



Rep. Joe Sosnowski

Filed: 4/2/2014

09800HB4944ham001

LRB098 16317 MLW 57856 a

1 AMENDMENT TO HOUSE BILL 4944

2 AMENDMENT NO. _____. Amend House Bill 4944 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Aeronautics Act is amended by
5 changing Sections 42, 43, and 45 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~~
17 ~~of airmen engaged in aeronautics within this State,~~ and to
18 issue certificates of such registration. These
19 certificates of registration constitute the authorization
20 of such aircraft ~~and airmen~~ for operations within this
21 State to the extent permitted by the federal licenses,
22 certificates or permits so registered. It shall charge a
23 fee, payable every 2 years, for the registration of each
24 federal license, certificate or permit of ~~\$10 for each~~
25 ~~airman's certificate~~ and \$20 for each aircraft
26 certificate. It may accept as evidence of the holding of a

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

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

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

1 application for registration of a federal aircraft
2 license, certificate or permit; or

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

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

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

14 (620 ILCS 5/43) (from Ch. 15 1/2, par. 22.43)

15 Sec. 43. Operations unlawful without license or
16 certificate. Except as hereinafter provided, when such
17 registration is required by the Department, it shall be
18 unlawful for any person to operate or cause or authorize to be
19 operated any civil aircraft within this State unless such
20 aircraft has an appropriate effective license, certificate or
21 permit issued by the United States Government for which a
22 certificate of registration has been issued by the Department
23 which is in full force and effect, and it shall be unlawful for
24 any person to engage in aeronautics as an airman in this State
25 unless he has obtained ~~from the Department a certificate of~~

1 ~~registration of~~ an appropriate effective airman's license,
2 certificate or permit issued by the United States Government
3 authorizing him to engage in the particular class of
4 aeronautics in which he is engaged, which certificate of
5 registration is in full force and effect.

6 Aircraft and airmen that are not required to be licensed,
7 certificated, or permitted by the United States government and
8 that have not received a license, certificate, or permit are
9 not required to register with the Department before engaging in
10 aeronautics in Illinois.

11 (Source: P.A. 92-341, eff. 8-10-01.)

12 (620 ILCS 5/45) (from Ch. 15 1/2, par. 22.45)

13 Sec. 45. Exhibition of licenses and certificates.

14 The federal license, certificate, or permit, ~~and the~~
15 ~~evidence of registration in this or another state, if any,~~
16 required for an airman shall be kept in the personal possession
17 of the airman when he is operating within this State and must
18 be presented for inspection upon the demand of any passenger,
19 or any peace officer of this State, any officer or authorized
20 employee of the Department, or any official, manager or person
21 in charge of any airport in this State upon which he shall
22 land, or upon the reasonable request of any other person. The
23 federal aircraft license, certificate, or permit, ~~and the~~
24 ~~evidence of registration in this or another state, if any,~~
25 required for aircraft must be carried in every aircraft

1 operating in this State at all times and must be conspicuously
2 posted therein where it may readily be seen by passengers or
3 inspectors and must be presented for inspection upon the demand
4 of any passenger, any peace officer of this State, any officer
5 or authorized employee of the Department, or any official,
6 manager, or person in charge of any airport in this State upon
7 which it shall land, or upon the reasonable request of any
8 person.

9 (Source: Laws 1945, p. 335.)".