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STATE OF MINNESOTA
DEPARTMENT OF AERONAUTICS

**Minnesota Laws
Governing Aeronautics**

Revised to July 1, 1941



Office of
MINNESOTA
AERONAUTICS COMMISSION
STATE CAPITOL
St. Paul

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**MINNESOTA AERONAUTICS
 COMMISSION**

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The sections in this booklet are numbered in accordance with the numbering of the Minnesota Statutes 1941 now in preparation and presently to be published. The numbers preceding the decimal indicate the chapter number, and the numbers following the decimal the section number. At the end of each section the numbers within parentheses () are section numbers as they appear in Mason's Statutes and the numbers within brackets [] indicate the original source. R. L. refers to Revised Laws 1905.

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360.01 DEFINITIONS. Subdivision 1. Words, terms, and phrases. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases shall, for the purposes of this chapter, be given the meanings subjoined to them.

Subdivision 2. "Aeronautics." "Aeronautics" means the act or practice of the art and science of transportation by aircraft, and the operation, construction, repair, or maintenance of aircraft, airports, landing fields, emergency landing strips, air navigation facilities, or air instruction.

Subdivision 3. "Aircraft." "Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation or flight in the air, except a parachute or other contrivance designed for such navigation, but used primarily as safety equipment.

Subdivision 4. "Public aircraft." "Public aircraft" means an aircraft used exclusively in the governmental service, including military and naval aircraft, or of any state or territory thereof.

Subdivision 5. "Civil aircraft." "Civil aircraft" means any aircraft other than a public aircraft.

Subdivision 6. "Airport." "Airport" means any area, either of land or water,

which is used or made available for the landing and take-off of aircraft, and which provides for the shelter, supply, and repair of aircraft, and which, as to size and design, has at least 1,800 feet of effective landing length in all directions, with clear approaches, and which field shall be in good condition for landing at all times, or has landing strips not less than 500 feet wide, permitting landing in at least six directions at all times, with at least one landing strip aligned with the general direction of the prevailing wind, the landing strips not to cross or converge at angles at less than 40 degrees, nor any one of the landing strips to be less than 1,800 feet in effective length, with clear approaches, or has two landing strips, one aligned with the general direction of the prevailing wind, permitting at least four-way landing at all times and having clear approaches, the landing strips to be at least 500 feet wide and at least 2,500 feet in effective length, and not to cross or converge at an angle less than 60 degrees; and which, in any case hereinbefore mentioned, meets the minimum requirements as to surface, marking, equipment, and management as may, from time to time, be provided by the Minnesota aeronautics commission.

Subdivision 7. "Landing field." "Landing field" means any area, either of land or water, which is used or made available for the landing and take-off of aircraft, which may or may not provide facilities for the shelter, supply, and repair of aircraft, and which meets the minimum requirements as to size, design, surface, marking, equipment, and management and may, from time to time, be provided by the Minnesota aeronautics commission.

Subdivision 8. "Emergency landing strip." "Emergency landing strip" means an area, either of land or water, which is available for the landing and take-off of aircraft, having not less than 200 feet of usable width and not less than 1,000 feet of usable length, the use of which shall, except in case of emergency, be only as provided, from time to time, by the regulations of the Minnesota aeronautics commission.

Subdivision 9. "Person." "Person" means any individual, association, copartnership, firm, company, corporation, or other association of individuals.

Subdivision 10. "Air instruction." "Air instruction" means the imparting of aeronautical information in any air school, flying club, or by any aviation instructor.

Subdivision 11. "Air school." Any person engaged in giving instruction, or offering to give instruction, in aeronautics, either in flying or ground subjects, or both, for or without hire or reward, and advertising, representing, or holding himself out as giving or offering to give such instruction, shall be termed and considered an air school.

Subdivision 12. "Flying club." Any person, other than an individual, who, neither for profit nor reward, owns, leases, or uses one or more aircraft for the purpose of instruction, pleasure, or both, shall be termed and considered a flying club.

Subdivision 13. "Aviation instructor." "Aviation instructor" means any individual engaged in giving instruction, or offering to give instruction, in aeronautics, either in flying or ground subjects, or both, for or without hire or reward, without advertising such occupation, without calling his facili-

ties an "air school" or anything equivalent thereto, or without employing or using other instructors.

Subdivision 14. "Commercial aviation." "Commercial aviation" means the operating of aircraft while carrying persons for hire, either as passengers or while receiving flying instructions.

Subdivision 15. "Airplane." "Airplane," when used in sections 360.30 to 360.36, shall include all mechanical appliances for navigating the air. [1927 c. 62 s. 3, last sentence; 1933 c. 430 s. 1; 1935 c. 353 s. 1] (5494-36½)

360.02 LICENSES REQUIRED FOR AIRCRAFT. Subdivision 1. Kinds. It shall be unlawful for any person to operate or navigate, or cause or authorize to be operated or navigated, any civil aircraft within the state unless such aircraft is licensed by the Minnesota aeronautics commission, or shall have an appropriate, effective license issued by the department of commerce of the United States, or is licensed by a foreign country with which the United States has a reciprocal agreement covering the operations of such licensed aircraft, or is a public aircraft of the United States or any state, territory, or possession thereof, or is an aircraft licensed by any state having similar licensing requirements to those of Minnesota.

Subdivision 2. Commercial aircraft. All aircraft engaged in commercial aviation operating within this state shall conform with respect to design, construction, and airworthiness to the standards prescribed by the United States government with respect to the operation and navigation of civil aircraft subject to its jurisdiction. The Minne-

sota aeronautics commission is hereby empowered to issue commercial licenses to such aircraft as may be found airworthy, and in so far as is practicable, the standards prescribed by the department of commerce of the United States with respect to design, construction, and airworthiness shall be applied to aircraft engaged in commercial aviation within this state, and before issuing a commercial license, the Minnesota aeronautics commission may require that such aircraft shall meet all standards prescribed by the department of commerce of the United States for aircraft subject to its jurisdiction. All applications for a commercial license may be in writing, signed by the applicant, and shall be accompanied by such filing fee as the Minnesota aeronautics commission may designate, not exceeding \$25.00 annually for a single motored aircraft, or \$50.00 annually for a multi-motored aircraft, which fee shall be paid into the state aviation fund.

Subdivision 3. Non-commercial aircraft. The Minnesota aeronautics commission shall issue restricted licenses for the limited operation of non-commercial aircraft, as herein-after provided. All applications for a non-commercial license shall be in writing, signed by the applicant, and shall be accompanied by such filing fee as the Minnesota aeronautics commission may designate, not exceeding \$25.00 annually for a single motored aircraft, or \$50.00 annually for a multi-motored aircraft, which fee shall be paid into the state aviation fund. When such application is filed, the commission shall grant a temporary license to test-fly such aircraft for a designated period, during which period any licensed transport pilot may conduct flying tests of such aircraft; provided, that the aircraft shall not be

flown over any inhabited city, town, or village during that period. During the time the temporary license is in effect the Minnesota aeronautics commission shall designate a transport pilot or inspector to test the aircraft, or otherwise determine whether it is airworthy, and may also designate the place where tests shall be carried on. This designated pilot or inspector may test-fly the aircraft himself or he may require it to be tested within his view by having it subjected to such flying tests as the Minnesota aeronautics commission may require. If the aircraft is determined to be airworthy, then the Minnesota aeronautics commission shall issue a license authorizing the aircraft to be flown for non-commercial purposes only, and markings prescribed by the Minnesota aeronautics commission shall be placed on the aircraft to show that same is licensed only for non-commercial purposes.

Subdivision 4. Revocation of licenses. The Minnesota aeronautics commission is hereby empowered to temporarily or permanently revoke any license issued by it or refuse to issue a license whenever it shall determine that any aircraft is not airworthy. [1933 c. 430 s. 2; 1935 c. 358 s. 2] (5494-36½a)

360.03 PILOTS TO BE LICENSED; RULES AND REGULATIONS. It shall be unlawful for any person to operate, or cause to be operated, any aircraft in this state unless he is licensed by the Minnesota aeronautics commission, or is a holder of a correct, effective pilot's license issued by the department of commerce of the United States, or is a pilot licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft, or is a pilot li-

censed by a state having similar licensing requirements to those of Minnesota, or is a pilot in the military or naval service, active or reserve, of the United States or of any state, while operating military or naval aircraft.

The Minnesota aeronautics commission may prescribe such reasonable rules and regulations for the granting of pilots' licenses as it may deem necessary and advisable for the public safety and the safety of those engaged in aeronautics. [1933 c. 430 s. 3; 1935 c. 358 s. 3] (5494-36½b)

360.04 LICENSES TO BE CARRIED.

The certificate of the license required for pilots shall be kept in the personal possession of the licensee when he is operating aircraft within this state and must be presented for inspection upon the demand of any passenger, or any peace officer, of this state, any authorized official or employee of the Minnesota aeronautics commission, or any official, manager, or person in charge of any airport in this state upon which he shall land, or upon the reasonable request of any other person. The aircraft license must be carried in the aircraft at all times and must be conspicuously posted therein where it may be readily seen by passengers or inspectors; and such license must be presented for inspection upon the demand of any passenger, any peace officer of this state, any authorized official or employee of the Minnesota aeronautics commission, or any official, manager, or person in charge of any airport in this state upon which it shall land, or upon the reasonable request of any other person. [1933 c. 430 s. 4] (5494-36½c)

360.05 MINNESOTA AERONAUTICS COMMISSION. There is hereby created an aeronautics commission to be known as the

Minnesota aeronautics commission, consisting of five persons to be appointed by the governor, as hereinafter provided, and to serve without pay. The governor shall, from time to time, designate the member of the commission who shall be its chairman and who shall so serve during the term of his appointment. The term of office of the commissioners shall be for a period of four years beginning on the second Monday in January following their appointment; all members to serve until their successors are appointed and have qualified. No person shall serve on this commission unless he, at the time of appointment, belonged to one of the following groups:

(1) Persons holding a correct and effective pilot's license from the department of commerce of the United States, or a pilot's license issued by the Minnesota aeronautics commission;

(2) Commissioned officers holding a flying rating in the armed forces of the United States, whether on active duty or in the reserve corps, including commissioned officers holding flying ratings in the United States army, United States navy, National Guard, or naval militia;

(3) Persons actively engaged in or having had at least three years of practical experience in civil aeronautics; provided, however, that no more than two members of the commission can belong only to group (3). [1933 c. 430 s. 5; 1935 c. 358 s. 4] (5494-36½d)

360.06 ORGANIZATION. The commission shall organize, adopt a seal, and make such rules and regulations for the administration of the commission, not inconsistent herewith, as it may deem expedient and may,

from time to time, amend such rules and regulations. [1933 c. 430 s. 6] (5494-36½e)

360.07 SECRETARY; ASSISTANTS. The commission may appoint a secretary, whose duty it shall be to keep a full and true record of all its proceedings; to keep books and records in the general office of the commission; and to perform such other duties as the commission may prescribe.

The commission may employ such clerical and other employees and assistants as it may deem necessary for the proper transaction of its business, and shall fix their salaries, subject to the amount appropriated for the purposes of sections 360.01 to 360.19. [1933 c. 430 ss. 7, 8] (5494-36½f) (5494-36½g)

360.08 OFFICES. The commissioner of administration shall provide suitable offices for the commission in the city of St. Paul, Minnesota, and the commission may maintain offices in any other city in the state that the commission may designate, and may incur, subject to the amount appropriated for the purposes of sections 360.01 to 360.19, the necessary expense for office furniture, stationery, printing, incidental expenses, and other expenses necessary for the enforcement of sections 360.01 to 360.19 and the general promotion of aeronautics within the state. [1933 c. 430 s. 9] (5494-36½h)

360.09 DUTIES. The commission shall foster air commerce within the state and have supervision over the aeronautical activities and facilities within the state, which authority shall include supervision and control over all airports, landing fields, emergency landing strips, air instruction, air marking, air beacons, and all other air navi-

gation facilities, and the registration of all pilots and aircraft. The commission is empowered to prescribe such reasonable rules and regulations as it may deem necessary and advisable for the public safety and for the promotion of aeronautics governing the designing, laying out, location, building, equipping, operation, and use of all airports, landing fields, or emergency landing strips. The commission is further empowered to prescribe such reasonable rules and regulations as it may deem necessary governing the curriculum, equipment, personnel, and operation and management of all air instruction for the purpose of protecting the health and safety of students receiving, or to receive, such instruction, and insuring, as far as may be, the public safety through the proper training and instruction of student aviators. The commission is further empowered to prescribe such reasonable rules and regulations as it may deem necessary and advisable for the public safety and the safety of those engaged in aeronautics, and for the promotion of aeronautics, governing the establishment, location, maintenance, and operation of all air markings, air beacons, and other air navigation facilities. The commission is further empowered to prescribe such reasonable air traffic rules and other regulations as it shall deem necessary for the public safety and the safety of those engaged in aeronautics, and for the promotion of aeronautics; provided, however, that all rules and regulations prescribed by the commission under the authority of this section shall not be inconsistent with the then current federal legislation governing aeronautics and the regulations duly promulgated thereunder.

