

CHAPTER 360

AIRPORTS AND AERONAUTICS

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360.015 COMMISSIONER; POWERS AND DUTIES.

[For text of subs 1 to 18, see M.S.1998]

Subd. 19. **Keep books and records.** The commissioner shall keep accurate and complete books of accounts to show in detail itemized receipts and disbursements of the airports fund. The books shall show the following facts, among others:

(a) The expenses of maintaining the department, including the salaries and expenses of the individual members thereof;

(b) The amounts of money expended in each county of the state for the construction or maintenance of airports or restricted landing areas, when, where, and upon what airport or restricted landing area expended, so that the cost for each such airport or restricted landing area can be easily ascertained;

(c) The amount of equipment and materials purchased and when, where, and from whom purchased; these books shall show the price paid for each item; the original invoice shall form a part of the permanent files and records in the department and shall be open to public inspection.

History: 1999 c 99 s 19

360.0151 AIR SERVICE MARKETING PROGRAM.

[For text of subd 1, see M.S.1998]

Subd. 2. **Grants authorized.** (a) The commissioner may make air service marketing grants to political subdivisions that own and operate airports. The commissioner shall make a project agreement with each political subdivision receiving a grant under this section that provides for:

- (1) a detailed description of the project for which the grant is provided;
- (2) a schedule of the project; and
- (3) the division of costs of the project between the state and the recipient.

(b) Payments by the commissioner under a project agreement may only be made to reimburse local costs already incurred.

[For text of subd 3, see M.S.1998]

History: 1999 c 230 s 28

360.032 MUNICIPALITY MAY ACQUIRE AIRPORT.

[For text of subd 1, see M.S.1998]

Subd. 1a. **Municipality may acquire or move airport property; reimbursement.** A municipality may exercise the powers set forth in this subdivision solely for the purpose of assisting the relocation of air navigation facilities, structures, and other property incidental to airport operations, which are located at an airport owned or formerly owned by the municipality.

A municipality may acquire air navigation facilities, structures and other property incidental to airport operations, which are located at an airport owned or formerly owned by the municipality. In lieu of such acquisition, the municipality may move and relocate such property to another public airport. The manner of acquisition of such property shall be in accord-

ance with subdivision 2. The municipality may expend its funds to pay for the costs of such acquisition, moving and relocation. The commissioner may pay a portion of such acquisition, moving and relocation costs in accordance with the provisions of section 360.305, subdivision 4, paragraph (b) or (c).

[For text of subds 2 to 4, see M.S.1998]

History: 1999 c 230 s 29

360.305 EXPENDITURES.

[For text of subds 1 to 3, see M.S.1998]

Subd. 4. Costs allocated; local contribution; hangar construction revolving account. (a) Except as otherwise provided in this subdivision, the commissioner of transportation shall require as a condition of assistance by the state that the political subdivision, municipality, or public corporation make a substantial contribution to the cost of the construction, improvement, maintenance, or operation of the airport, in connection with which the assistance of the state is sought. These costs are referred to as project costs.

(b) For any airport, whether key, intermediate or landing strip, where only state and local funds are to be used, the contribution shall be not less than one-fifth of the sum of:

(1) the project costs,

(2) acquisition costs of the land and clear zones, which are referred to as acquisition costs.

(c) For any airport where federal, state and local funds are to be used, the contribution shall not be less than one-tenth of the sum of the project costs and acquisition costs.

(d) The commissioner may pay the total cost of radio and navigational aids.

(e) Notwithstanding paragraph (b) or (c), the commissioner may pay all of the project costs of a new landing strip, but not an intermediate airport or key airport, or may pay an amount equal to the federal funds granted and used for a new landing strip plus all of the remaining project costs; but the total amount paid by the commissioner for the project costs of a new landing strip, unless specifically authorized by an act appropriating funds for the new landing strip, shall not exceed \$200,000.

(f) Notwithstanding paragraph (b) or (c), the commissioner may pay all the project costs for research and development projects, including, but not limited to noise abatement; provided that in no event shall the sums expended under this paragraph exceed five percent of the amount appropriated for construction grants.

(g) To receive aid under this section for project costs or for acquisition costs, the municipality must enter into an agreement with the commissioner giving assurance that the airport will be operated and maintained in a safe, serviceable manner for aeronautical purposes only for the use and benefit of the public:

(1) for 20 years after the date that any state funds for project costs are received by the municipality; and

(2) for 99 years after the date that any state funds for acquisition costs are received by the municipality.

The agreement may contain other conditions as the commissioner deems reasonable.

