



Rep. Grant Wehrli

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09900HB4387ham001

LRB099 15663 AXK 46630 a

1 AMENDMENT TO HOUSE BILL 4387

2 AMENDMENT NO. _____. Amend House Bill 4387 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Aeronautics Act is amended by
5 changing Section 42 as follows:

6 (620 ILCS 5/42) (from Ch. 15 1/2, par. 22.42)

7 Sec. 42. Regulation of aircraft, airmen, and airports.

8 (a) The general public interest and safety, the safety of
9 persons operating, using, or traveling in, aircraft, and of
10 persons and property on the ground, and the interest of
11 aeronautical progress require that aircraft operated within
12 this State should be airworthy, that airmen should be properly
13 qualified, and that air navigation facilities should be
14 suitable for the purposes for which they are designed. The
15 purposes of this Act require that the Department should be
16 enabled to exercise the powers of regulation and supervision

1 herein granted. The advantage of uniform regulation makes it
2 desirable that aircraft operated within this State should
3 conform with respect to design, construction, and
4 airworthiness to the standards prescribed by the United States
5 Government with respect to civil aircraft subject to its
6 jurisdiction and that persons engaging in aeronautics within
7 this State should have the qualifications necessary for
8 obtaining and holding appropriate airman certificates of the
9 United States. It is desirable and right that all applicable
10 fees and taxes shall be paid with respect to aircraft operated
11 within this State.

12 (b) In light of the findings in subsection (a), the
13 Department is authorized:

14 (1) To require the registration, every 2 years, of
15 federal licenses, certificates or permits of civil
16 aircraft engaged in air navigation within this State, and a
17 one-time registration, ~~and~~ of airmen engaged in
18 aeronautics within this State, and to issue certificates of
19 such registration. These certificates of registration
20 constitute the authorization of such aircraft and airmen
21 for operations within this State to the extent permitted by
22 the federal licenses, certificates or permits so
23 registered. It shall charge a fee, payable every 2 years,
24 for the registration of each federal license, certificate
25 or permit of ~~\$10 for each airman's certificate and~~ \$20 for
26 each aircraft certificate and a one-time fee of \$20,

1 payable at registration, for each airman's certificate. It
2 may accept as evidence of the holding of a federal license,
3 certificate or permit the verified application of the
4 airman or the owner of the aircraft, which application
5 shall contain such information as the Department may by
6 rule, ruling, regulation, order or decision prescribe. The
7 Department's authority to register aircraft or to issue
8 certificates of registration is limited as follows:

9 (i) Except as to any aircraft vehicle purchased
10 before March 8, 1963, the Department, in the case of
11 the first registration of any aircraft vehicle for any
12 given owner on or after March 8, 1963, may not issue a
13 certificate of registration with respect to any
14 aircraft vehicle until after the Department has been
15 satisfied that no tax under the Use Tax Act, the
16 Aircraft Use Tax Law, the Municipal Use Tax Act, or the
17 Home Rule County Use Tax Law is owing by reason of the
18 use of the vehicle in Illinois or that any tax so
19 imposed has been paid. A receipt issued under those
20 Acts by the Department of Revenue constitutes proof of
21 payment of the tax. For the purpose of this paragraph,
22 "aircraft vehicle" means a single aircraft.

23 (ii) If the proof of payment of the tax or of
24 nonliability therefor is, after the issuance of the
25 certificate of registration, found to be invalid, the
26 Department shall revoke the certificate and require

1 that the certificate be returned to the Department.

2 (2) To classify and approve airports and restricted
3 landing areas and any alterations or extensions thereof.
4 Certificates of approval issued pursuant to this
5 paragraph, or pursuant to any prior law, shall be issued in
6 the name of the applicant and shall be transferable upon a
7 change of ownership or control of the airport or restricted
8 landing area only after approval of the Department. No
9 charge or fee shall be made or imposed for any kind of
10 certificate of approval or a transfer thereof.

11 (3) To revoke, temporarily or permanently, any
12 certificate of registration of an aircraft or airman issued
13 by it, or to refuse to issue any such certificate of
14 registration, when it shall reasonably determine that any
15 aircraft is not airworthy, or that any airman:

16 (i) is not qualified;

17 (ii) has willfully violated the laws of this State
18 pertaining to aeronautics or any rules, rulings,
19 regulations, orders, or decisions issued pursuant
20 thereto, or any Federal law or any rule or regulation
21 issued pursuant thereto;

22 (iii) is addicted to the use of narcotics or other
23 habit forming drug, or to the excessive use of
24 intoxicating liquor;

25 (iv) has made any false statement in any
26 application for registration of a federal license,

1 certificate or permit; or

2 (v) has been guilty of other conduct, acts, or
3 practices dangerous to the public safety or the safety
4 of those engaged in aeronautics.

5 (c) The Department may refuse to issue or may suspend the
6 certificate of any person who fails to file a return, or to pay
7 the tax, penalty or interest shown in a filed return, or to pay
8 any final assessment of tax, penalty or interest, as required
9 by any tax Act administered by the Illinois Department of
10 Revenue, until such time as the requirements of any such tax
11 Act are satisfied.

12 (Source: P.A. 92-341, eff. 8-10-01; 93-24, eff. 6-20-03.)".