

CHAPTER 360

AERONAUTICS

360.018 Aircraft, airmen, airports, air instruction; regulation.
 360.0751 Chemical tests for intoxication.
 360.531 Taxation.

360.63 Dealer's license.
 360.654 Aircraft dealer's commercial use permit.

360.018 AIRCRAFT, AIRMEN, AIRPORTS, AIR INSTRUCTION; REGULATION.

[For text of subs 1 to 5, see M.S.1986]

Subd. 6. **Licensing of airports and other air navigation facilities.** All proposed airports, restricted landing areas, and other air navigation facilities shall be first licensed by the commissioner before they, or any of them, shall be used or operated. Any municipality or person acquiring property for the purpose of constructing or establishing an airport or restricted landing area shall, prior to such acquisition, make application to the commissioner for a certificate of approval of the site selected and the general purpose or purposes for which the property is to be acquired, to insure that the property and its use shall conform to minimum standards of safety and shall serve public interest. It shall be unlawful for any municipality or officer or employee thereof, or for any person, to operate an airport, restricted landing area, or other air navigation facility for which the required annual license has not been issued by the commissioner. Notwithstanding the foregoing, a personal use airport that is more than five miles from a public airport, whether publicly or privately owned, need not obtain a license from the commissioner.

[For text of subs 7 to 11, see M.S.1986]

Subd. 12. **Operating vehicles on airport property.** No person shall operate a motor vehicle off a designated roadway on airport property without the authorization of the airport owner, or operate a motor vehicle anywhere on airport property in a careless or reckless manner with willful disregard for the safety of persons or property. A violation of this subdivision is a misdemeanor.

History: 1987 c 321 s 3,4

360.0751 CHEMICAL TESTS FOR INTOXICATION.

Subdivision 1. **Peace officer defined.** For purposes of this section, the term "peace officer" means an employee of a political subdivision or state law enforcement agency who is licensed by the Minnesota board of peace officers standards and training, who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state, and who has full power of arrest, and shall also include the Minnesota state patrol, but does not include employees of the department of natural resources.

[For text of subs 2 to 8, see M.S.1986]

History: 1987 c 321 s 5

360.531 TAXATION.

[For text of subd 1, see M.S.1986]

Subd. 2. **Rate.** The tax shall be at the rate of one percent of value; provided that the minimum tax on an aircraft subject to the provisions of sections 360.511 to 360.67 shall not be less than 25 percent of the tax on said aircraft computed on its base price or \$50 whichever is the higher.

[For text of subds 3 to 9, see M.S.1986]

History: 1987 c 268 art 14 s 24

360.63 DEALER'S LICENSE.

Subdivision 1. Any person engaged in the business of selling, purchasing, or dealing in aircraft, new or used, and who desires to withhold aircraft owned by that person from tax as provided in sections 360.511 to 360.67, may apply to the commissioner for an aircraft dealer's license. In order to qualify for an aircraft dealer's license the applicant shall show that the applicant has an established place of business approved by the commissioner that has the necessary buildings, facilities, and equipment for the proper storage and maintenance of aircraft in accordance with such rules as may be established by the commissioner. The commissioner may charge a fee of \$10 for each license, which license shall be effective for one year from the date of its issuance, or may authorize an aircraft dealer to operate under a flight operator's license as otherwise provided by this chapter. The commissioner is empowered to suspend or revoke any license issued by the commissioner on determining that the holder thereof has violated any of the provisions of sections 360.511 to 360.67 or has failed to maintain any of the requirements necessary to obtain such license.

[For text of subd 2, see M.S.1986]

History: 1987 c 321 s 6

360.654 AIRCRAFT DEALER'S COMMERCIAL USE PERMIT.

Upon written application by a dealer licensed in accordance with section 360.63 and payment of a fee of \$20 for each aircraft identified in the application, the commissioner of revenue shall issue a commercial use permit which shall entitle the dealer to use the aircraft for commercial purposes for a period of 12 months or until the aircraft is sold, whichever first occurs. The dealer shall pay the tax imposed by section 297A.14 on all consideration received for use of the aircraft for commercial purposes during the period the dealer holds the commercial use permit. Commercial purposes as used herein does not include rental or lease of the aircraft for which the aircraft dealers normally collect the sales tax from their customers. Applications shall be on forms prescribed and furnished by the commissioner of revenue and shall include the federal aircraft registration number of each aircraft for which a permit is to be issued. A permit shall be affixed to the dealer's license and shall be conspicuously displayed in the aircraft for which it was issued, which aircraft shall remain in the possession of or under the control of the licensed dealer to whom the permit was issued. The permit shall expire and the tax imposed by section 297A.02 or 297A.14 shall become due upon either sale of the aircraft by the dealer or expiration of the 12-month period. If the aircraft has not been sold within the 12-month period the tax is due on the purchase price of the aircraft and its auxiliary equipment to the dealer and the tax imposed by section 297A.02 shall become due on the eventual sale of the aircraft. Laws 1971, chapter 740 shall in no way apply to registration or taxation pursuant to sections 360.511 to 360.67.

History: 1987 c 268 art 4 s 24