(h) The commissioner shall establish a hangar construction revolving account which shall be used for the purpose of financing the construction of hangar buildings to be constructed by municipalities owning airports. All municipalities owning airports are authorized to enter into contracts for the construction of hangars, and contracts with the commissioner for the financing of hangar construction for an amount and period of time as may be determined by the commissioner and municipality. All receipts from the financing contracts shall be deposited in the hangar construction revolving account and are reappropriated for the purpose of financing construction of hangar buildings. The commissioner may pay from the hangar construction revolving account 80 percent of the cost of financing construction of hangar buildings. For purposes of this clause, the construction of hangars shall include their design. The commissioner shall transfer up to \$4,100,000 from the state airports fund to the hangar construction revolving account.

(i) The commissioner may pay a portion of the purchase price of any airport maintenance and safety equipment and of the actual airport snow removal costs incurred by any municipality. The portion to be paid by the state shall not exceed two-thirds of the cost of the purchase price or snow removal. To receive aid a municipality must enter into an agreement of the type referred to in paragraph (g).

(j) This subdivision shall apply only to project costs or acquisition costs of municipally owned airports which are incurred after June 1, 1971.

[For text of subs 5 to 7, see M.S.1998]

History: 1999 c 230 s 30

360.531 TAXATION.

[For text of subs 1 and 2, see M.S.1998]

Subd. 3. **First year of life.** "First year of life" means the year the aircraft was manufactured.

[For text of subs 4 to 9, see M.S.1998]

History: 1999 c 238 art 2 s 70

360.55 EXEMPTIONS.

[For text of subs 1 to 3, see M.S.1998]

Subd. 4. **Collector's aircraft; special plates.** (a) For purposes of this subdivision:

(1) "antique aircraft" means an aircraft constructed by the original manufacturer, or its licensee, on or before December 31, 1945, with the exception of certain pre-World War II aircraft models that had only a small post-war production, such as Beechcraft Staggerwing, Fairchild 24, and Monocoupe; and

(2) "classic aircraft" means an aircraft constructed by the original manufacturer, or its licensee, on or after January 1, 1946, and has a first year of life that precedes the date of registration by at least 50 years.

(b) If an antique or classic aircraft is owned and operated solely as a collector's item, its owner may list it for taxation and registration as follows: A sworn affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the aircraft, year and model number of the aircraft, the federal aircraft registration number, the manufacturer's identification number and that the aircraft is owned and operated solely as a collector's item and not for general transportation or commercial operations purposes. The affidavit shall be filed with the commissioner along with a fee of \$25.

(c) Upon satisfaction that the affidavit is true and correct, the commissioner shall issue to the applicant special number plates, decalcomania labels or stamps bearing the inscription "Classic" or "Antique," "Minnesota" and the registration number but no date. The special number plates, decalcomania labels or stamps are valid without renewal as long as the owner operates the aircraft solely as a collector's item.

(d) Should an antique or classic aircraft be operated other than as a collector's item, the special number plates, decalcomania labels or stamps shall be void and removed, and the owner shall list the aircraft for taxation and registration in accordance with the other provisions of sections 360.511 to 360.67.

(e) Upon the sale of an antique or classic aircraft, the new owner must list the aircraft for taxation and registration in accordance with the provisions of this subdivision, including the payment of a \$25 fee to obtain new special plates or payment of a \$5 fee to retain and transfer the existing special plates to the name of the new owner, or the other provisions of sections 360.511 to 360.67, whichever is applicable.

(f) In the event of defacement, loss or destruction of the special number plates, decalcomania labels or stamps, and upon receiving and filing a sworn affidavit of the aircraft owner

setting forth the circumstances, together with any defaced plates, labels or stamps and a fee of \$5, the commissioner shall issue replacement plates, labels or stamps. The commissioner shall note on the records the issue of replacement number and shall proceed to cancel the original plates, labels or stamps.

[For text of subs 4a to 7, see M.S.1998]

Subd. 8. **Agricultural aircraft.** Aircraft registered with the Federal Aviation Administration as restricted category aircraft used for agricultural purposes must be listed for taxation and registration upon filing by the owner a sworn affidavit with the commissioner. The affidavit must state:

- (1) the name and address of the owner;
- (2) the name and address of the person from whom purchased;
- (3) the aircraft's make, year, model number, federal registration number, and manufacturer's identification number; and
- (4) that the aircraft is owned and operated solely for agricultural operations and purposes.

The owner shall file the affidavit and pay an annual fee established under sections 360.511 to 360.67, which must not exceed \$500. Should the aircraft be operated other than for agricultural purposes, the owner shall list the aircraft for taxation and registration under sections 360.511 to 360.67. If the aircraft is sold, the new owner shall list the aircraft for taxation and registration under this subdivision or under sections 360.511 to 360.67, as applicable.

History: 1999 c 238 art 2 s 71; 1999 c 243 art 16 s 23