upon the approval of
37 an application for registration, the commissioner shall issue a certif-
38 icate of registration in such manner and form as the commissioner shall
39 prescribe.

40 2. Certificate of registration. The certificate of registration issued
41 by the commissioner shall be available at all times for inspection on
42 the general aviation aircraft for which it is issued whenever such
43 aircraft is in operation, unless otherwise provided by a rule or regu-
44 lation of the commissioner. Every person operating a general aviation
45 aircraft shall, upon the demand of any peace officer, federal officer or
46 other person having the authority to enforce the provisions of this
47 chapter, produce the certificate of registration for inspection. The
48 failure to produce the certificate of registration, as provided herein,
49 shall not be an offense, but shall be presumptive evidence of operating
50 a general aviation aircraft which is not registered as required by this
51 article.

52 3. Expiration of registration certificate. The registered owner's
53 right to the registration certificate provided for in this section shall
54 expire upon the termination of ownership of any person in the aircraft
55 for which the same was issued.

1 § 2244. Proof of insurance. 1. Coverage. (a) Every owner of general
2 aviation aircraft in this state, upon applying for registration, shall
3 supply information as detailed in paragraph (b) of this subdivision as
4 proof that the general aviation aircraft during the period of its opera-
5 tion is covered by an insurance policy within the limits of not less
6 than one hundred thousand dollars per passenger seat liability both for
7 passenger bodily injury or death and for property damage; not less than
8 one hundred thousand dollars for bodily injury or death to each non-pas-
9 senger in any one accident; and not less than three hundred thousand
10 dollars per occurrence for bodily injury or death to non-passengers in
11 any one accident.

12 (b) The information supplied to the commissioner must include, but is
13 not limited to, the name and address of the owner, the name of the
14 insurer, the insurance policy number, the term of coverage, policy
15 limits and any other data the commissioner requires.

16 2. Notification. In the event of cancellation of aircraft insurance,
17 the owner shall notify the commissioner at least ten days prior to the
18 date on which the insurance coverage is to be terminated. Unless proof
19 of a new policy of insurance is filed with the commissioner meeting the
20 requirements of this section, the registration certificate for the
21 aircraft shall be revoked therewith.

22 3. Exemption from insurance requirement. Nothing in this subdivision
23 shall be construed to require an owner of an aircraft to maintain
24 passenger seat liability coverage on aircraft for which an experimental
25 certificate has been issued by the administrator of the Federal Aviation
26 Administration pursuant to Code of Federal Regulations, title 14, where
27 under persons operating the aircraft are prohibited from carrying
28 passengers in the aircraft. Whenever the aircraft becomes certified to
29 carry passengers, passenger seat liability coverage shall be required as
30 provided by this section.

31 § 2245. Registration record. Upon the issuance of registration for a
32 general aviation aircraft, as provided in this article, the commissioner
33 shall enter upon the records of the department the registration of such
34 general aviation aircraft.

35 § 2. The title heading of title 11 of the vehicle and traffic law, as
36 amended by chapter 869 of the laws of 1976, is amended to read as
37 follows:

38 REGISTRATION OF SNOWMOBILES, GENERAL AVIATION AIRCRAFTS,
39 MOTORBOATS AND LIMITED USE VEHICLES

40 § 3. This act shall take effect on the ninetieth day after it shall
41 have become a law. Effective immediately, the addition, amendment and/or
42 repeal of any rule or regulation necessary for the implementation of
43 this act on its effective date are authorized to be made and completed
44 on or before such effective date.