

tration of such motor vehicle. The seller making such application shall be entitled to a tax credit of the difference in tax between the higher and lower gross weights to be applied toward the tax due on a new vehicle or vehicle first becoming taxable in Minnesota in the name of the seller on or after the date such application for reduced gross weight is made. However, the gross weight on such a vehicle shall not be reduced to a weight less than the unloaded weight of such vehicle. The tax credit given to the seller applying for reduced gross weight provided herein shall be computed pro rata by the month  $1/12$  of the annual tax paid for each month remaining in the year beginning with the month following the month such application for reduced gross weight was made less the tax due for the lower gross weight computed pro rata by the month  $1/12$  of the annual tax due for each month remaining in the year beginning with the month following the month such application for reduced gross weight was made. The buyer of a vehicle for which the seller has applied to reduce the gross weight shall immediately apply to register or transfer the vehicle to his name on the basis of his selected gross weight and shall pay such additional tax as may be due thereon for the remainder of the year prorated by the month  $1/12$  of the annual tax due for each month remaining in the calendar year beginning with the month following the month of such application with credit given for tax previously paid by the seller on the basis of the lower gross weight to which the registration was reduced. Nothing herein shall be construed to vary the terms or conditions of Minnesota Statutes 1949, Section 168.013, Subdivision 3, as amended by Laws 1951, Chapter 575.

Approved April 24, 1953.

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#### CHAPTER 738—H. F. No. 1654

*An act relating to aeronautics; amending Minnesota Statutes 1949, Sections 360.013, Subdivisions 11 and 13, and 360.018, Subdivisions 1 and 5.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 360.013, subdivision 11, is amended to read:

Subd. 11. "Commercial operations" means any operations of an aircraft for compensation or hire; or any services performed incidental to the operation of any aircraft for which a fee is charged or compensation received; including, but not limited to, the servicing, maintaining and repairing of air-

*craft, the rental or charter of aircraft, the operation of flight or ground schools, the operation of aircraft for application or distribution of chemicals or other substances, aerial photography and surveys, air shows or expositions, parachute jumping, and the operation of aircraft for hunting and fishing. "Commercial operations" also mean brokering or selling of any of the aforesaid service but do not include any operations of aircraft as common carriers certificated by the federal government or the services incidental thereto.*

Sec. 2. Minnesota Statutes 1949, Section 360.013, Subdivision 13, is amended to read:

Subd. 13. "Air navigation facility" means any facility other than one owned or controlled by the Federal Government, used in, available for use in, or designed for use in, aid of air navigation, including airports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems, *electronic device*, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking-off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport or restricted landing area, and any combination of any or all of such facilities.

Sec. 3. Minnesota Statutes 1949, Section 360.018, Subdivision 1, is amended to read:

**360.018 Aircraft, airmen, airplanes, air instruction; regulation.** Subdivision 1. **Generally.** The general public interest and safety, the safety of persons receiving instruction concerning or operating, using, or traveling in aircraft and of persons and property on the ground, and the interest of aeronautical progress requiring that aircraft operated within this state should be airworthy, that airmen and those engaged in air instruction should be properly qualified, and that airports, restricted landing areas, and air navigation facilities should be suitable for the purposes for which they are designed; the purposes of Laws 1945, Chapter 303, requiring that the commissioner should be enabled to exercise the powers of supervision therein granted; and the advantages of uniform regulation making it desirable that aircraft operated within this state should conform with respect to design, construction, and airworthiness to the standards prescribed by the United States Government with respect to civil aircraft subject to its jurisdiction and that persons engaging in aeronautics within this state should have the qualifications necessary for obtaining and holding appropriate airman certificates of the United States, the commissioner is authorized:

(1) To require the registration annually of federal licenses, permits, or certificates of civil aircraft engaged in air navigation within this state, and to issue certificates of such registration, which certificates may be the same as the certificates issued pursuant to section 360.59, subdivision 3. The application for registration made pursuant to sections 360.51 to 360.67 shall be considered as the application for registration required by this section.

(2) To require the registration of federal licenses, permits, or certificates of airmen engaged in aeronautics within this state and of aeronautics instructors, and to issue certificates of such registration. The expiration date for each registration certificate issued after July 1, 1947, shall be the birthday of the applicant in the second year following the date of issuance of such certificate.

