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Senate Bill 345 Sponsor Statement

“An Act relating to civil liability associated with aircraft runways, airfields and landing areas.”

Senate Bill 345, and its companion House Bill 474, amends Alaska Statute 09.65.093 relating to civil liability associated with aircraft runways. The proposed legislation removes the qualifying term “natural” from language describing the type of person to whom the law applies. It also adds clarifying language relating to runway activities and to closed runways.

The current statute dates back three years when Representative Harris shepherded through the 22nd Legislature a bill that, among other things, removed the threat of civil liability where the non-compensated performance of maintenance or repair activities to aircraft runways is concerned.

Additionally, Representative Harris’ bill shielded owners or operators of runways located on private land from civil litigation related to aircraft accidents occurring on those runways clearly indicated as being closed to air traffic. The bill enjoyed strong bi-partisan support in both the House and the Senate.

Obviously, flying is a popular avocation in Alaska. But it certainly is not without risk. The ability to safely put down on a remote strip may be crucial in an emergency situation. Alaska Statute 09.65.093 recognizes the important public interest served by restricting the civil liability attached to the operation or ownership of private runways throughout the state.

The proposed legislation holds that civil liability is barred as a remedy in cases involving aircraft accidents on certain runways which are maintained, repaired, owned or operated by an individual or, for example, by an “S”, “C” or Limited Liability Corporation. Civil liability continues to be available where gross negligence or reckless or intentional misconduct may be a cause for an aircraft accident on such a runway.

In summary, Senate Bill 345 seeks to revise the current statute by removing the single word “natural” as well as by adding clarifying language as indicated above. This will allow the same degree of protection regardless of the airfield’s ownership structure. It is sensible that the same public interest is served regardless of the type of entity associated with the runway.