

STATE OF MINNESOTA

LAWS RELATING TO THE
REGULATION OF AERONAUTICS AND
RULES AND REGULATIONS OF THE
MINNESOTA AERONAUTICS COMMISSION
OF THE STATE OF MINNESOTA.

8410

AN ACT

TO REGULATE AERONAUTICS

Laws of Minnesota 1933, Chapter 430, as amended by
Laws of Minnesota 1935, Chapter 358.

Section 1. DEFINITIONS.--When used in this Act,

(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 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 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 useable width and not less than 1,000 feet of useable length, the use of which shall, except in case of emergency, be only as provided from time to time by the regulation 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.

Section 2. AIRCRAFT MUST BE LICENSED. 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 agree-

ment 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.

(a) 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 Minnesota aeronautics commission is hereby empowered to issue commercial licenses to such aircraft as may be found airworthy, and insofar as is practical, 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 said 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 multimotored aircraft, which fee shall be paid into the state aviation fund.

(b) Non-commercial Aircraft. The Minnesota Aeronautics Commission shall issue restricted licenses for the limited operation of noncommercial aircraft as hereinafter provided. All applications for a noncommercial 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 multimotored 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 said aircraft for a designated period, during which period any licensed transport pilot may conduct flying tests of said aircraft, provided that said aircraft shall not be flown over any inhabited city, town, or village during said period. During the time that said temporary license is in effect, the Minnesota aeronautics commission shall designate a transport pilot or inspector to test said aircraft or otherwise determine whether it is airworthy, and may also designate the place where tests shall be carried on. Such designated pilot or inspector may test fly said 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 said aircraft is determined to be airworthy then the Minnesota aeronautics commission shall issue a license authorizing said aircraft to be flown for non-commercial purposes only, and markings prescribed by the Minnesota aeronautics commission shall be placed on said aircraft to show that same is licensed only for non-commercial purposes.

The Minnesota aeronautics commission is hereby empowered to temporarily or permanently revoke any license issued by it or refuse to issue a license whenever the commission shall determine that any aircraft is not airworthy.

Section 3. It shall be unlawful for any person to operate or cause to be operated any aircraft in this state unless such person 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 licensed 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 pilot's licenses as it may deem necessary and advisable for the public safety, and the safety of those engaged in aeronautics.

Section 4. PILOTS TO CARRY LICENSES.--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.

Section 5. 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. Three of said persons, including the chairman, shall be appointed for a period of four years from and after the second Monday in the January following their appointment, and two for a period of two years from and after the second Monday in the January following their appointment, and upon the expiration of the terms of such respective commissioners the Governor shall appoint their successors each to serve for a term of four years, and all to serve until their successors are appointed and qualified. No person shall serve on this commission unless he or she at the time of appointment belonged to one of the following groups:

(a) 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.

(b) 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.

(c) 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 (c).

Section 6. ORGANIZATION -- The commission shall, within thirty days after its appointment, organize, adopt a seal for the commission 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.

Section 7. OFFICERS--RECORDS--The commission may appoint a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, and keep the books and records in the general office of the commission, and to perform such other duties as the commission may prescribe.

Section 8. MAY EMPLOY ASSISTANTS -- 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 this act.

Section 9. SECRETARY OF STATE TO FURNISH OFFICES-- The Secretary of State shall provide suitable offices for the commission in the city of Saint Paul, Minnesota, and the commission may maintain offices in any other city in the State of Minnesota, that the commission may designate, and may incur, subject to the amount appropriated for the purposes of this Act, the necessary expense for office furniture, stationery, printing, incidental expenses, and other expenses necessary for the enforcement of this Act, and the general promotion of aeronautics within the State.

Section 10. DUTIES OF COMMISSION -- It shall be the duty of the Commission to foster air commerce within the State of Minnesota and the Commission shall 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 markings, air beacons, and all other air navigation facilities, and the registration of all pilots and aircraft. Accordingly 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, so 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 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 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.

Section 11. SAME--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. Accordingly, 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/or of other aeronautics facilities or services within this 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 department or with other political subdivisions of this State.