(3) The certificates of registration of aircraft, airmen, and aeronautics instructors issued pursuant to this section shall constitute licenses of such aircraft, airmen, and instructors for operations within this state to the extent permitted by the federal licenses, certificates, or permits so registered. The application for registration shall contain such information as the commissioner may by rule, regulation, or order prescribe. The first application for registration made in this state shall be verified by the applicant. The second and succeeding applications for registration need not be verified. The commissioner may charge for the registration of each airman and instructor a fee not exceeding \$1.00. Each application for registration of aircraft shall be made as required by sections 360.51 to 360.67. The first application for registration of airmen or instructors made in this state shall be made within 30 days from the date of the issuance of his federal license, certificate, or permit, or if the airman or instructor is not a resident of this state on the date of issuance of such federal licenses, certificates, or permits, within 30 days after he becomes such resident.

(4) *To license any person engaged in commercial operations in accordance with rules and regulations to be adopted by the commissioner and to annually renew such a license. The rules and regulations adopted hereunder shall provide for:*

(a) *the maximum fee to be charged any one person for an original license and the renewal thereof, such maximum fee not to exceed \$10;*

(b) *compliance with all requirements of the United States government relating to permits or certificates governing aircraft and air men;*

(c) *compliance with all laws of the state of Minnesota and rules and regulations of any state department or agency promulgated thereunder.*

(5) To approve airport and restricted landing area sites and to license airports, restricted landing areas, or other air navigation facilities, in accordance with rules and regulations to be adopted by the commissioner, and to annually renew such licenses. Licenses granted under this subdivision or under any prior law shall be annually renewed upon payment of the fee therefore, and licenses shall be granted for airports and restricted landing areas which were being operated under a license on the 1st day of July, 1943, without the requirements of a certificate of approval, unless the commissioner shall reasonably determine, after a public hearing to be called by him and held in the same manner and upon the same notice as is provided for hearings upon certificates of approval or original licenses, that the operation of such airport or restricted landing area is hazardous to persons operating, using, or traveling in aircraft or to persons and property on the ground. He shall make no charge for approval certificates or proposed property acquisition for airport or restricted landing area purposes. He may charge for the issuance of each original license for an airport or restricted landing area not to exceed \$10 and for each annual renewal of such license not to exceed \$10, based on classifications made by the commissioner.

(6) To suspend or revoke any license or certificate of registration of an aircraft, airman, *licensee of commercial operations*, or aeronautics instructor, issued by him, or to refuse to issue any such license or certificate of registration, when he shall reasonably determine that any aircraft is not airworthy or that any airman, *licensee of commercial operations*, or aeronautics instructor is not qualified [,] *has engaged in advertising by means of false or deceptive statements, has been found guilty of gross incompetency or gross negligence, has been found guilty of fraud, dishonesty, forgery, or theft, has wilfully violated the provisions of Laws 1945, Chapter 303, the rules and regulations prescribed pursuant thereto, or any other statute of this state relating to aeronautics, or any act of congress or any rule or regulation promulgated pursuant thereto, is addicted to the use of narcotics or other habit forming drug or to the excessive use of intoxicating liquor, has made any false statement in any application for registration of a federal license, certificate or permit, or has been guilty of other conduct, acts, or practices dangerous to the public safety and the safety of those engaged in aeronautics.*

Sec. 4. Minnesota Statutes 1949, Sections 360.018, subdivision 5, is amended to read:

Subd. 5. **Air instruction without license, permit or certificate.** It shall be unlawful for any person to engage in commercial operations or to act as an aeronautics instructor in this state unless he has all required licenses, certificates or permits of the commissioner and of the United States Government.

Approved April 24, 1953.

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CHAPTER 739—H. F. No. 1801

[Not Coded]

*An act to legalize proceedings in certain cities of the fourth class for the issuance of emergency debt certificates and authorizing the issuance and sale of said emergency debt certificates.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Validation of emergency debt certificates, certain cities fourth class.** In all cases where the governing body of any city of the fourth class organized under a home rule charter has adopted a resolution for the issuance of emergency debt certificates for the purpose of providing money for the improvement of a street and has declared that a public emergency requires the issuance of such certificates, all such proceedings are hereby legalized and validated and such city shall be authorized to issue and sell such certificates in accordance with the provisions of Minnesota Statutes 1949, Chapter 475, and such certificates when issued in accordance with said resolution and sold at public sale as provided in said chapter, shall be valid and binding obligations of the city.

**Sec. 2. Remedial.** It is expressly found and determined that this act is remedial in nature, being necessary to protect the financial credit of such cities and this act shall be in full force and effect from and after its passage and approval.

**Sec. 3. Pending proceedings not affected.** This act shall not apply to or affect any action or appeal now pending in which the validity of any such proceedings or any such bonds or other obligations is called in question.

Approved April 24, 1953.

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