The commission shall assist in the development of aviation and aviation facilities

within the state for the purpose of safeguarding the interests of those engaged in all phases of the industry and of the general public and of promoting aeronautics. The commission is empowered to expend any or all of the moneys allocated to, and deposited in, the state aviation fund, for the acquisition or enlargement, by purchase, grant, lease, condemnation, or other means, and for the construction, operation, and maintenance of airports, landing fields, or emergency landing strips within this state, and of other aeronautic facilities or services within the state for the safety and advancement of aeronautics, which shall include the joint establishment or provision of such aeronautic facilities or services in cooperation with other state or federal departments, or with political subdivisions of this state. [1933 c. 430 ss. 10, 11] (5494-36½i) (5494-36½j)

360.10 APPROVAL AND LICENSE. All proposed airports, landing fields, air schools, flying clubs, air beacons, or other air navigation facilities shall first be approved by the Minnesota aeronautics commission before they, or any of them, shall be so used or operated. It shall be unlawful for any airport, landing field, air school, flying club, air beacon, or other navigation facility to be used or operated without the approval of the commission; and it shall be unlawful for any aircraft, except in case of emergency, to land upon or take off from any area in the state of Minnesota other than an airport, landing field, or emergency landing strip; provided, however, that no license, rule, order, or regulation promulgated under the authority of sections 360.01 to 360.19 shall apply to airports, landing fields, air beacons, air markings, or other air navigation facilities owned or operated by the

United States or by this state. The commission is hereby authorized to issue a certificate of its approval in each case and to make the following charges therefor:

- (1) For the issuance of each annual certificate of registration of each federal license for pilots and aircraft, a fee to be fixed by the Minnesota aeronautics commission, not exceeding \$10.00, may be charged;
- (2) For issuance of each annual airport license, \$10.00;
- (3) For issuance of each annual landing field license, \$10.00;
- (4) For issuance of each annual air school license, \$10.00;
- (5) For issuance of each annual flying club license, no fee shall be charged;
- (6) For issuance of each annual air beacon license, no fee shall be charged;
- (7) For issuance of each annual other air navigation facility license, no fee shall be charged. [1933 c. 430 s. 12; 1935 c. 358 s. 5] (5494-36½k)

360.11 INVESTIGATIONS AND HEARINGS. The Minnesota aeronautics commission, or any commissioner or officer thereof designated by it, shall have the power to hold investigations, inquiries, and hearings concerning matters covered by the provisions of sections 360.01 to 360.19 and all accidents in aeronautics within this state. All hearings conducted by the commission shall be open to the public. Each commissioner, and every officer of the commission designated by it to hold any inquiry, investigation, or hearing, shall have the power to administer oaths and affirmations, certify

to all official acts, issue subpoenas, compel the attendance and testimony of witnesses, and the production of papers, books, and documents. In case of failure to comply with any subpoena or order issued under authority of sections 360.01 to 360.19, the commission, or its authorized representative, may invoke the aid of any court in this state. The court may thereupon order the witness to comply with the requirements of the subpoena or order or to give evidence touching the matter in question. Any failure to obey the order of the court may be punished by the court as a contempt thereof. [1933 c. 430 s. 13] (5494-36½l)

360.12 CONDUCT OF INVESTIGATION. In order to facilitate the making of investigations by the Minnesota aeronautics commission, in the interest of the public safety and the promotion of aeronautics, the public interest requires, and it is therefore provided, that the reports of investigations or hearings, or any part thereof, shall not be admitted in evidence or used for any purpose in any suit, action, or proceedings growing out of any matter referred to in the investigations, hearings, or report thereof, nor shall any commissioner or employee of the commission be required to testify to any facts ascertained in, or information gained by reason of, his official capacity. No commissioner or employee of the commission shall be required to testify as an expert witness in any suit, action, or proceeding involving any aircraft. [1933 c. 430 s. 14] (5494-36½m)

360.13 COMMISSION TO KEEP COPY OF RULES AND REGULATIONS ON FILE. The Minnesota aeronautics commission shall keep on file with the secretary of state, and at the principal office of the com-

mission, a copy of its rules and regulations, for public inspection. On or before December thirty-first, in each year, the commission shall make to the governor a full report of its proceedings for the year ending December first, in each year, and may submit with such report such recommendations pertaining to its affairs as seem to it to be desirable. [1933 c. 430 s. 15] (5494-36½n)

360.14 ENFORCEMENT. It shall be the duty of the Minnesota aeronautics commission, its members and employees, and every county and municipal officer charged with the enforcement of state and municipal laws, to enforce, and assist in the enforcement of, sections 360.01 to 360.19. The commission is further authorized, in the name of the state, to enforce the provisions of sections 360.01 to 360.19 by injunction in the district courts of this state. Other departments and political subdivisions of this state are further authorized to cooperate with the commission in the development of aeronautics and aeronautic facilities within the state. [1933 c. 430 s. 16] (5494-36½o)

360.15 POWERS. In any case where the Minnesota aeronautics commission rejects an application for a pilot's license or a license for any aircraft, or for permission to operate or establish an airport, landing field, air school, flying club, air beacon, or other air navigation facilities, or in any case where the commission shall issue any order requiring certain things to be done, or revoking any license on any aircraft, it shall set forth its reasons therefor and shall state the requirements to be met before such approval will be given or such order modified or changed.

In any case where the commission may deem it necessary it may order the closing

of any airport, landing field, or order any air school, flying club, or air beacon, or other air navigation facility to cease operations until it shall have complied with the requirements laid down by the commission. To carry out the provisions of sections 360.01 to 360.19 the commission and any officers, state or municipal, charged with the duty of enforcing sections 360.01 to 360.19 may inspect and examine, at reasonable hours, any premises, and the buildings and other structures thereon, where such airports, landing fields, air schools, flying clubs, air beacons, or other air navigation facilities are operated. Any order made by the commission pursuant to sections 360.01 to 360.19 shall be served upon the interested person, by registered mail or in person, before such order shall become effective. [1933 c. 430 s. 17; 1935 c. 358 s. 6] (5494-36½p)

360.16 APPEAL TO DISTRICT COURT. Any person against whom an order has been entered may, within 30 days after the service thereof, appeal to the district court of the county in which any part of the property affected by the order is located, for the purpose of having the reasonableness or lawfulness of the order inquired into and determined. [1933 c. 430 s. 18] (5494-36½q)

360.17 RIGHTS WAIVED. If no appeal is taken from the order of the Minnesota aeronautics commission within the period fixed, the party against whom the order was entered shall be deemed to have waived the right to have the reasonableness or lawfulness of the order reviewed by a court and there shall be no trial of that issue in any court in which suit may be instituted for the penalty for failure to comply with the order. [1933 c. 430 s. 19] (5494-36½r)

360.18 STATE AVIATION FUND; HOW USED. There is hereby created a fund to be known as the state aviation fund. All moneys received from the registration of federal licenses on aircraft and pilots, from the licensing of aircraft, airports, landing fields, air schools, or other licenses issued under the provisions of sections 360.01 to 360.19 shall be paid into the state treasury and credited to such fund.

Any moneys or fees coming into the hands of the commission may be used for the necessary expenses of the commission essential to the carrying out of sections 360.01 to 360.19, but no overdraft shall be created by reason of any such expenditures. [1933 c. 430 ss. 21, 22; 1935 c. 358 s. 7] (5494-36½t) (5494-36½u)

360.19 VIOLATION. Any person failing to comply with the requirements of, or violating any of the provisions of, sections 360.01 to 360.19, or the rules and regulations for their enforcement made by the Minnesota aeronautics commission, shall be guilty of a gross misdemeanor and punishable by a fine of not more than \$500.00, or by imprisonment for not more than 90 days, or both. [1933 c. 430 s. 20] (5494-36½s)

360.20 CITIES AND VILLAGES MAY EQUIP AIR FIELDS. The governing body of any city, village, or town in this state is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate airports or landing fields for the use of airplanes and other aircraft, either within or without the limits of such cities, villages, and towns, and may use for such purpose any property suitable therefor that is now or may at any time hereafter be owned or controlled by such city, village, or town. [1929, c. 217 s. 1] (5494-37)

360.21 COUNTY BOARD MAY ACQUIRE AIRPORT. The board of county commissioners of any county in this state is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate airports or landing fields for the use of airplanes and other aircraft within the limits of such county and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such county. The power or authority granted to any county or other political subdivision of the state by the provisions of sections 360.20 to 360.29 may, in any county of this state having at any time an area of over 5,000 square miles and a population of over 200,000, or in any county of this state having at any time an area of over 1,000 square miles and a population of over 30,000 and containing not more than 45 full and fractional congressional townships, be exercised in cooperation with the governing body of any other such political subdivision in such county, as well as separately, in order to carry into effect the powers herein granted, when the governing body of any such political subdivision shall determine it to be in the public interest. Any cooperative agreement entered into between the governing bodies of any two or more such political subdivisions, either for the carrying on or abandonment of any airport or landing field in such county, shall be binding upon their respective political subdivisions.

No county having over 5,000 square miles of area and over 200,000 inhabitants and no county having at any time an area of 1,000 square miles and over 30,000 inhabitants and containing not more than 45 full and fractional congressional townships, or political subdivision in such counties, shall, jointly

or separately, have authority to spend in any calendar year more than \$50,000, in order to carry into effect the powers herein granted. Any such expenditures shall be included in, and shall not be in excess of, any limitations on expenditures of such political subdivision now fixed by law. [1929 c. 217 s. 2; 1931 c. 354; 1941 c. 264] (5494-38)

360.22 MAY EXERCISE POWER OF EMINENT DOMAIN. Any lands acquired, owned, controlled, or occupied by such cities, villages, towns, or counties for the purposes enumerated in sections 360.20 and 360.21 are hereby declared to be acquired, owned, controlled, and occupied for a public purpose and as a matter of public necessity, and such cities, villages, towns, or counties shall have the right to acquire property for such purpose under the power of eminent domain as and for a public necessity. [1929 c. 217 s. 3] (5494-39)

360.23 MAY ACQUIRE LANDS BY GIFT, PURCHASE, OR OTHERWISE. Private property needed by any city, village, town, or county for an airport or landing field may be acquired by gift or purchase, if the city, village, town, or county is able to agree with the owners on the terms thereof, and otherwise by condemnation, in the manner provided by the law under which the city, village, town, or county is authorized to acquire real property for public purposes, other than street purposes, or, if there be no such law, in the manner provided for and subject to the provisions of the condemnation law. The purchase price or award for real property acquired for an airport or landing field may be paid for by appropriation, of moneys available therefor or wholly or partly from the proceeds of the sale of bonds of the city, village, town, or county

issued as hereinafter specified. [1929 c. 217 s. 4] (5494-40)

360.24 MAY MAINTAIN AND OPERATE FLYING FIELDS. The governing body of any city, village, town, or county which has established an airport or landing field and acquired, leased, or set apart real property for such purpose, may construct, improve, equip, maintain, and operate the same, or may vest jurisdiction for the construction, improvement, equipment, maintenance, and operation thereof, in any suitable office, board, or body of such city, village, town, or county. The expenses of such construction, improvement, equipment, maintenance, and operation shall be a city, village, town, or county charge, as the case may be. The governing body of any city, village, town, or county may adopt regulations and establish fees or charges for the use of such airport or landing field, or may authorize any officer, board, or body of such village, city, town, or county having jurisdiction to adopt such regulations and establish such fees or charges, subject, however, to the approval of such governing body before they shall take effect. [1929 c. 217 s. 5] (5499-41)

360.25 ANNUAL APPROPRIATION. The governing body of any city, village, town, or county to which sections 360.20 to 360.27 are applicable, having power to appropriate money therein, may annually appropriate and cause to be raised by taxation in such city, village, town, or county a sum sufficient to carry out the provisions of sections 360.20 to 360.27, not exceeding, however, the taxing limits now provided by law. [1929 c. 217 s. 6] (5494-42)

360.26 APPLICATION OF SECTIONS 360.20 TO 360.27. The provisions of sections 360.20 to 360.27 shall apply to all cities of

the state, except cities of the first class, including every city now or hereafter having, and operating under, a home rule charter, adopted under and pursuant to the Constitution of the State of Minnesota, Article 4, Section 36; provided, that sections 360.20 to 360.27 shall not apply to any privately owned or controlled airport and aviation field. [1929 c. 217 s. 7] (5494-43)

360.27 ISSUANCE OF BONDS. Any such city, village, town or county is hereby authorized and empowered to issue its negotiable general obligation bonds for the purpose of acquiring, establishing, constructing, enlarging or improving such airport or landing field and a site therefor in the manner and within the limits prescribed by chapter 475 for the issuance of bonds for the acquisition of other revenue-producing public conveniences. The bonds shall be sold in the manner prescribed by section 475.12. The amount of any such bonds at any time outstanding shall be included in computing the net debt of the city, village, town, or county issuing the same for the purpose of computing any limitation of its indebtedness prescribed by law or by its charter. [1929 c. 217 s. 8] (5494-44)

360.28 MAY ACQUIRE AIR RIGHTS. Where necessary in order to provide unobstructed air space for the landing and taking off of aircraft utilizing airports and landing fields acquired or maintained under the provisions of sections 360.28 and 360.29, the legislative bodies of counties, municipalities, and other political subdivisions of this state are hereby granted authority to acquire such air rights over private property as are necessary to insure safe approaches to the landing areas of such airports and landing fields. The air rights may be ac-

quired by grant, purchase, lease, or condemnation in the same manner as is provided by law for the acquisition of the airport or landing field itself or the expansion thereof. [1931 c. 214 s. 1] (5494-46)

360.29 MAY ACQUIRE FOR ANY TERM. The legislative bodies of counties, municipalities, and other political subdivisions of this state are hereby authorized to acquire the right or easement for a term of years or perpetually to place and maintain suitable marks for the daytime, and to place, operate, and maintain suitable lights for the night-time marking of buildings, or other structures or obstructions interfering with the safe operation of aircraft utilizing airports and landing fields acquired or maintained under the provisions of sections 360.28 and 360.29. Such rights or easements may be acquired by grant, purchase, lease, or condemnation in the same manner as is provided by law for the acquisition of the airport or landing field itself or the expansion thereof. [1931 c. 214 s. 2] (5494-47)

360.30 MUNICIPAL FLYING FIELD; ACQUISITION AND ESTABLISHMENT BY CITIES OF FIRST CLASS. Each city of the first class of this state, acting through its council or chief governing body thereof, by whatever name known, or board of park commissioners, is hereby authorized and empowered to acquire, from time to time, by purchase, gift, condemnation, or otherwise, all land necessary or convenient for the purpose of establishing and maintaining a municipal flying field. Each such city shall have the power to acquire, as aforesaid, such a flying field whether the land so to be used and designated for that purpose be within or without the city limits of this city. [1927 c. 62 s. 1] (1626-1)

