

STATE OF NEW YORK

3602

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

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:

3 ARTICLE 47-A

4 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 certifi-
24 cate in accordance with the provisions of this article.

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

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1 2. Issuance and period of validity. The commissioner is authorized to
2 register a general aviation aircraft and issue a registration certifi-
3 cate. Unless otherwise prescribed by the commissioner, any such regis-
4 tration shall be valid for a period of three years unless, prior to such
5 registration date, it is surrendered, cancelled, revoked or suspended
6 pursuant to the provisions of this article, or the general aviation
7 aircraft is transferred to another owner. At the end of such registra-
8 tion period, the registration shall expire and the owner of the general
9 aviation aircraft shall reapply for the registration.

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

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

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

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

40 § 2243. Certificate of registration. 1. Issuance. Upon the approval of
41 an application for registration, the commissioner shall issue a certifi-
42 cate of registration in such manner and form as the commissioner shall
43 prescribe.

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

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

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

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

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

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

35 § 2245. Registration record. Upon the issuance of registration for a
36 general aviation aircraft, as provided in this article, the commissioner
37 shall enter upon the records of the department the registration of such
38 general aviation aircraft.

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

42 REGISTRATION OF SNOWMOBILES, GENERAL AVIATION AIRCRAFTS,
43 MOTORBOATS AND LIMITED USE VEHICLES

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