Section 12. Within 60 days after the commission is created, all owners and/or operators, of all airports, landing fields, air schools, and flying clubs, and the owners and/or operators of all air beacons and air navigation facilities, shall make application to the commission for its approval of such airport, landing field, air school, flying club, air beacon, or other air navigation facility, and the commission shall immediately consider and pass upon such application. Within the same period all pilots and owners and/or operators of all aircraft shall register the Federal License of said airmen and of said aircraft in such manner as the commission may by regulation prescribe. All proposed airports, landing fields, air schools, flying clubs, air beacons, or other air navigation facilities shall first be approved by the 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 this section or of this entire Act shall apply to airports, landing fields, air beacons, air markings, or other air navigation facilities owned or operated by the Government of 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:

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.

For issuance of each annual airport license, \$10.00.

For issuance of each annual landing field license,
\$10.00.

For issuance of each annual air school license,
\$10.00.

For issuance of each annual flying club license,
no fee shall be charged.

For issuance of each annual air beacon license,
no fee shall be charged.

For issuance of each annual other air navigation facility license, no fee shall be charged.

Section 13. COMMISSION MAY CONDUCT INVESTIGATION--

The commission, or any commissioner, or officer of the commission designated by the commission, shall have the power to hold investigations, inquiries and hearings concerning matters covered by the provisions of this Act, 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 this Act, the Minnesota aeronautics 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 said court may be punished by the court as a contempt thereof.

Section 14. 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 said investigation, hearings, or report thereof,

nor shall any commissioner or employee of the Minnesota aeronautics commission be required to testify to any facts ascertained in, or information gained by reason of, his official capacity, and, further, no commissioner or employee of the Minnesota aeronautics commission shall be required to testify as an expert witness in any suit, action, or proceeding involving any aircraft.

Section 15. COMMISSION TO KEEP COPY OF RULES AND REGULATIONS ON FILE--The commission shall keep on file with the Secretary of State, and at the principal office of the commission, a copy of all their rules and regulations, for public inspection. On or before the thirty-first day of December, in each year, the commission shall make to the Governor a full report of its proceedings for the year ending the first day of December in each year, and may submit with such report such recommendations pertaining to its affairs as seem to it to be desirable.

Section 16. COMMISSION TO ENFORCE ACT--It shall be the duty of the 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 this Act. The commission is further authorized in the name of "The State of Minnesota" to enforce the provisions of this act by injunction in the District Courts of this State. Other departments and political subdivisions of this State are further authorized to cooperate with the Minnesota aeronautics commission in the development of aeronautics and aeronautic facilities within the State.

Section 17. In any case where the 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 this Act the Minnesota aeronautics commission and any officers, State or municipal, charged with the duty of enforcing this Act, 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 this commission pursuant to this Act shall be served upon the interested person by registered mail or in person before such order shall become effective."

Section 18. APPEAL TO DISTRICT COURT.-- Any person against whom an order has been entered may within thirty 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.

Section 19. RIGHTS WAIVED.-- If no appeal is taken from the order of the 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.

Section 20. VIOLATION A MISDEMEANOR-- Any person failing to comply with the requirements of, or violating any of the provisions of this Act, or the rules and regulations for the enforcement of this Act made by the Minnesota aeronautics commission, shall be guilty of a gross misdemeanor and punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than ninety days, or both.

"Section 21. 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 this Act, shall be paid into the State Treasury and credited to such fund."

Section 22. FUNDS TO BE USED FOR EXPENSES OF COMMISSION.-- Any monies or fees coming into the hands of said Commission may be used for the necessary expenses of the Commission essential to the carrying out of this act but no overdraft shall be created by reason of any such expenditures.

Section 23. PROVISIONS SEPARABLE.-- If any provision of this Act is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

Section 24. INCONSISTENT ACTS REPEALED.-- All
Acts or parts of Acts which are inconsistent with the
provisions of this Act are hereby repealed.

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 by Laws 1935, Chapter 358, 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 28 day of October, 1938.