360.31 CONDEMNATION OF LAND. In the event the council, chief governing body, or board of park commissioners shall deem it advisable to acquire this land by condemnation, the council, chief governing body, or board of park commissioners shall be authorized to acquire the land by condemnation, the council, chief governing body, or board of park commissioners shall be authorized to acquire this land by the procedure authorized by the statutes of this state, or by any provision of the city charter of the city, providing for the condemnation of land. [1927 c. 62 s. 2] (1626-2)

360.32 JURISDICTION, AUTHORITY, REGULATIONS. After the land has been acquired for the purpose of a municipal flying field, the council, chief governing body, or board of park commissioners, having jurisdiction of the same, shall have power and authority to expend the necessary money for the purpose of properly and adequately equipping the field for use by airplanes and for the purposes hereinafter set out. The council, chief governing body, or board of park commissioners, as the case may be, shall have full and complete authority to govern the land so acquired, and to regulate by general ordinance the use of the field for the purpose of flying or for other purposes. The council, chief governing body, or board of park commissioners, as the case may be, shall have power to lease such portions of the land so designated for a flying field to the United States government for purposes of the air mail or for other public purposes, and to the state of Minnesota or any branch of the state government for public purposes, and also shall provide rules, regulations, and ordinances providing for the proper use of the field by individuals, copartnerships, and corporations desiring to

use the same as a public landing or starting place for airplanes, whether used for pleasure, experiment, or for commercial purposes. [1927 c. 62 s. 3] (1626-3)

360.33 BOND ISSUES. In order to carry out the purposes of sections 360.30 to 360.35, each city of the first class, in the event of designation, purchase, or acquisition of the flying field, shall be authorized to issue the necessary bonds, not in excess of \$450,000, for the payment of the same, in such form and amounts, and bearing such interest as the council, governing body, or board of park commissioners may determine. [1927 c. 62 s. 4] (1626-4)

360.34 AUTHORITY OF BOARD OF PARK COMMISSIONERS; ONLY ONE FIELD TO BE ACQUIRED. The board of park commissioners of any such city shall have full power and authority to acquire, maintain, govern, and provide the bonds necessary to purchase or otherwise acquire land necessary for a municipal flying field, upon the conditions set forth in sections 430.30 to 430.33; provided, however, such city shall be entitled to purchase one flying field only under the terms of sections 430.30 to 430.35; and, provided, that a city which has already acquired a flying field shall not be authorized to acquire an additional or new flying field under sections 430.30 to 430.35. [1927 c. 62 s. 5] (1626-5)

360.35 BOND ISSUES; PROCEDURE. Any bonds to be issued by any city under or pursuant to sections 360.30 to 360.35 shall be authorized and issued in the manner prescribed by the charter of such city for the issuance and authorization of the issuance of bonds thereof. [1927 c. 62 s. 7] (1626-7)

360.36 FLYING FIELDS; ACQUISITION OF LAND; ERECTION. Every village of this state, situated in a county having an assessed valuation of not more than \$2,000,000 and a population of not more than 5,000, is hereby authorized, by resolution of the council, to establish and maintain a municipal flying field and airport, to acquire land by lease, gift, purchase, devise, or condemnation, from time to time, necessary for that purpose, and to erect thereon terminal and other buildings and structures necessary and suitable for the operation thereof. [Ex. 1934 c. 55 s. 1] (1263-1)

360.37 TAKING POSSESSION OF LAND, CONDEMNED. Such village may, at any time after the filing of the petition in the condemnation proceedings, take possession of these lands to be used and, except as provided in sections 360.36 to 360.38, such condemnation proceedings shall be exercised only under and pursuant to the provisions of the statutes of this state relating to eminent domain. [Ex. 1934 c. 55 s. 2] (1263-2)

360.38 EXPENSE, HOW PAID; LEVY OF TAX. The cost of establishing and maintaining any airport established and maintained in pursuance of the provisions of sections 360.36 to 360.38 shall be paid from the funds of the water and light department of any such village, and if the funds are not sufficient therefor, the council of the village is hereby authorized to levy a tax, upon all taxable property in the village, in an amount sufficient to pay the balance of the costs. [Ex. 1934 c. 55 s. 3] (1263-3)

360.39 CITIES MAY ESTABLISH MUNICIPAL AIRPORTS. Each city of the first class is hereby authorized and empowered to establish and maintain a municipal flying field and airport, to acquire land from

time to time necessary for that purpose, and to erect thereon terminal and other buildings and structures necessary and suitable for the operation thereof. When deemed necessary land may be leased by any such city for the purposes hereof. [1929 c. 125 s. 1; 1929 c. 379 s. 1] (1626-8)

360.40 CITIES MAY ESTABLISH AIRPORTS. The land so to be used, or acquired and used, by each such city may be used, or so acquired and used, whether the land be located within or without the limits of the city. The land may be acquired, from time to time, by purchase, gift, devise, condemnation, or otherwise, and the title so acquired by condemnation or purchase shall be in fee simple absolute, unqualified in any way whatsoever. When the right of condemnation is to be exercised, such condemnation proceedings shall be exercised only under and pursuant to the provisions of the statutes of the state of Minnesota relating to eminent domain; provided, that wherever such city has already established an airport, such additional land should be contiguous thereto. [1929 c. 125 s. 2; 1929 c. 379 s. 2; 1931 c. 123 s. 1] (1626-9)

360.41 TO FIX CHARGES. Each such city shall have the authority to determine the charges for the use of the municipal flying field and airport and the terms and conditions under which the municipal flying field and airport and its facilities may be used; provided, that such charges shall be reasonable and uniform for the same class of service, to lease parts thereof to individuals, copartnerships or corporations, to any municipal or state government or to the national government or to foreign governments, or any department of either thereof, for flying purposes or any purpose incidental

thereto, and to determine the terms and conditions of the leasing by the lessees, and any lands acquired, owned, controlled, or occupied by such cities, as herein provided, shall and hereby are declared to be acquired, owned, controlled, and occupied for a public purpose and as a matter of public necessity. [1929 c. 125 s. 3; 1929 c. 379 s. 3] (1626-10)

360.42 DISPOSAL OF REVENUES. The revenues obtained from the ownership and operation of any such municipal flying field and airport shall be used to finance the maintenance and the operating expenses thereof and to make payment of interest on and current principal requirements of any outstanding bonds or certificates issued for the acquisition or improvement thereof, and to make payment of interest on any mortgage heretofore made. That portion of the revenue in excess of the foregoing requirements may be applied to finance the extension or improvement of the flying field and airport. [1929 c. 125 s. 4; 1929 c. 379 s. 4] (1626-11)

360.43 BOND ISSUE. The limitation of bonds to the amount of \$150,000 for airport purposes and the limitation of one airport to each city of the first class, found in sections 360.33 and 360.34, are hereby expressly repealed, and each such city shall be authorized to issue bonds for the purposes defined in sections 360.39 to 360.46 to an amount not to exceed \$450,000, in addition to all bonds heretofore issued for such purposes; except that in cities where a bond issue has been authorized in an ordinance approved by popular vote of the voters, the amount of such bond shall be limited to the amount authorized in this ordinance. No indebtedness, mortgage, lien, or security shall be made, created, suffered, or incurred in the

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time to time necessary for that purpose, and to erect thereon terminal and other buildings and structures necessary and suitable for the operation thereof. When deemed necessary land may be leased by any such city for the purposes hereof. [1929 c. 125 s. 1; 1929 c. 379 s. 1] (1626-8)

360.40 CITIES MAY ESTABLISH AIRPORTS. The land so to be used, or acquired and used, by each such city may be used, or so acquired and used, whether the land be located within or without the limits of the city. The land may be acquired, from time to time, by purchase, gift, devise, condemnation, or otherwise, and the title so acquired by condemnation or purchase shall be in fee simple absolute, unqualified in any way whatsoever. When the right of condemnation is to be exercised, such condemnation proceedings shall be exercised only under and pursuant to the provisions of the statutes of the state of Minnesota relating to eminent domain; provided, that wherever such city has already established an airport, such additional land should be contiguous thereto. [1929 c. 125 s. 2; 1929 c. 379 s. 2; 1931 c. 123 s. 1] (1626-9)

360.41 TO FIX CHARGES. Each such city shall have the authority to determine the charges for the use of the municipal flying field and airport and the terms and conditions under which the municipal flying field and airport and its facilities may be used; provided, that such charges shall be reasonable and uniform for the same class of service, to lease parts thereof to individuals, copartnerships or corporations, to any municipal or state government or to the national government or to foreign governments, or any department of either thereof, for flying purposes or any purpose incidental

thereto, and to determine the terms and conditions of the leasing by the lessees, and any lands acquired, owned, controlled, or occupied by such cities, as herein provided, shall and hereby are declared to be acquired, owned, controlled, and occupied for a public purpose and as a matter of public necessity. [1929 c. 125 s. 3; 1929 c. 379 s. 3] (1626-10)

360.42 DISPOSAL OF REVENUES. The revenues obtained from the ownership and operation of any such municipal flying field and airport shall be used to finance the maintenance and the operating expenses thereof and to make payment of interest on and current principal requirements of any outstanding bonds or certificates issued for the acquisition or improvement thereof, and to make payment of interest on any mortgage heretofore made. That portion of the revenue in excess of the foregoing requirements may be applied to finance the extension or improvement of the flying field and airport. [1929 c. 125 s. 4; 1929 c. 379 s. 4] (1626-11)

360.43 BOND ISSUE. The limitation of bonds to the amount of \$150,000 for airport purposes and the limitation of one airport to each city of the first class, found in sections 360.33 and 360.34, are hereby expressly repealed, and each such city shall be authorized to issue bonds for the purposes defined in sections 360.39 to 360.46 to an amount not to exceed \$450,000, in addition to all bonds heretofore issued for such purposes; except that in cities where a bond issue has been authorized in an ordinance approved by popular vote of the voters, the amount of such bond shall be limited to the amount authorized in this ordinance. No indebtedness, mortgage, lien, or security shall be made, created, suffered, or incurred in the

acquisition of land for such airport except as expressly authorized in sections 360.39 to 360.46. No land shall be purchased at an average price of more than \$600.00 per acre unless by condemnation proceedings. [1929 c. 125 s. 5; 1929 c. 379 s. 5] (1626-12)

360.44 ISSUE OF BONDS; RATE OF INTEREST. In order to carry out the purposes of sections 360.39 to 360.46, each such city is hereby authorized to issue municipal flying field or airport bonds or certificates of indebtedness to secure funds for the purchase and improvement of the specified land or to meet the cost of purchase or erection of designated buildings and structures. The bonds or certificates of indebtedness shall be issued by each such city in the manner prescribed by law or by the charter thereof for the issuance and authorization of issuance of bonds.

In any city having a board of estimate and taxation the bonds hereby authorized may be issued, from time to time, by vote of five-sevenths of all the members of the board after request thereto by vote of two-thirds of all the members of the council and in no other manner, and if so authorized shall be issued by the board of estimate and taxation. In cities not having a board of estimate and taxation such bonds may be issued and sold, from time to time, by vote of two-thirds of all the members of the council or other chief governing body, subject to the right of referendum where provided in the charter of any such city. The bonds shall bear interest at not exceeding five per cent per annum, payable semi-annually. The principal shall be payable serially in not more than 30 annual installments as nearly equal as may be. The council or other chief governing body shall levy, annually, a tax on all the taxable property of the city sufficient to meet the

interest and principal about to mature. The bonds or certificates hereby authorized, or any part thereof, may be issued and sold by each such city, notwithstanding any limitation contained in the charter of the city or in the law of the state prescribing or fixing limitations upon the bonded indebtedness of the city, but the full faith and credit of the city shall at all times be pledged for the payment thereof at maturity, and for the payment of the current interest thereon.

In case the jurisdiction of the airport be under a board of park commissioners, in the cases provided in section 360.45, the board shall first request the council that it request the issuance of bonds for such purposes.

The amount of all bonds heretofore or hereafter issued by any such city for the acquisition or improvement of a flying field or airport shall not be counted or included in the net indebtedness of the city or in any computation of the city's outstanding indebtedness for the purpose of determining the limit of net indebtedness of the city. [1929 c. 125 s. 6; 1929 c. 379 s. 6] (1626-13)

360.45 AUTHORITY MAY BE EXERCISED BY GOVERNING BODY OR BOARD OF PARK COMMISSIONERS. The authority hereby granted may be exercised by the council, or chief governing body thereof, by whatever name designated, or may be exercised by the board of park commissioners or other body in charge of the park system of the city. When the authority shall have been so vested in the latter body, either under the provisions of sections 360.39 to 360.46 or the provisions of sections 360.30 to 360.35, that authority shall continue to be exercised by the body in control of the park system of the city, and whichever body shall be vested with such authority shall have full and complete au-

thority to govern the field so acquired and to regulate by general ordinance the use of the land for flying and for other aviation purposes. [1929 c. 125 s. 7; 1929 c. 379 s. 7] (1626-14)

360.46 APPLICATION OF SECTIONS 360.39 TO 360.46. Sections 360.39 to 360.46 shall not apply to any city which has issued or shall issue bonds for municipal field and airport purposes as authority for an ordinance referred to and approved by the voters of such city by popular vote. [1929 c. 125 s. 9; 1929 c. 379 s. 9] (1626-16)

360.47 AIRPORTS MAY BE ENLARGED IN CERTAIN CASES. The governing body of any city of the first class in this state, now or hereafter existing, which city owns, maintains, and operates an airport within its corporate limits, is hereby authorized and empowered, from time to time, as funds are available, to extend, enlarge, and improve the facilities of the airport. Land necessary therefor may be acquired in the manner provided by the charter of any such city. [1937 c. 388 s. 1] (1626-16a)

360.48 TAX LEVY FOR MUNICIPAL AIRPORT. Each city of the first class of this state, acting through its council or chief governing body, by whatever name known, or board of park commissioners, is hereby authorized and empowered to levy, annually, on real and personal property of the city a tax, not exceeding one-twentieth of a mill on each dollar on the assessed valuation of the city, for the purpose of operating and maintaining the municipal airport of the city. [1931 c. 273 s. 1] (1626-17)

360.49 POWERS ADDITIONAL. The provisions of sections 360.48 to 360.49 shall be in full force and effect notwithstanding

any provisions in the charter of the city to the contrary thereof. No such levy shall be made unless authorized by the board of estimate and taxation of the city, according to the provisions of the charter of the city establishing the board of estimate and taxation. [1931 c. 273 s. 2] (1626-18)

360.50 OPERATION OF FLYING MACHINES. No person shall operate, or cause to be operated, any heavier than air flying machine or any aircraft of any kind or description over any city of the first class within this state except as hereinafter provided. [1921 c. 433 s. 1] (1627)

360.51 ALTITUDE. It shall be unlawful to operate, or cause to be operated, any aircraft at a lower altitude than 2,000 feet above any such city, and all exhibition flights over any such city which include trick flying or aerial acrobatics are hereby prohibited. [1921 c. 433 s. 2] (1928) Superseded by next section. See A. G. Op. July 21, 1941.

