

Title 21.

Aeronautics.

Chap. 1. Administration of Airports and Air Navigational Facilities, §§ 1 to 12.

CHAPTER 1.

ADMINISTRATION OF AIRPORTS AND AIR NAVIGATIONAL FACILITIES.

Sec.	Sec.
1. Definitions.	7. Federal aid.
2. General duties of department.	8. United States-Trust Territory joint hearings; reciprocal services.
3. Airport administration of airports and facilities.	9. Accidents involving aircraft.
4. Operation and maintenance of airports.	10. Enforcement of aeronautical laws.
5. Miscellaneous fees and charges.	11. Rules, regulations, and standards.
6. Liens.	12. Derivation and disbursement of funds.

§ 1. **Definitions.** — As used in this act, unless the context otherwise requires:

(1) "*Aircraft*" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

(2) "*Airport*" means any area of land or water which is used or intended for use for the landing and take-off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights of way, including approaches, together with all airport buildings and facilities located thereon.

(3) "*Aeronautics*" means the science and art of flight.

(4) "*Department*" means the department of transportation and communications of the Trust Territory.

(5) "*Director*" means the director of the department of transportation and communications of the Trust Territory.

(6) "*Trust Territory*" means Trust Territory. (P.L. No. 7-35, § 1.)

§ 2. **General duties of department.** — The department shall have general supervision over aeronautics within the Trust Territory. It shall encourage, foster, and assist in the development of aeronautics in the Trust Territory and encourage the establishment of airports and air navigation facilities in appropriate areas. It shall cooperate with and assist agencies of the United States government, district governments, and other agencies, parties, or persons in the development of aeronautics, and shall seek to coordinate the aeronautical activities of the Trust Territory with appropriate agencies of the United States government. District governments of the Trust Territory shall cooperate with the department in the development of aeronautics and aeronautic facilities. (P.L. No. 7-35, § 2.)

§ 3. **Airport administration of airports and facilities.** — The department shall be responsible for and have the authority to regulate the administration of airports and air navigational facilities in the Trust Territory including:

(1) The planning, acquisition, establishment, enlargement, and improvement of airports, airport facilities, and air navigational facilities;

- (2) The establishment of policies, rules, and regulations for air traffic safety operations, and control;
- (3) The protection of airports and aircraft against hazards;
- (4) The establishment of landing and use fees for airports;
- (5) The establishment of a system of airport and aircraft inspection;
- (6) The establishment of criteria for airport personnel, aircraft crews, and maintenance personnel requiring appropriate training and tests;
- (7) The establishment of rules and regulations relating to airport and aircraft safety;
- (8) The provision of necessary technical assistance to airports; and
- (9) The establishment of reasonable fees for services rendered pursuant to this act. (P.L. No. 7-35, § 3.)

§ 4. Operation and maintenance of airports. — Each district administrator shall be responsible for the operation and maintenance of all airports of the Trust Territory government or his district government. Each district may, upon the approval of the director, enter into such leases, contracts, or maintenance and management agreements with private parties or governmental agencies as may be determined by the district administrator to be in the public interest. (P.L. No. 7-35, § 4.)

§ 5. Miscellaneous fees and charges. — The director is empowered and directed to establish and fix reasonable landing fees for aircraft and other reasonable charges for the use and enjoyment of the airports and the service and facilities furnished in connection therewith. (P.L. No. 7-35, § 5.)

§ 6. Liens. — To enforce the payment of any charges for repairs or improvements to, or storage or care of, any personal property made or furnished by the department, any district government, or agent thereof in connection with the operation of an airport or air navigation facility owned or operated by the department or district government, the department or district government shall have a lien on such property. (P.L. No. 7-35, § 6.)

§ 7. Federal aid. — The department may accept, receive, disburse, and expend moneys from the United States government and other moneys, public or private, made available by grant or loan to accomplish, in whole or in part, any of the purposes of this act. All moneys from the United States government accepted under and pursuant to this act shall be accepted and expended by the department upon such terms and conditions as are prescribed by the United States government, and the department may enter into any contracts which may be required in connection therewith. (P.L. No. 7-35, § 7.)

§ 8. United States-Trust Territory joint hearings; reciprocal services. — (1) *Joint hearings.* The department may confer with or hold joint hearings with any agency of the United States government in connection with any matter arising under this act or relating to the sound development of aeronautics.

(2) *Reciprocal services.* The department may avail itself of the cooperation, services, records, and facilities of the agencies of the United States government as fully as may be practicable in the administration and enforcement of this act. The department shall furnish to the agencies of the United States government its cooperation, services, records, and facilities, insofar as may be practicable. (P.L. No. 7-35, § 8.)

§ 9. Accidents involving aircraft. — (1) It shall be the duty of the director to:

(a) Make rules and regulations governing notification and report of accidents involving aircraft, subject to section 10 of this act;

(b) Investigate such accidents and prepare records of the facts, conditions, and circumstances relating to each accident and the probable cause thereof, and, in carrying out his duties under this section, the director is authorized to examine and test to the extent necessary any aircraft, aircraft engine, propeller, appliance, or property aboard an aircraft involved in an accident; and

(c) Take necessary steps that will tend to prevent similar accidents in the future.

(2) In conducting any investigation as provided in this section, the director may seek assistance from the appropriate agency of the United States government and may make available to such agency his records and any parts of any aircraft involved in an accident. (P.L. No. 7-35, § 9.)

§ 10. Enforcement of aeronautical laws. — The director, officers, and employees of the department, and every police officer charged with the enforcement of laws in the Trust Territory, shall enforce and assist in the enforcement of this act and of all rules, regulations, and orders issued pursuant thereto, and of all other laws of the Trust Territory relating to aeronautics, and, in that capacity, may inspect and examine at reasonable hours any premises and the buildings and other structures thereon where airports, air navigation facilities, or other aeronautical activities are operated or conducted. (P.L. No. 7-35, § 10.)

§ 11. Rules, regulations, and standards. — (1) The director may perform acts, issue and amend orders, make, promulgate, and amend reasonable rules, regulations, and procedures, and establish minimum standards consistent with this act as he deems necessary to carry out the provisions of this act. The director is to perform his duties under this title commensurate with and for the purpose of protecting and insuring the general public interest and safety, and the safety of persons operating, using, or traveling in aircraft, and the safety of persons and property on land or water, and commensurate with and for the purpose of developing and promoting aeronautics in the Trust Territory. No rule or regulation of the director shall apply to airports or air navigation facilities owned or operated by the United States government.

(2) No rules, regulations, orders, or standards prescribed by the director shall be inconsistent with or contrary to any act of the Congress of the United States, or any regulations promulgated or standards established pursuant thereto that are applicable to the Trust Territory.

(3) All rules and regulations having the force and effect of law shall be approved by the High Commissioner and promulgated in accordance with chapter 1 of title 17 of this Code. (P.L. No. 7-35, § 11.)

§ 12. Derivation and disbursement of funds. — All moneys received by the department from rates, fees and other charges pursuant to this act shall be paid to a special airport trust account to be expended only for the district from which such moneys were received, and to be used at the discretion of the director for:

(1) Matching funds for grants from the United States government for airport development;

(2) Maintenance of runways and navigational aids;

(3) Improvements, expansion, and maintenance of the terminal buildings; and

(4) Other matters related to airport operations. (P.L. No. 7-35, § 12.)