MINNESOTA AERONAUTICS COMMISSION

R. S. Miller
R. S. MILLER, Chairman

Croil Hunter
CROIL HUNTER, Commissioner

Stanley E. Hubbard
STANLEY E. HUBBARD, Commissioner

R. L. GRIGGS, Commissioner

Regulation No. 1.

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 \$5.00.

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 \$2 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 intra-state 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 \$2.00 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 \$2.00.

(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 5 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 re-rated 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 re-rated 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 payload 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.

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 \$1.00.

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 \$1.00.

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 transport or limited commercial pilots or as commercial glider pilots. Noncommercial pilots are designated as private, amateur, 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) Transport 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.

Transport pilots shall demonstrate their ability to navigate landplanes, seaplanes, or both in one or more of the weight classes set forth below. Such demonstration shall

* 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.

be to the satisfaction of the examiner for the Commission.

Class 1. Gross weight not more than 1,000 pounds.

Class 1A. Gross weight between 1,000 and 3,500 pounds, single engine.

Class 1B. Gross weight between 1,000 and 3,500 pounds, multi-engine.

Class 2A. Gross weight between 3,500 and 7,000 pounds, single engine.

Class 2B. Gross weight between 3,500 and 7,000 pounds, multi-engine.

Class 3A. Gross weight over 7,000 pounds, single engine.

Class 3B. Gross weight over 7,000 pounds, multi-engine.

SCHEDULED AIR TRANSPORT RATING

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.

Transport pilots shall not pilot unlicensed aircraft carrying persons or property for hire.

(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) Amateur pilots may pilot licensed aircraft but shall not carry persons (except licensed transport, limited commercial, or private pilots in dual controlled aircraft) or cargo in licensed or unlicensed aircraft, nor instruct students in the operation of aircraft in flight.

(3) 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 or at airline terminals.

(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) 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) LIMITED COMMERCIAL PILOTS - Fifty 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.

(C) COMMERCIAL AND NONCOMMERCIAL GLIDER PILOTS - No minimum flying experience.

(D) PRIVATE PILOTS - Fifty 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.

(E) AMATEUR PILOTS - Twenty-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.

(F) 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.

(G) 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, AMATEUR, 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) TRANSPORT, LIMITED 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) TRANSPORT 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 examiner 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 sole 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) LIMITED COMMERCIAL PILOTS. - The same examinations and tests as are prescribed for transport pilots, except the cross-country flight and the examination on elementary meteorology and navigation.

(C) PRIVATE PILOTS. - (1) Examination on the Commission Regulations, including the air traffic rules, all of which are set forth in these regulations.

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

(D) AMATEUR PILOTS. - (1) Examination on the Commission

Regulations, including the air traffic rules, all of which are set forth in these regulations.

(2) Same flight test as prescribed for private pilots except spine and cross-wind take-offs and landings.

(E) 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.

(F) 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 percent.

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

(G) 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°.

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 airworthy 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:

TRANSPORT AND LIMITED 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 AND AMATEUR. - 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.

Pilot's 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 licenses 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 mechanic's 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 licenses 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, experimental 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 feebleminded.

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. II

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 not 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 recorded 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 acrobatically flying 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.

Parachute jumps

Parachute jumps 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

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.

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.

(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.

The landing surface, whether natural, artificial, or a combination of the two, shall be sufficiently smooth to permit driving over any part thereof in a light weight automobile at a speed of at least 30 miles per hour without discomfort to the occupants.

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.

(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 airport 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 forty-eight hours before the holding of any air show, meet, race or carnival.

(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 two types of airplanes 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 Amateur Pilot, Private Pilot, Limited Commercial or Transport, 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 Amateur Pilot, Private Pilot, Limited Commercial, or Transport, 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 transport pilot's license 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: RECORDED: 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 \$10.00 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 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
28th day of October, 1938.

H. S. Miller
H. S. Miller, Chairman
Croil Hunter
Croil Hunter, Commissioner
Stanley E. Hubbard
Stanley E. Hubbard, Commissioner
R. L. Griggs, Commissioner
~~W. A. McCadden, Commissioner~~

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 31 1938

Willis H. H. H.
Secretary of State