360.515 TRICK FLYING, CERTAIN ADVERTISING, AND NOISES PROHIBITED. Any aeronaut or passenger who, while in flight over a thickly inhabited area or over a public gathering within this state, shall engage in trick or acrobatic flying, or in any acrobatic feat, or, except while in landing or taking off, fly at such a low level as to endanger the persons on the surface beneath, or drop any object except loose water or loose sand ballast, or engage in advertising through the playing of music, or transcribed or oral announcements, or make noise with any siren, horn, whistle, or other audible device which is not necessary for the normal operation of the aeroplane, shall be guilty of a misdemeanor. [1929 c. 219 s. 10; 1941 c. 386] (5494-16)

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thority to govern the field so acquired and to regulate by general ordinance the use of the land for flying and for other aviation purposes. [1929 c. 125 s. 7; 1929 c. 379 s. 7] (1626-14)

360.46 APPLICATION OF SECTIONS 360.39 TO 360.46. Sections 360.39 to 360.46 shall not apply to any city which has issued or shall issue bonds for municipal field and airport purposes as authority for an ordinance referred to and approved by the voters of such city by popular vote. [1929 c. 125 s. 9; 1929 c. 379 s. 9] (1626-16)

360.47 AIRPORTS MAY BE ENLARGED IN CERTAIN CASES. The governing body of any city of the first class in this state, now or hereafter existing, which city owns, maintains, and operates an airport within its corporate limits, is hereby authorized and empowered, from time to time, as funds are available, to extend, enlarge, and improve the facilities of the airport. Land necessary therefor may be acquired in the manner provided by the charter of any such city. [1937 c. 388 s. 1] (1626-16a)

360.48 TAX LEVY FOR MUNICIPAL AIRPORT. Each city of the first class of this state, acting through its council or chief governing body, by whatever name known, or board of park commissioners, is hereby authorized and empowered to levy, annually, on real and personal property of the city a tax, not exceeding one-twentieth of a mill on each dollar on the assessed valuation of the city, for the purpose of operating and maintaining the municipal airport of the city. [1931 c. 273 s. 1] (1626-17)

360.49 POWERS ADDITIONAL. The provisions of sections 360.48 to 360.49 shall be in full force and effect notwithstanding

any provisions in the charter of the city to the contrary thereof. No such levy shall be made unless authorized by the board of estimate and taxation of the city, according to the provisions of the charter of the city establishing the board of estimate and taxation. [1931 c. 273 s. 2] (1626-18)

360.50 OPERATION OF FLYING MACHINES. No person shall operate, or cause to be operated, any heavier than air flying machine or any aircraft of any kind or description over any city of the first class within this state except as hereinafter provided. [1921 c. 433 s. 1] (1627)

360.51 ALTITUDE. It shall be unlawful to operate, or cause to be operated, any aircraft at a lower altitude than 2,000 feet above any such city, and all exhibition flights over any such city which include trick flying or aerial acrobatics are hereby prohibited. [1921 c. 433 s. 2] (1928) Superseded by next section. See A. G. Op. July 21, 1941.

360.515 TRICK FLYING, CERTAIN ADVERTISING, AND NOISES PROHIBITED. Any aeronaut or passenger who, while in flight over a thickly inhabited area or over a public gathering within this state, shall engage in trick or acrobatic flying, or in any acrobatic feat, or, except while in landing or taking off, fly at such a low level as to endanger the persons on the surface beneath, or drop any object except loose water or loose sand ballast, or engage in advertising through the playing of music, or transcribed or oral announcements, or make noise with any siren, horn, whistle, or other audible device which is not necessary for the normal operation of the aeroplane, shall be guilty of a misdemeanor. [1929 c. 219 s. 10; 1941 c. 386] (5494-16)

360.52 LOCATION OF LANDING FIELDS. No landing field for aircraft shall be established within 1,000 feet of any public school or other educational institution wherein pupils under the age of 16 years are enrolled. Sections 360.50, 360.51, 360.52, and 360.53 shall not apply to any property which, at the time of the passage thereof, was utilized for the purpose of a flying field. [1921 c. 433 s. 3] (1629)

360.53. VIOLATIONS; PENALTIES. Any violation of sections 360.50, 360.51, and 360.52 shall be a gross misdemeanor and punishable by a fine of not to exceed \$100.00, or imprisonment in the county jail for a period of not to exceed 60 days, or by both. [1921 c. 433 s. 4] (1630)

**MINNESOTA AERONAUTICS
COMMISSION**

STATE OF MINNESOTA

We, the undersigned, members of the Minnesota Aeronautics Commission in pursuance with the authority granted to the Commission by Laws of Minnesota for 1933, Chapter 430, as amended, do hereby promulgate the following rules and regulations, which rules and regulations shall have the full force and effect of the law on and after the filing hereof in the office of the Secretary of State for the State of Minnesota, and do hereby repeal all heretofore existing rules and regulations, said repeal to be effective from and after the date of these rules and regulations.

Dated at St. Paul, Minnesota, this 1st day of July, 1941.

**MINNESOTA AERONAUTICS
COMMISSION**

Stanley E. Hubbard, Chairman.
Major Ray S. Miller, Commissioner.
Croil Hunter, Commissioner.
Les Schroeder, Commissioner.
Doctor Maurice N. Walsh, Commissioner.

Stanley E. Hubbard
Chairman

Regulation No. I.

DEFINITIONS

(a). "Aeronautics" means the act or practice of the art and science of transportation by aircraft, and operation, construction, repair or maintenance of aircraft, airports, landing fields, emergency landing strips, air navigation facilities, or air instruction.

(b). "Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of, or flight in the air, except a parachute or other contrivance designed for such navigation, but used primarily as safety equipment.

(c). "Public Aircraft" means an aircraft used exclusively in the governmental service, including military and naval aircraft, or of any state or territory thereof.

(d). "Civil Aircraft" means any aircraft other than a public aircraft.

(e). "Airport" means any area, either of land or water, which is used or which is made available for the landing and take-off of aircraft, and which provides facilities for the shelter, supply, and repair of aircraft, and which, as to size and design, has at least 1,800 feet of effective landing length in all directions, with clear approaches, and which field shall be in good condition for landing at all times, or has landing strips not less than 500 feet wide, permitting landing in at least six directions at all times, with at least one landing strip aligned with the general direction of the prevailing wind, the landing strips not to cross or converge at angles at less than 40 degrees, nor any one of the landing strips to be less than 1,800 feet in

effective length with clear approaches, or has two landing strips, one aligned with the general direction of the prevailing wind, permitting at least four-way landing at all times and having clear approaches, the landing strips to be at least 500 feet wide and at least 2,500 feet in effective length, and not to cross or converge at an angle less than 60 degrees; and which, in any case hereinbefore mentioned, meets the minimum requirements as to surface, marking, equipment and management as may from time to time be provided, by the Minnesota aeronautics commission.

(f). "Landing field" means any area, either of land or water, which is used or which is made available for the landing and take-off of aircraft, which may or which may not provide facilities for the shelter, supply and repair of aircraft, and which meets the minimum requirements as to size, design, surface, marking, equipment and management as may from time to time be provided by the Minnesota Aeronautics commission.

(g). "Emergency landing strip" means an area, either of land or water, which is available for the landing and take-off of aircraft, having not less than 200 feet of usable width and not less than 1,000 feet of usable length, the use of which shall, except in case of emergency, be only as provided from time to time by the regulations of the Minnesota aeronautics commission.

(h). "Person" means any individual, association, copartnership, firm, company, corporation, or other association of individuals.

(i). "Air instruction" means the imparting of aeronautical information in any air school, flying club, or by any aviation instructor.

(j). Any person engaged in giving instruction, or offering to give instruction in aeronautics—either in flying or ground subjects, or both—for or without hire or reward, and advertising, representing, or holding himself or itself out as giving or offering to give such instruction, shall be termed and considered an "Air School."

(k). Any person (other than an individual) who, neither for profit nor reward, owns, leases, or uses one or more aircraft for the purpose of instruction, pleasure, or both, shall be termed and considered a "Flying Club."

(l). "Aviation instructor" means any individual engaged in giving instruction, or offering to give instruction, in aeronautics—either in flying or ground subjects, or both—for or without hire or reward, without advertising such occupation, without calling his facilities an "Air school" or anything equivalent thereto, or without employing or using other instructors.

(m). "Commercial Aviation" means the operating of aircraft while carrying persons for hire, either as passengers or while receiving flying instructions.

(n). "Commission" means the Minnesota Aeronautics Commission.

Regulation No. II.

RELATING TO LICENSING OF AIRCRAFT

1. All aircraft operating within the State of Minnesota shall be licensed either by the United States Department of Commerce, Aeronautics Branch, United States Government, or the Commission, or if licensed by a foreign country with which the United

States has a reciprocal agreement governing the operations of such licensed aircraft, or is a public aircraft of the United States, or any state, territory or possession thereof, or is an aircraft licensed by any state having similar licensing requirements to those of Minnesota.

2. (a). Intrastate—All aircraft engaged in intrastate commerce within this state shall meet all standards prescribed by the Commission for such aircraft. An application for such license shall be in writing signed by the applicant on forms furnished by the Commission and shall be accompanied by a filing fee of \$25 annually for a single motored aircraft and \$50 annually for a multi-motored aircraft.

If such aircraft is licensed for commercial purposes by the Department of Commerce of the United States and the owner and/or operator of said aircraft is a resident of the State of Minnesota, and desires to use said aircraft for such purposes in the State of Minnesota, said license shall be registered with the Commission and no Minnesota license shall be required provided, however, that an annual registration fee of \$10 shall accompany the registration if said aircraft be a single motored aircraft. If said aircraft be a multi-motored aircraft the registration shall be accompanied by a registration fee of \$25.00.

Aircraft licensed in any state other than the State of Minnesota engaged in commercial intrastate activities shall be licensed by the Aeronautics Commission for such activities within the State of Minnesota. An application for said license shall be on forms furnished by the Commission and shall be accompanied by an annual registration fee of \$25 for a single motored aircraft and an

annual registration fee of \$50 for a multi-motored aircraft.

(b). Interstate—Aircraft owned by Minnesota residents engaged in interstate commercial activities exclusively which is licensed by the Department of Commerce of the United States shall be registered with the Commission for each period during which said aircraft is licensed for such purposes, which registration shall be accompanied by a fee of \$10.00.

3. Non-commercial aircraft engaged in non-commercial activities within the State of Minnesota must be licensed by the Commission, or by the federal government, or by a state other than the State of Minnesota.

(a) Non-commercial aircraft licensed by the Department of Commerce of the United States shall be registered with the Commission. Such registrations to be on forms furnished by the Commission and shall be accompanied by a filing fee of \$10.00 for each license or continuation of such license as may be granted by said Department of Commerce of the United States.

(b) Aircraft engaged in non-commercial intrastate activities which is licensed by a state other than the State of Minnesota shall be registered with the Commission and said aircraft shall be airworthy and shall conform to the standards prescribed by the Commission with respect to design, construction and air-worthiness herein. Such registration shall be for the period for which said aircraft was licensed by said state and shall be accompanied by a registration fee of \$10.00 and shall be made upon the forms prescribed by the Commission.

(c) Interstate aircraft licensed by the Department of Commerce of the United States for non-commercial interstate operations shall before being used for such purposes in Minnesota be registered with the Commission on the forms prescribed by the Commission and shall be accompanied by a registration fee of \$10.00.

(d) Aircraft engaged in non-commercial activities whether intrastate or interstate, which is not licensed either by the federal government or a state other than Minnesota must be licensed by the State of Minnesota. Application for licenses shall be made therefor, with the Commission on such forms as are prescribed by the Commission accompanied by a fee of \$25, and in addition thereto must pass such tests as are required by the Commission.

(e) Experimental aircraft which is not licensed by the federal government, or by a state other than the State of Minnesota, which is engaged or used solely for experimental purposes will be licensed by and registered with the Commission. Experimental licenses shall be temporary and shall not be effective for a period longer than six months after which time a new license must be secured from the Commission. During said period the owner and/or operator of said aircraft shall apply to the Commission to test said aircraft as to its airworthiness in order to secure a non-commercial intrastate license. Said test shall be of such nature as the Commission shall prescribe. The owner and/or operator of said aircraft shall test fly the aircraft at the place designated by the Commission and shall put said aircraft through the various tests as are prescribed by the Commission or may employ a licensed pilot or inspector to test fly said aircraft.

Provided, that if said applicant employs an inspector of the Commission to test fly said aircraft, he shall be required to pay to said inspector a fee not to exceed \$25 as said inspector may require. If said aircraft is determined to be airworthy, the Commission shall issue a license authorizing said aircraft to be used for non-commercial purposes, said license to be the same as that authorized by Subsection (a) of Subdivision 3 hereof.

1. For the granting of experimental licenses the Commission shall charge a fee of \$25 for single motored aircraft and \$50 for multi-motored aircraft.

2. Experimental licenses which have been granted for aircraft by the Department of Commerce of the United States shall be registered with the Commission and a fee of \$2 shall accompany said registration.

3. Experimental licenses issued by a state other than the State of Minnesota or by the federal government shall not be valid within the State of Minnesota and before such aircraft can be flown within the State of Minnesota such aircraft must have an experimental license issued by the Commission.

(f) Aircraft used for experimental purposes and having a license for such purposes shall not carry more than one person, or crew necessary to operate said aircraft and if the owner and/or operator of such aircraft permits any other person to be carried in such aircraft, the experimental license shall be revoked immediately together with the pilot's license of the owner and/or operator of such aircraft.

4. Display of License. The aircraft license must be carried in the aircraft at all

times and must be conspicuously posted where it may be readily seen by passengers. Whenever the craft is unairworthy, and when the license is suspended or revoked, or when it is no longer in force, the license shall be surrendered to the Commission. The license must be presented for inspection upon demand of any passenger or of any authorized official or employee of the Commission, the Department of Commerce or State or municipal officials charged with enforcing local regulations or laws involving federal compliance.

Suspension or Revocation of Licenses:

Aircraft licenses may be suspended or revoked by the Commission for

(A) Violating the law relative to aircraft in Minnesota or any of these rules and regulations.

(B) Failing to make proper and seasonable reports.

(C) Making false statements in application or information accompanying the application for a license or in any report required in these regulations.

(D) Equipping the aircraft with a type of engine not specified in the license.

(E) Remodeling the engine and using it to propel licensed aircraft without the aircraft having been first rerated as airworthy by the Commission or the Commerce Department of the United States.

(F) Remodeling the aircraft structure and flying the aircraft without having it rerated as airworthy by the Commission or the Commerce Department of the United States.

(G) Operating the aircraft in excess of the authorized useful load as specified in the license.

(H) Operating with passengers in excess of the number authorized in the aircraft license. Children under twelve years of age are excepted, providing the maximum pay load as specified in the aircraft license is not exceeded and further provided the aircraft is properly equipped with individual safety belts for each occupant five years of age or over.

(I) Using or displaying the license for fraudulent purposes.

(J) Using or displaying the license in any manner contrary to the public safety or interest.

(K) Equipping the aircraft with a type of propeller which will permit the rated revolutions per minute of engine to be exceeded by more than the allowable excess specified by the engine manufacturer which in no case shall be more than 5 per cent in level flight.

(L) Moral irresponsibility of the manufacturer or owner.

(M) The Commission, or any Commissioner, or an authorized agent of the Commission, may place a "grounding tag" upon any aircraft deemed unsafe and unfit for use. Any person who removes or tampers with any "grounding tag" so affixed, or who operates any aircraft which is unlicensed or which bears or upon which has been placed such a "grounding tag," shall be guilty of a gross misdemeanor. The breaking of any seal affixed to such "grounding tag" shall be prima facie evidence that the owner of such aircraft has tampered with such seal.

Regulation No. III RELATING TO PILOTS

For the purpose of this regulation persons in command of or piloting licensed aircraft in flight will be classed as pilots.

1. No person shall operate or cause to be operated any aircraft within the State of Minnesota unless such person is licensed either by the Commission, the Department of Commerce of the United States, a foreign department with which the United States has reciprocal relations respecting the operation of licensed aircraft, or is a pilot licensed by a state having similar licensing requirements to those of Minnesota, or is a pilot in the navy or military service, or in the service of the United States or of any state while operating military or navy aircraft. Any person licensed by the United States Department of Commerce to pilot aircraft shall register his federal license with the Commission before he shall engage in the flying of aircraft within this state, or after 10 days upon his entry into this state, and shall accompany such registration with a registration fee of \$2.00.

2. Any person licensed by a state other than the State of Minnesota or the Department of Commerce of the United States to pilot aircraft, shall within 10 days after his entry into the state, register such license with the Commission on forms furnished by the Commission, and shall accompany said registration with a fee of \$2.00.

3. Any person desiring to pilot aircraft within this state who does not belong to either of the foregoing classes in that he does not have a license to pilot aircraft either by the Department of Commerce of

the United States or of a state other than the State of Minnesota, shall make application to the Commission for a pilot's license on a form issued by the Commission.

The applicant shall be required to pass such physical examination as is required by the commission.

CLASSIFICATION OF PILOTS

Licensed pilots are classed as commercial or non-commercial pilots. Commercial Pilots are licensed as commercial pilots or as commercial glider pilots. Noncommercial pilots are designated as private, student pilots or noncommercial glider pilots.

PRIVILEGES AND RESTRICTIONS OF LICENSED PILOTS

Except as otherwise provided in these regulations, the privileges conferred and restrictions imposed upon licensed pilots are as follows:

(A) Commercial pilots may pilot any type of licensed aircraft, but shall not carry persons for hire in licensed aircraft other than in conventional* types of heavier-than-air craft and within the classes specified in their license.

*Within the meaning of this chapter conventional types of heavier-than-air craft are those which depend for sustentation upon fixed planes and which are controlled by trailing tail surfaces.

SCHEDULED AIR TRANSPORT RATING

Commercial or air line transport pilots flying airplanes engaged in scheduled operation of interstate passenger air transport service under a certificate of authority must hold a scheduled air transport rating from the Department of Commerce of the United States.

(B) Limited commercial pilots shall have all of the privileges conferred and be subject to all of the restrictions imposed upon transport pilots, except that they shall not, for hire instruct students in the operation of aircraft in flight and they shall not pilot aircraft carrying persons for hire outside of the areas mentioned in their licenses, except that they may be permitted to function as copilot on dual-controlled aircraft when accompanied by a transport pilot who is in command of and responsible for the operation of such aircraft. Such pilots may, beyond the 10-mile radius of their base, operate licensed aircraft carrying guests, executives, or employees of the companies employing them, provided no payment is made for the transportation. They may also demonstrate aircraft in flight to prospective purchasers.

(C) Commercial glider pilots may pilot any type of motorless aircraft but shall not transport persons or property nor instruct students except in licensed motorless aircraft.

(D) (1) Private pilots may pilot licensed aircraft but shall not carry persons or cargo for hire in licensed or unlicensed aircraft. They shall not for hire, instruct students in the operation of aircraft in flight. Such pilots may operate aircraft carrying guests, executives, or employees of companies employing them, provided no payment is made for the transportation. They may also demonstrate aircraft in flight to prospective purchasers.

(2) Student pilots may operate licensed aircraft only while receiving flying instruction. They shall not be in command of aircraft carrying any other person and shall

not carry cargo in licensed or unlicensed aircraft. They may make solo cross country practice flights, but while away from their home airport on such flights shall not make landings on airports where flying meets or air races are in progress.

(E) Noncommercial glider pilot's licenses may be issued for noncommercial flights upon satisfactory accomplishment of the prescribed flight tests.

(F) Until otherwise provided by regulation the licensing of airship and balloon pilots shall be in accordance with special orders of the Commission.

(G) Special classes of pilot license may be issued for operation of unconventional types of aircraft in accordance with special orders of the Commission.

APPLICATIONS FOR PILOT'S LICENSES

An application for a pilot's license must be filed, under oath, with the Commission upon blanks furnished for that purpose. An applicant for a pilot's license, including a student pilot's license, must appear for a physical examination before a physician designated by the Commission and pass such examination, unless he is exempt under these regulations.

CHARACTER, AGE, AND CITIZENSHIP QUALIFICATIONS

An applicant for a pilot's license must be of good moral character. The minimum age requirements are 14 years for noncommercial glider pilots; 16 years for private, amateur, and student pilots; 18 years for commercial glider, limited commercial, and transport pilots. Applicants for any type of pilot's license who are under the age of 21

will be required to submit evidence of the consent of parent, legal guardian or natural guardian, prior to the issuance of a license. A noncommercial glider, private, amateur, or student pilot may be a citizen of any country. A commercial pilot must be (1) a citizen of the United States, or (2) a citizen of a foreign country which grants reciprocal commercial-pilot privileges to citizens of the United States on equal terms and conditions with the citizens of such foreign country, or (3) an alien who has filed his declaration of intention to become a citizen of the United States and advises the Commission of the serial number of such declaration, the date thereof, and the court in which filed. He must diligently and successfully prosecute the naturalization proceedings under penalty of the revocation of his pilot's license and from time to time must keep the Commission advised of the status of such proceedings. All applicants for commercial pilot's licenses shall be able to read, write, speak, and understand the English language except applicants who are citizens of a country with which the United States has reciprocity with respect to the licensing of pilots.

FLYING EXPERIENCE REQUIREMENTS

An applicant must have at least the following flying experience:

(A) Commercial or Air Line Transport Pilots. Two hundred hours of solo flying, of which at least 5 hours must have been within the last preceding 60 days prior to the filing of the application.

(B) Commercial and Noncommercial Glider Pilots. No minimum flying experience.

(C) **Private Pilots.** Thirty-five hours solo flying of which at least 5 hours must have been within the last preceding 60 days prior to the filing of the application except a graduate of a flying school approved by the commission.

(D) A graduate of an approved civilian school giving flying instruction may apply for a pilot's license, provided he has obtained the solo flying experience in such school required by the Commission, and provided such graduate applies within 10 days of the date of his graduation.

(E) **Scheduled Air Transport Rating.**

(1) A transport license with proper rating.
(2) Twelve hundred hours of certified solo time within the last 8 years, of which at least 500 hours have been cross-country. (Copilots' time may be credited as outlined in these regulations.)

(3) Seventy-five solo hours of night flying, of which at least 50 per cent shall have been cross-country over lighted airways. (If solo time was obtained as copilot, the applicant shall demonstrate his proficiency in the accomplishment of night landings and take-offs.)

PILOT'S PHYSICAL QUALIFICATIONS

The physical examinations provided for herein must be accomplished before the practical and theoretical tests will be given. The qualifications are as follows:

(A) **Private, Student, Commercial, Glider.** Absence of organic or functional disease and of defects or structural defects or limitations which might interfere with safe handling of an aircraft under the conditions of private flying; visual acuity of at least 20/50 in each eye without

correction and depth perception of not more than 30 mm. without correction; or visual acuity of at least 20/30 with correcting lenses and depth perception of not more than 30 mm. with such correcting lenses; no diplopia within an angle of 45°; normal visual fields; no organic disease of eye, internal ear, or mastoid; no abnormalities of equilibrium.

(B) **Commercial.** Good past history; sound pulmonary, cardiovascular, gastrointestinal, central nervous, and genitourinary systems; freedom from material structural defects or limitations; freedom from disease of the ductless glands; normal central, peripheral, and color vision; normal judgment of distance; only slight defects of ocular muscle balance; freedom from ocular disease; absence of obstructive or diseased conditions of the ear, nose, and throat; no abnormalities of equilibrium.

(C) **Lighter-Than-Air.** Applicants for licenses as pilots or student pilots of lighter-than-air craft (airships and balloons, all types) will be subjected to the same physical examination and must meet the same physical standard as private aircraft (heavier-than-air) pilots, with the following exceptions:

(1) All visual tests may be taken with correcting glasses if necessary.

(2) No hernia will be considered disqualifying if adequately supported by a truss.

(D) **Waivers.** In the case of trained, experienced pilots, the Commission may grant waivers for physical defects designated as disqualifying by these regulations when, in its opinion, the experience of the pilot will compensate for the defect. A

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(C) **Private Pilots.** Thirty-five hours solo flying of which at least 5 hours must have been within the last preceding 60 days prior to the filing of the application except a graduate of a flying school approved by the commission.

(D) A graduate of an approved civilian school giving flying instruction may apply for a pilot's license, provided he has obtained the solo flying experience in such school required by the Commission, and provided such graduate applies within 10 days of the date of his graduation.

(E) **Scheduled Air Transport Rating.**

(1) A transport license with proper rating.

(2) Twelve hundred hours of certified solo time within the last 8 years, of which at least 500 hours have been cross-country. (Copilots' time may be credited as outlined in these regulations.)

(3) Seventy-five solo hours of night flying, of which at least 50 per cent shall have been cross-country over lighted airways. (If solo time was obtained as copilot, the applicant shall demonstrate his proficiency in the accomplishment of night landings and take-offs.)

PILOT'S PHYSICAL QUALIFICATIONS

The physical examinations provided for herein must be accomplished before the practical and theoretical tests will be given. The qualifications are as follows:

(A) **Private, Student, Commercial, Glider.** Absence of organic or functional disease and of defects or structural defects or limitations which might interfere with safe handling of an aircraft under the conditions of private flying; visual acuity of at least 20/50 in each eye without

correction and depth perception of not more than 30 mm. without correction; or visual acuity of at least 20/30 with correcting lenses and depth perception of not more than 30 mm. with such correcting lenses; no diplopia within an angle of 45°; normal visual fields; no organic disease of eye, internal ear, or mastoid; no abnormalities of equilibrium.

(B) **Commercial.** Good past history; sound pulmonary, cardiovascular, gastrointestinal, central nervous, and genitourinary systems; freedom from material structural defects or limitations; freedom from disease of the ductless glands; normal central, peripheral, and color vision; normal judgment of distance; only slight defects of ocular muscle balance; freedom from ocular disease; absence of obstructive or diseased conditions of the ear, nose, and throat; no abnormalities of equilibrium.

(C) **Lighter-Than-Air.** Applicants for licenses as pilots or student pilots of lighter-than-air craft (airships and balloons, all types) will be subjected to the same physical examination and must meet the same physical standard as private aircraft (heavier-than-air) pilots, with the following exceptions:

(1) All visual tests may be taken with correcting glasses if necessary.

(2) No hernia will be considered disqualifying if adequately supported by a truss.

(D) **Waivers.** In the case of trained, experienced pilots, the Commission may grant waivers for physical defects designated as disqualifying by these regulations when, in its opinion, the experience of the pilot will compensate for the defect. A

waiver once granted for any grade of license will hold indefinitely for that grade only so long as the defect for which it was granted has not increased or unless cancelled by the Commission.

EXEMPTION FROM PRESCRIBED PHYSICAL EXAMINATION

An applicant for a pilot's license (or its renewal) may be exempt from the physical examination prescribed in these regulations upon filing with the Commission a certified copy of the examination for flying in the United States Army, Navy, or Marine Corps made within 6 months of the date of filing his application for his pilot's license or its renewal, provided his physical qualifications as shown by such copy of the examination are not less than those required by these regulations for the class of license for which he applies. Pilots licensed in a lower grade applying for a higher grade of license must submit a new satisfactory physical examination for the grade applied for unless the previous examination submitted was for the higher grade and, in the opinion of the Commission, is of recent enough date to warrant exemption. No physical examination will be required of noncommercial glider pilots or glider student pilots.

PILOTS' EXAMINATIONS AND TESTS

Unless exempt under these regulations, candidates must pass the following examinations and tests:

(A) Commercial Pilots. (1) Examination on the Commission Regulations, including the air-traffic rules, all of which are set forth in these rules and regulations.

(2) Practical and theoretical examination in elementary engine and plane mechanics

and rigging and a theoretical examination in the fundamentals of meteorology and air navigation.

(3) Practical flight test, as follows:

(a) In addition to normal take-offs and landings, the following maneuvers will be required: From 1,500 feet, with engine throttled, make a 360° turn and land in normal landing altitude, by wheels touching ground in front of and within 200 feet of a line designated by examiner for the Commission.

(b) From 1,000 feet, with engine throttled, make 180° turn and land in normal landing altitude, by wheels touching ground in front of and within 200 feet of a line designated by examiner for the Commission.

(c) A series of 3 gentle and 3 steep figure 8 turns, and 720° steep power turns in both directions. Spiral in one direction from 2,000 feet, with engine throttled, and land in normal landing altitude by wheels touching ground in front and within 200 feet of a line designated by examiner for the Commission.

(d) Fly in emergency maneuvers, such as spins, spirals, side slips, climbing turns, and recovering from stalls, and such others as the Commission deems necessary.

(e) Fly over a triangular or rectangular course at least 100 miles, landing at place of take-off within 5 hours. This flight shall also include two obligatory landings, not at point of departure, when craft must come to rest. The course will be designated and the candidate will be furnished with route information by the examiner for the Commission at time of departure, and the exam-

iner for the Commission will determine whether the course was correctly followed and whether obligatory landings were satisfactory. Upon the presentation of satisfactory proof that the candidate has engaged in solo cross-country flights at a distance of at least 100 miles within 1 year preceding the date of his application the flight specified in this subsection will be omitted.

(f) Cross-wind landings and take-offs.

(B) Private Pilots. (1) Examination on the Commission Regulations, including the air traffic rules, all of which as set forth in these regulations.

(2) Same flight test as prescribed for commercial pilots except the cross-country flight.

(C) Glider Pilots. In addition to normal take-offs and landings, a series of gentle and moderate banks, precision landings, and 360° turns will be required and such other maneuvers as the Commission may deem advisable. For noncommercial pilot's license, the 360° turns will not be required.

(D) Re-examination. Applicants for pilots' licenses who have failed to successfully accomplish the prescribed theoretical or practical tests may apply for re-examination at any time after the expiration of 90 days from the date of such failure, except applicants for private, amateur, and glider pilots' licenses, who may re-apply after 45 days from the date of such failure. Applicants for pilots' ratings who have failed to successfully accomplish the prescribed tests for such ratings may re-apply after the expiration of 30 days from date of such failure.

If the physical examination has expired for the class of license for which application

has been made, a new physical examination must be submitted.

The minimum passing grade for any subject in the foregoing theoretical examinations shall be 70 per cent.

Practical tests must be accomplished to the satisfaction of the examiner for the Commission.

(E) Scheduled and Transport Rating. (1) Examination on the airline regulations which are set forth in these Rules and Regulations, and its interpretations, practical and theoretical test on the use of directional radio, and other available airway aids to navigation, including tests in meteorology with respect to weather analysis and forecasting.

(2) Practical flight tests in a hooded cockpit, under the conditions of instrument flying, performing the following maneuvers with recovery to a predetermined heading.

(a) Straight level flight.

(b) Moderate banks making 180° and 360° turns in both directions.

(c) Minimum glides and maximum climbs and approaches to stalled altitudes of flight.

(d) Climbing turns.

(e) Recovery from stalls, skids, slips, spirals, and banks in excess of 45° and standard orientation and let procedures.

PLACE, ETC., OF EXAMINATIONS

Examinations for pilots' licenses will be held at such times and places as the Commission shall designate. Such examinations and tests will be conducted by an examining

officer designated by the Commission. Candidates for pilots' licenses must furnish a commercially licensed airplane or one eligible for commercial license and in an air-worthy condition, equipped with dual controls, in which the flight tests are to be made, unless the Commission makes other provisions therefor.

DURATION AND RENEWAL OF PILOTS' LICENSES

(A) **Duration.** Unless sooner suspended or revoked, pilots' licenses shall remain in force for 1 year.

(B) **Renewal.** Licenses may be renewed within 30 days prior to expiration, for the same duration as original, upon satisfactory showing of the following:

Commercial. Ten hours' solo flying within the last 6 months in each aircraft classification for which renewal is desired. Satisfactory physical examination made by a Commission medical examiner.

Private. For annual renewal, 15 hours of solo flying within the last year, provided, however, that for renewal after each 2-year period of the existence of the license a satisfactory physical examination made by a commission medical examiner will be required.

Student. Student licenses are not renewable, but new licenses may be secured at any time upon accomplishment of the prescribed physical examination.

Commercial Glider. Ten gliding flights or one soaring flight of at least 1 hour's duration within the last year and the same physical examination required for private pilots' renewal.

Noncommercial Glider. Ten gliding flights or one soaring flight of at least 1 hour's duration within the last year.

Scheduled Air Transport Ratings may be renewed if the holder has had within the 6 months prior to expiration at least 25 hours in scheduled air transport service and has flown by instruments for a period of at least 2 hours. Otherwise, a recheck in the manner and to the extent indicated by the circumstances may be required.

(C) Expired licenses may be renewed upon proof of satisfactory physical condition of the pilot and the passing of the flight test required for the class of license for which renewal is requested.

(D) Upon 10 days' notice to and approval of the Commission the area for permissible flying of aircraft carrying passengers for hire designated in the license of limited commercial pilots may be changed to other areas.

PERSONAL POSSESSION OF PILOTS' LICENSES

The pilot's license shall be kept in his personal possession when he is piloting aircraft and must be presented for inspection upon the demand of any passenger or any authorized official or employee of the Commission, Department of Commerce or State or municipal officials charged with enforcing local regulations or laws involving Federal compliance.

PILOTS' CERTIFIED LOG BOOKS

A licensed pilot must keep an accurate record of his solo flying time in a log book in which the entries have been certified to and signed by him and attested by one of the following persons:

(A) An official of an approved type airplane or engine manufacturing company.

(B) An official of an approved flying school.

(C) A contract United States air mail operator.

(D) A notary public.

(E) A properly authorized operations officer for any military organization.

(F) Department of Commerce aeronautical inspectors.

(G) Any officer of an organization engaged in the operation of aircraft when such officer has direct knowledge of the authenticity of the entries.

(H) A Commission inspector, official or member.

This log book shall contain the date of flight, the type of aircraft flown, the license or identification number of such aircraft, the type of engine, the duration of the flight, and the points between which such flight was made, and, in addition, when any flight results in serious damage to the aircraft, a notation to this effect shall be entered. This log book must be presented, upon demand, to any authorized representative of the Commission, Department of Commerce or State or municipal officer enforcing local regulations or laws involving Federal compliance.

PILOTS' NIGHT-FLYING QUALIFICATIONS

A transport or limited commercial pilot who has not had at least 2 hours of night solo flying within the last preceding 90 days

shall not pilot aircraft carrying passengers, for hire, between sunset and sunrise, except where he takes off and lands between sunset and sunrise, at least ten times solo. At least three of such landings must be to a full stop.

MEANING OF SOLO FLYING

As used in these regulations, a person is engaged in solo flying when he is the sole operator of the controls and is in command of aircraft in flight. Provisions for logging flying time on scheduled interstate passenger air transport services is set forth in the Interpretations of Regulations Governing Scheduled Operation of Interstate Passenger Air Transport Services, Bulletin No. 7-E.

SUSPENSION OR REVOCATION OF LICENSES

Pilots' licenses may be suspended or revoked for:

(A) Violating any provision of the Act Regulating Aeronautics or any regulations promulgated thereunder.

(B) Carelessness or inattention to duty.

(C) Unsound physical condition or any demonstration of incompetency in the operation or repair of aircraft.

(D) Being under the influence or using or having personal possession of intoxicating liquor, cocaine, or other habit-forming drugs while on duty.

(E) Refusal to exhibit license upon proper demand.

(F) Violating air-traffic rules.

(G) Making any false statement in application for license or in any reports required to be submitted by these regulations.

(H) Carrying passengers who are obviously under the influence of intoxicating liquor, cocaine, or other habit-forming drugs.

(I) Piloting aircraft carrying passengers in excess of the number authorized in the aircraft license. Children under 12 years of age are excepted, provided the maximum pay load as specified in the aircraft license is not exceeded and further provided the aircraft is properly equipped with individual safety belts for each occupant 5 years of age or older.

(J) Doing any act in connection with aircraft which is contrary to the public safety or interest or detrimental to the morals of pilots or mechanics.

(K) Using or displaying license for any fraudulent purpose.

(L) Failure of student, amateur, private, or commercial glider pilots to wear correcting lenses where vision does not meet requirements of the Commission without such correction.

Application for a license to pilot aircraft shall be accompanied by an application fee of \$25 and such fee shall cover the oral and written examination and shall not be refunded in case the applicant fails to pass either the oral or written examination.

**Regulation No. IV
RELATING TO SALE OF LICENSED
AIRCRAFT**

In the event of sale or transfer of title of licensed aircraft, the registered owner

shall fill in the reverse side of his aircraft registration certificate and mail the same to the Minnesota Aeronautics Commission, State Capitol, St. Paul. The purchaser of said aircraft will be sent a new application form and upon receipt of said form properly executed the Commission will furnish him with a new certificate of registration.

Regulation No. V

Relating to Repairs to

AIRCRAFT

1. A licensed aircraft which has been damaged and which still retains its license shall not be again flown until it has been fully repaired and such repairs approved and logged by either a federally licensed mechanic or a state licensed mechanic.

2. A licensed aircraft with newly installed engine, and an aircraft upon which major repairs have been made to the plane structure, shall be first test flown solo before carrying passengers.

3. No aircraft licensed by the Commission which has been damaged shall be repaired by any person other than a mechanic licensed by the Commission or by the Department of Commerce of the United States whose license must be registered with the Commission.

Regulation No. VI

Relating to Licensing of

MECHANICS

1. A licensed mechanic shall be one who is licensed either by the Department of Commerce of the United States or by the Commission. Holders of correct effective mechanics' licenses issued by the Department

of Commerce of the United States must register the same with the Commission before they shall be permitted to repair Minnesota licensed aircraft. For registration of such license a fee of \$1.00 shall be paid.

2. Persons who do not have a correct effective license to repair aircraft issued by the Department of Commerce of the United States, shall, before they repair Minnesota licensed aircraft, be registered and licensed by the Commission. Standards prescribed by the Department of Commerce of the United States for mechanics' licenses for repairing aircraft shall be those used by the Commission.

3. Persons desiring to be licensed as mechanics shall make application to the Commission, and shall at the time of making application for said examination pay a fee of \$10 to the Commission.

APPLICATION OF THE LAW

For the purpose of this chapter, persons repairing or adjusting licensed aircraft in flight, and persons in charge of the ground inspection, overhauling, or repairing of licensed aircraft will be classed as mechanics. A workman or mechanic may engage in the repair or overhaul of licensed aircraft without being licensed if such repair or overhaul is in charge of a licensed mechanic. An application for a mechanic's license must be filed, under oath, with the Commission upon blanks furnished for that purpose. An applicant for mechanic's license is not required to take a physical examination.

CLASSIFICATION OF MECHANICS

Mechanics are licensed as engine or airplane mechanics. A person may hold a plurality of licenses, such as both classes of

mechanic's licenses or a pilot's and mechanic's license.

MECHANICS' QUALIFICATIONS AND EXAMINATIONS

(A) An applicant for an engine mechanic's license shall have had at least two years' experience on internal-combustion engines, one year of which shall have been on maintenance of aircraft engines. All applicants shall be able to read, write, speak, and understand the English language. Such applicant may be licensed upon successfully accomplishing a theoretical and practical examination on aircraft engines showing that he has sufficient knowledge of such engines and their accessories, including ignition systems, to properly inspect, maintain, repair, and overhaul the same, and an examination on Rules and Regulations of the Commission.

(B) An applicant for an airplane mechanic's license shall have had at least one year's actual experience in building or maintaining or repairing aircraft. Such applicant may be licensed upon successfully accomplishing a theoretical and practical examination on aircraft structure and rigging, including control systems, and how to properly inspect, maintain, repair, and overhaul the same, and an examination on Rules and Regulations of the Commission.

(C) The examinations for both classes of license will be both theoretical and practical. The minimum passing grade in each subject covered shall be 70 per cent. A citizen of any country may be licensed if found qualified. Examinations for mechanic's licenses will be held at such times and places as the Secretary of Commerce shall designate. Such examinations and tests will be

conducted by an examining officer designated by the Secretary of Commerce.

(D) Applicants for mechanics' licenses who have failed to successfully accomplish the prescribed theoretical or practical tests may apply for re-examination at any time after the expiration of 90 days from the date of such failure.

(E) The minimum age requirement for any class of mechanic's license is 18 years.

DURATION AND RENEWAL

Mechanics' licenses, unless sooner suspended or revoked, will remain in force for 2 years after date of issue and will be renewed for additional 2-year periods upon proof that during the term of the last license the holder has rendered services under his license during at least one half of the term thereof. The Commission, may in its discretion, require the holder of such license at any time to undergo a re-examination in any of the theoretical or practical tests prescribed as requisites for the original license.

PERSONAL POSSESSION OF MECHANICS' LICENSES

A mechanic's license shall be kept in his personal possession when he is serving in connection with licensed aircraft and must be presented for inspection upon the demand of any passenger in or owner of repaired licensed aircraft upon which such mechanic has worked, or any authorized official or employee of the Commission, Department of Commerce or State or municipal officials charged with enforcing local regulations or laws involving Federal compliance.

SUSPENSION OR REVOCATION OF LICENSES

Mechanics' licenses may be suspended or revoked for—

(A) Violating any provision of the law regulating aeronautics or any regulations promulgated thereunder.

(B) Carelessness or inattention to duty.

(C) Any demonstration of incompetency in the repair or overhaul of aircraft.

(D) Being under the influence or using or having personal possession of intoxicating liquor, cocaine, or other habit-forming drugs while on duty.

(E) Refusal to exhibit license upon proper demand.

(F) Making any false statement in application for license or in any reports required to be submitted by these regulations.

(G) Doing any act in connection with aircraft which is contrary to the public safety or interest or detrimental to the morale of pilots or mechanics.

(H) Using or displaying license for any fraudulent purpose.

Regulation No. VII Relating to

AIR TRAFFIC RULES

1. DISPLAY OF LICENSE OR IDENTIFICATION MARK

All aircraft in flight, whether licensed or unlicensed, must display license or identification mark issued by the Commission or the Commerce Department of the United States. This applies to all flights, whether for hire or for pleasure, test purposes, ex-

perimental purposes, and whether aircraft is licensed or unlicensed. It also applies to all aircraft as defined in section 2 of these regulations.

Aircraft bearing numbers assigned by the Commission or the Department of Commerce must at all times display airplane license or identification mark assignment conspicuously posted in the airplane where it may be readily seen.

2. MINIMUM SAFE ALTITUDES OF FLIGHT

(1) The minimum safe altitude of flight in taking off or landing and while flying over the property of another in taking off or landing, are those at which such flights by aircraft may be made without being in dangerous proximity to persons or property on the land or water beneath, or unsafe to the aircraft.

(2) Minimum safe altitudes of flight over congested parts of cities, towns, or settlements are those sufficient to permit of a reasonably safe emergency landing, but in no case less than 1,000 feet.

3. TAKE-OFF AND LANDING RULES

1. **Method of taking off and landing:** Take-offs and landings shall be made upwind when practicable. The take-offs shall not be commenced until there is no risk of collision with landing aircraft.

Aircraft, when taking off or landing, shall use the traffic lanes indicated by the field rules or signals and, further, shall observe all signals of the traffic control system in use at the particular airport.

2. **Course of flight when landing:** When within one thousand feet horizontally of the leeward side of any airport upon which

a landing is to be made, the aircraft shall follow, so far as it is practicable, a direct course toward the landing zone.

3. **Right of way when landing:** A landing aircraft has the right of way over aircraft moving on the ground or taking off, but this shall not excuse the pilots of either or both such aircraft from the exercise of due care and diligence.

4. **Giving way while landing:** When more than one aircraft are landing and/or maneuvering in preparation to land, the aircraft at the greater height shall avoid the aircraft at the lower height and shall, as regards landing, observe the rules governing overtaking aircraft.

5. **Distress landings:** An aircraft in distress shall be given the right of way in making a landing.

FLYING RULES — RULES GOVERNING ALTITUDE

6. **Minimum safe altitudes of flight:** The following minimum safe altitudes of flight are prescribed:

(a) The minimum safe altitudes of flight, in taking off or landing and while flying over the property of another in taking off or landing, are those at which such flights by aircraft may be made without such aircraft being in dangerous proximity to persons or property on the land or water beneath, or without being unsafe to the aircraft.

(b) Minimum safe altitudes of flight over congested parts of cities, towns, or settlements are those sufficient to permit a reasonably safe emergency landing, but in no case less than one thousand feet.

(c) The minimum safe altitudes of flight in all other cases shall not be less than five hundred feet.

7. Height over congested and other areas: Exclusive of taking off from, or landing upon, an airport, aircraft shall not be flown:

(a) Over the congested parts of cities, towns or settlements, except at a height sufficient to permit a reasonably safe emergency landing, which in no case shall be less than one thousand feet;

(b) Over certified high explosive danger areas except at a height sufficient to permit a reasonably safe emergency landing, outside of the certified danger area, which in no case shall be less than one thousand feet;

(c) Elsewhere at a height less than five hundred feet.

8. Height over assembly of persons: No flight under 1,000 feet in height shall be made over any open air assembly of persons.

9. Height over federal or state penal institution: No intentional flight at any height whatsoever shall be made over any Federal or State penal institution, or over any State hospital or asylum for the insane or feeble-minded.

10. Right side traffic: Aircraft flying in an established airway or following a highway, railroad track, or other ground course at an altitude of less than three thousand feet, shall, when safe and practicable, keep to the right side of such airway, highway, railroad track or other ground course.

11. Course of flight at or near airport: When an aircraft is circling an airport following a take-off, before a landing, or at

any other time, all circles shall be made to the left, unless otherwise specified by the local field rules. All aircraft flying within three thousand feet horizontally of the nearest point of the landing area shall conform to this circuit rule unless flying at a height in excess of two thousand feet.

12. Giving-way order: Aircraft shall give way to each other in the following order:

- (a) Airplanes
 - (b) Gliders
 - (c) Airships
 - (d) Balloons, fixed or free
- An airship not under control is classed as a free balloon.

13. Giving-way duties: Aircraft required to give way shall keep a safe distance, having regard to the circumstances of the particular situation, which distance shall, in no case, be less than three hundred feet. If the circumstances permit, the aircraft which is required to give way shall avoid crossing ahead of the other.

The aircraft having right of way may maintain its course and speed, provided that no engine-driven aircraft may pursue its course if it would thereby come within three hundred feet of any other aircraft.

14. Proximity in flight: No aircraft, other than military aircraft of the State or United States engaged in military maneuvers, shall fly, at any time, closer than three hundred feet to any other aircraft in flight.

15. Crossing: When two engine-driven aircraft are on crossing courses, the aircraft which has the other on its right side shall keep out of the way.

16. **Approaching:** When two engine-driven aircraft are approaching head-on, or approximately so, and there is danger of collision, each shall alter its course to the right so that each will pass on the left side of the other at a distance of at least three hundred feet, provided that the provisions of this rule shall not apply to cases where aircraft will, if each maintains its course, pass more than three hundred feet from each other.

17. **Overtaking:** An overtaking aircraft is one which, by virtue of its superior speed, is approaching another aircraft directly behind, or approximately so. An overtaking aircraft shall keep clear of the overtaken aircraft by altering its own course to the right so as to pass said overtaken aircraft at a distance of at least three hundred feet, but no change of course to effect a passing shall be made in the vertical plane.

In case of doubt as to whether an aircraft is a crossing or overtaking aircraft, it shall be assumed that said aircraft is an overtaking aircraft.

Regulation No. VIII
Relating to

RESPONSIBILITY OF OWNER OF AIRCRAFT

1. The owner of licensed aircraft shall not permit the same to be flown by any person other than by a licensed pilot who is qualified for the type of operation involved, and in the event that said aircraft is flown by such other person than one licensed to fly such aircraft, the license for said aircraft shall immediately become null and void, and the duty of proving that said pilot was licensed shall be upon the owner of said

aircraft. The owner of licensed aircraft shall be liable, together with the pilot thereof, for all violations of law or the rules and regulations of the Commission in the operation of said aircraft.

Regulation No. IX

Relating to

SYMBOLS AND MARKS ON AIRCRAFT

1. No design, mark, character, symbol, material or description shall be placed upon aircraft if said design, etc., modifies, adds to, or subtracts from, or confuses the assigned numbers and letters, or impairs or destroys their visibility.

2. Identification marks or license numbers issued by the Department of Commerce of the United States may be in the discretion of the Commission used for the identification of Minnesota licenses.

Regulation No. X

Relating to Accident and Accident Reports,
Removal of

AIRCRAFT

1. No aircraft involved in an accident in this state, in which there is structural damage and in which there is serious injury to any person or which results in death shall be removed from the scene of the accident nor shall its condition be altered until it has been inspected or its removal authorized by the Commission or its duly authorized representative.

ACCIDENT REPORTS

2. Where serious injury to person or property is suffered or where death results from the operation of an aircraft, the re-

corded owner or pilot of such aircraft shall immediately report by telephone or telegraph to the Commission the license number of the aircraft and the time and place of the accident.

3. All other accidents in the operation of aircraft in this state which result in injury to the aircraft shall be reported without delay by the recorded owner and/or pilot of such aircraft to the Commission. The preceding sentence shall not apply to gliders except where serious injury or death occurs.

Regulation No. XI

Relating to Acrobatics

1. No person shall acrobatically fly an aircraft at any height whatsoever.

a. Over congested area of any city, town, or settlement;

b. Over any open air assembly of persons;

c. Over any airport or within one thousand feet horizontally thereof.

2. No person shall acrobatically fly an aircraft:

a. Over any established airway;

b. Below a height of fifteen hundred feet.

3. No person shall acrobatically fly any aircraft carrying any other person or persons for or without hire and/or reward provided, however, that the provisions of this rule shall not apply to the giving of instruction in acrobatic flying to licensed student pilots or to other licensed transport pilots.

4. When performing acrobatics not prohibited by these rules and regulations, each

person in the aircraft shall be properly equipped with a parachute of a type and design, and which has been tested, approved and maintained in accordance with the regulations of the Department of Commerce of the United States or the Commission.

5. No person shall intentionally for the purpose of exhibition or otherwise crash any aircraft within the State of Minnesota, and the license of any person or persons engaged in aeronautics or contracts, who aids or abets, or makes arrangement, or takes part in any way whatsoever with the crashing of an airplane for exhibition purposes within this state, shall forfeit his license and such person shall not again be ever licensed to fly aircraft within the State of Minnesota.

6. No plane shall tow any banner or object without authority of the Commission.

PARACHUTE JUMPS

Parachute jumpers making exhibition, test or demonstration jumps shall wear an auxiliary parachute so arranged that it can be operated should the first parachute fail to function or become foul. Both parachutes shall be of a type and design which has been tested, approved and maintained in accordance with the current regulations of the Department of Commerce of the United States or the Commission relative to parachutes.

No exhibition parachute jump shall be made from an altitude of less than fifteen hundred feet, and further a parachute jumper shall not delay opening a parachute more than is necessary to properly and safely clear the aircraft.

Regulation No. XII

Relating to

AIRPORT, LANDING FIELD AND
EMERGENCY LANDING STRIPS

1. LICENSING STANDARD: MINIMUM
REQUIREMENTS*

(1) Airport and landing field: Size airport:

(a) An airport shall have at least 1,800 feet of effective landing length in all directions, with clear approaches, and which field shall be in good condition for landing at all times, or shall have landing strips not less than 500 feet wide, permitting landing in at least six directions at all times, with at least one landing strip aligned with the general direction of the prevailing wind, the landing strip not to cross or converge at angles of less than 40 degrees, nor any one of the landing strips to be less than 1,800 feet in effective length with clear approaches, or has two landing strips, one aligned with the general direction of the prevailing wind, permitting at least 4-way landing at all times and having clear approaches, the landing strips to be at least 500 feet wide and at least 2,500 feet in effective length, and not to cross or converge at any angle less than 80 degrees.

Note: *Airports or landing fields for use by lighter-than-aircraft, seaplanes, autogiros or other unusual types of aircraft, are not included in or covered by these provisions. Until otherwise provided by regulation, the licensing of airports for such aircraft shall be in accordance with special orders of the Minnesota Aeronautics Commission promulgated in connection with each application.

(b) Landing field: A landing field shall have at least 1,200 feet of effective landing length in all directions, with clear approaches, and the field shall be in good condition for landing at all times; or it shall have landing strips not less than 500 feet wide, permitting landing in at least six directions at all times, with at least one landing strip aligned with the general direction of the prevailing wind, the landing strips not to cross or converge at angles less than 40 degrees, nor any one of the landing strips to be less than 1,200 feet in effective length, with clear approaches; or, it shall have two landing strips, one aligned with the general direction of the prevailing wind, permitting at least 4-way landing at all times and having clear approaches, the landing strips to be at least 500 feet wide and at least 1,800 feet in effective length, and not to cross or converge at an angle less than 60 degrees.

(c) Emergency landing strip: An emergency landing strip, except in case of emergency, shall be used for purposes of taking off or landing only when its longitudinal axis lies in the general direction of the wind at the time of use.

(2) Landing area: In order to receive a license from the Minnesota aeronautics commission, an airport or landing field shall meet the following minimum requirements as to landing area:

(a) Surface: All airports and landing fields shall afford a smooth, well-drained landing area, sufficiently firm to permit the safe operation of aircraft under all ordinary weather conditions, having not more than a 3% grade, and shall be free from obstruction or depressions presenting hazards in the taking off, or landing of aircraft.

No grass, weeds, or other vegetation, of a height sufficient to be a hazard to normal take-offs or landings, shall be allowed to exist at any time in the effective landing area.

(b) **Obstructions:** For the purpose of calculating reductions in effective landing lengths due to the presence of obstructions at or near an airport, the accepted gliding ratio over these obstructions shall be not less than 7 to 1.

(3) **Equipment:** In order to receive a license from the Minnesota Aeronautics Commission, an airport or landing field shall meet the following minimum requirements as to equipment:

(a) **Day marking:** The landing area or an adequate hangar roof surface shall be marked by means of a circle at least 50 feet in diameter, having a band not less than 3 feet wide, which circle must be so designed, constructed, and maintained as to be plainly visible from an altitude of 2,000 feet. Any portion of the landing area which is permanently unsuitable and/or unsafe for the landing or taking off of aircraft shall be clearly marked with red flags at least 2 feet square and/or other equally visible red markers. When a field is unsafe for landings the letter X shall be prominently displayed on landing area. The X shall be of same approximate dimension as the circle and shall be displayed within the circle.

(b) **Wind direction indicator:** The airport or landing field shall be equipped with a wind-direction indicator of a type approved by the Federal Department of Commerce.

(c) **Other facilities:** The airport or landing field shall be provided with facilities for

supplying an aircraft with fuel, oil and water. Drinking water shall be available also. The airport shall also be provided with a first aid kit.

(4) **Personnel:** In order to receive a license from the Minnesota Aeronautics Commission, an airport or landing field shall meet the following minimum requirements as to personnel:

(a) **Manager:** An airport or landing field shall have a designated manager, whose name shall be so filed with the Minnesota Aeronautics Commission. The manager, or some other designated authority, shall be in attendance by day, or available on call by telephone. In the latter case, a directory and full instructions for reaching said manager, shall be available in the telephone booth, or receptacle, or be prominently posted.

2. AIRPORT OR LANDING FIELD OPERATIONS

(5) **Supervision of aeronautical activities:** All aeronautical and other activities taking place at the airport shall be supervised by the manager, in the interests of public safety.

(6) **General register:** The manager shall keep a register including the following information:

(a) Federal Department of Commerce license number and type of all licensed aircraft using the airport or landing field as an operating base, together with the names and addresses of the owners of said aircraft;

(b) Federal Department of Commerce identification number, if any, or description of all aircraft not identified by the Federal

Department of Commerce which are kept on the airport or landing field, together with the names and addresses of the owners thereof.

(c) The names and addresses of the manager and assistant manager or managers.

(7) Landing area: freedom from obstructions: The manager shall not permit any repairs to aircraft or engines to be made on the landing area, nor shall he permit any disabled aircraft to remain on said landing area, unless the removal of such aircraft would be in violation of the Minnesota Air Traffic Rules.

(8) Restricted area: The manager, in the interest of public safety, shall designate, plainly mark, and maintain a boundary line (preferably a fence) beyond which he shall not permit unauthorized persons to pass.

(9) Night lighting: The manager shall, in the event that the airport is equipped with night lighting facilities, maintain such equipment at all times in proper working order. Such night lighting facilities, if not in all night operation, shall be available upon reasonable request.

In the event that airport boundary lights are provided, obstruction lights shall be provided also. Boundary or obstruction lights shall never be displayed alone, but always in conjunction with each other.

(10) Temporary markings: The manager shall clearly mark, with chrome yellow or red flags at least 2 feet square, all portions of the landing area temporarily unsafe for landing or which, for any other cause, are not available for use. In case the air-

port or landing field is equipped with night lighting facilities, the boundary of such dangerous area shall be clearly marked with lights during the period from sunset to sunrise.

(11) Airport field rules: The manager shall prescribe and post local field rules.

(12) Airport alteration report: The manager shall report to the Minnesota Aeronautics Commission all major alterations of the landing area and all work in progress which affects the use of any major portion of the landing area.

(13) Notification of air meets: The manager shall notify the Minnesota aeronautics commission at least 15 days before the holding of any air show, meet, race or carnival and secure permit.

(14) Accident reports: The manager shall immediately report, by telegraph or telephone, to the Minnesota aeronautics commission all accidents occurring at or near the airport wherein serious injury to person or property is suffered, or wherein death results, from the operation of aircraft.

(15) Posting of commission rules: The manager shall post, in a prominent place on the airport, all current rules and regulations promulgated by the Minnesota Aeronautics Commission.

Regulation No. XIII

Relating to

AIR INSTRUCTION

1. Ground schools: minimum requirements: In order to receive an air school license from the Minnesota Aeronautics

Commission, ground schools shall meet and maintain at least the following minimum requirements:

(a) Each school licensed for ground instruction shall be equipped with at least one class room for each 100 students enrolled, capable of seating at least 10 students. Each school licensed for ground instruction shall be equipped with at least one airplane in current use, and at least two types of aircraft motors in current use, one of which shall be radial air-cooled.

(b) If specific ground courses are offered, they shall be Private Pilot or Commercial, and shall afford sufficient experience necessary to give proper training so that graduates of the school would be able to meet the Federal Department of Commerce requirements for a license in their respective classes.

2. Flying schools: minimum requirements: In order to receive an air school license from the Minnesota Aeronautics Commission, flying schools shall meet and maintain at least the following minimum requirements:

(a) Each school licensed for flying instructions shall use, for all take-offs and landings, an airport or landing field licensed by the Minnesota Aeronautics Commission.

(b) If specific flying courses are offered, they shall be Private Pilot or Commercial, and shall afford sufficient experience necessary to give proper training so that graduates of the school would be able to meet the Federal Department of Commerce requirements for a license in their respective classes.

3. Display of license and regulations: Each ground and/or flying school shall post in a prominent place the air school license issued to it by the Minnesota Aeronautics Commission, together with a copy of the Minnesota Air Law and other current rules and regulations of said commission.

4. Flying instruction: No person shall give, for or without hire or reward, any flying instructions within the State of Minnesota unless said person shall hold a current effective commercial pilot's license with flight instructor rating issued by the Federal Department of Commerce and which license has been registered with the Minnesota Aeronautics Commission.

5. Spin instructions: All students shall be given dual flight instruction in the recovery from stalls and spins prior to first solo.

6. Examinations: records: Each ground and/or flying school and flying club and all aviation instructors not associated with any air school, shall keep individual performance records of all their students.

7. Acrobatics: During flight involving acrobatics, students and instructors must have approved parachutes.

MISCELLANEOUS RULES

22. Supervision of running motors: Blocks, equipped with ropes or other suitable means of pulling them, shall always be placed in front of the wheels before starting the engine, or engines, unless aircraft is provided with adequate brakes.

No aircraft engine shall be started or run unless a licensed pilot or competent mechanic is in the cockpit attending the controls.

23. Aircraft on water: Seaplanes on the water shall navigate according to the laws and regulations of the United States, and of the State of Minnesota and its political subdivisions, governing the control, navigation, and operation of aircraft.

24. Transporting of firearms and explosives: No armament, ammunition, poison gas, or explosives shall be carried by or in any aircraft; provided that the provisions of this rule shall not apply to proper signalling or safety equipment (such as a Very's pistol or landing flares) nor to the aircraft fuel; and provided, further, that the provisions of this rule shall not apply to public aircraft.

25. Liquor, narcotics, and drugs: No person shall navigate aircraft while under the influence of, using, or having personal possession of intoxicating liquor, cocaine, or other habit-forming drugs, nor shall such person carry any other person who is, or persons who are, obviously under the influence of intoxicating liquor, cocaine, or other habit-forming drugs.

26. Towing by aircraft: The towing of aircraft by other aircraft, or the towing of any device or object by aircraft, is prohibited without a permit. The commission will exercise its discretion as to whether or not such a permit shall issue. If issued there shall be a fee of \$25.00 if such permit is for commercial purposes and \$1.00 if such permit is for non-commercial purposes. Each permit shall be effective only for 24 hours from the time of its issuance.

27. Dropping of objects or things: No object or thing, other than fine sand or water which has been carried as ballast, shall be dropped or released by any person

from an aircraft in flight. The pilot, or person in charge of the aircraft, shall be responsible for the observance of this rule by all persons in the aircraft.

28. Day marks of masts, etc.: By day, balloon and airship mooring cables shall be marked with conical streamers not less than twenty inches in diameter and seven feet long, colored with solid color of chrome yellow. The object to which the balloon or airship is moored on the ground shall have the same kind of streamers, which must be in the same position as the lights specified herein.

LIGHTS

29. Angular limits: The angular limits laid down in the following rules relating to lights will be determined as when the aircraft is in normal flying position.

30. Airplane lights: Between sunset and sunrise, all airplanes in flight must show the following lights:

(a) On the right side a green light and on the left side a red light, each showing unbroken light between two vertical planes whose dihedral angle is one hundred and ten degrees when measured to the left and right, respectively, from dead ahead. These lights shall be visible at least two miles.

(b) At the rear, and as far aft as possible, a white light shining rearward, visible in a dihedral angle of one hundred and forty degrees bisected by a vertical plane through the line of flight and visible at least three miles.

Between sunset and sunrise, aircraft engaged in carrying any person or persons, other than pilot and crew, for or without

**THE PRECEDING
[] DOCUMENT(S)
HAVE BEEN
REFILMED
TO ENSURE
LEGIBILITY**



23. Aircraft on water: Seaplanes on the water shall navigate according to the laws and regulations of the United States, and of the State of Minnesota and its political subdivisions, governing the control, navigation, and operation of aircraft.

24. Transporting of firearms and explosives: No armament, ammunition, poison gas, or explosives shall be carried by or in any aircraft; provided that the provisions of this rule shall not apply to proper signalling or safety equipment (such as a Very's pistol or landing flares) nor to the aircraft fuel; and provided, further, that the provisions of this rule shall not apply to public aircraft.

25. Liquor, narcotics, and drugs: No person shall navigate aircraft while under the influence of, using, or having personal possession of intoxicating liquor, cocaine, or other habit-forming drugs, nor shall such person carry any other person who is, or persons who are, obviously under the influence of intoxicating liquor, cocaine, or other habit-forming drugs.

26. Towing by aircraft: The towing of aircraft by other aircraft, or the towing of any device or object by aircraft, is prohibited without a permit. The commission will exercise its discretion as to whether or not such a permit shall issue. If issued there shall be a fee of \$25.00 if such permit is for commercial purposes and \$1.00 if such permit is for non-commercial purposes. Each permit shall be effective only for 24 hours from the time of its issuance.

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from an aircraft in flight. The pilot, or person in charge of the aircraft, shall be responsible for the observance of this rule by all persons in the aircraft.

28. Day marks of masts, etc.: By day, balloon and airship mooring cables shall be marked with conical streamers not less than twenty inches in diameter and seven feet long, colored with solid color of chrome yellow. The object to which the balloon or airship is moored on the ground shall have the same kind of streamers, which must be in the same position as the lights specified herein.

LIGHTS

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(a) On the right side a green light and on the left side a red light, each showing unbroken light between two vertical planes whose dihedral angle is one hundred and ten degrees when measured to the left and right, respectively, from dead ahead. These lights shall be visible at least two miles.

(b) At the rear, and as far aft as possible, a white light shining rearward, visible in a dihedral angle of one hundred and forty degrees bisected by a vertical plane through the line of flight and visible at least three miles.

Between sunset and sunrise, aircraft engaged in carrying any person or persons, other than pilot and crew, for or without

hire and/or reward, shall be equipped with adequate and approved electric landing lights and approved parachute type of flares, or approved equivalent, in addition to the navigation lights required by the provisions of this rule.

31. **Airship lights:** Between sunset and sunrise, airships shall carry and display the same lights that are prescribed for airplanes, except that the side lights shall be doubled vertically. Lights in a pair shall be at least seven feet apart.

32. **Balloon lights:** Between sunset and sunrise, a free balloon shall display one white light not less than twenty feet below the car, visible for at least two miles. A fixed balloon, or airship, shall carry three lights—red, white, and red—in a vertical line, one over the other, visible at least two miles. The top light shall be not less than twenty feet below the car, and the lights shall be not less than seven, nor more than ten, feet apart.

33. **Lights when stationary:** Between sunset and sunrise, all aircraft which are on the surface of water and not under control, or which are moored or anchored in navigation lanes, shall show a white light visible for at least two miles in all directions.

Between sunset and sunrise, balloon and airship mooring cables shall show groups of three red lights at intervals of at least every one hundred feet, measured from the basket. The first light in the first group shall be approximately twenty feet from the lower red balloon light. The object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.

SIGNALS

34. **Distress signals:** The following signals, separately or together, shall, where practicable, be used in case of distress:

(a) The international signal, S O S by radio;

(b) The international code flag signal of distress, NC;

(c) A square flag having either above, or below it a ball, or anything resembling a ball.

35. **Signal when forced to land:** When an aircraft is forced to land at night at an airport, it shall signal its forced landing by making a series of short flashes with its navigation lights, if practicable to do so.

36. **Fog signals:** In fog, mist, or heavy weather, an aircraft on the water in navigation lanes, when its engines are not running, shall signal its presence by a sound device emitting a signal for about five seconds in two-minute intervals.

37. **Non-observance of air traffic rules; Emergency; Exemption:** A partial or total disregard of the Minnesota air traffic rules will be sanctioned in the following cases only:

(a) When special circumstances render non-observance necessary to avoid immediate danger, or when such non-observance is required because of stress of weather conditions or other unavoidable causes; provided, however, that aircraft carrying any persons or person other than the pilot, shall not disregard the air traffic rules pertaining to minimum altitudes of flight because of stress of weather conditions.

(b) When an exemption has been granted by the Minnesota Aeronautics Commission as provided by these rules and regulations, which exemption specifically confers temporary authority for such non-observance of a rule or rules.

EXEMPTIONS

I. Exemptions; Request for: The Minnesota Aeronautics Commission may grant exemption from compliance with the provisions and requirements of these rules and regulations, or any one of them, or part thereof, when, in its discretion, the particular facts justify such exemption. Every exemption granted will be issued for a limited time only and for a specific purpose, and the action of the Minnesota aeronautics commission in granting said exemption shall be evidenced in writing signed by a member of the Minnesota aeronautics commission or its secretary, which writing shall specifically set forth the subject-matter of the exemption and the time limits allowed. Any exemption granted shall be strictly construed.

Requests for exemption from compliance with the provisions and requirements of any of the foregoing rules or regulations shall be addressed to the Minnesota Aeronautics Commission, and any request for exemption must reach the Minnesota Aeronautics Commission, or member thereof, or its secretary, at least forty-eight hours before the proposed exemption is to take effect.

II. Suspension, modification or revocation: The Minnesota Aeronautics Commission may, in its discretion and within the authority granted to it by the Minnesota Aeronautics Act approved April 22, 1933, at any time, suspend, modify or revoke any of the foregoing rules and regulations.

III. Violations; Penalty therefor: Any person failing to comply with the requirements of the foregoing rules and regulations, or any part thereof, except as provided for in Rule No. 37, shall be guilty of a misdemeanor and punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than ninety days, or both.

For the purpose of enforcement, each infraction of the foregoing rules and regulations shall be considered a separate offense, and each day of continuation of any infraction shall be considered a separate offense.

By order of the Minnesota Aeronautics Commission, this 23rd day of July, 1941.

STANLEY E. HUBBARD, Chairman.
MAJOR RAY S. MILLER, Commissioner.
CROIL HUNTER, Commissioner.
LES SCHROEDER, Commissioner.
DOCTOR MAURICE N. WALSH, Commissioner.

Stanley E. Hubbard
Chairman

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 25 1941

W. H. Johnson
Secretary of State.