

HB 1909 -- AVIATION

This bill changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers. The bill:

(1) Extends, from December 31, 2013, to December 31, 2023, the expiration date of the provisions regarding the exemption for common carriers engaged in the interstate transportation of passengers and cargo on the sale of aviation jet fuel from any state and local sales and use tax if the common carrier has paid sales and use taxes applicable to the purchase, storage, or consumption of the fuel in an amount of \$1.5 million in the year;

(2) Increases the time period that a statement regarding an aircraft lien is required to be filed after surrendering the property from within 30 days to within 180 days. The bill specifies that every person who furnishes labor or material on any aircraft or part or equipment thereof and has obtained a written memorandum of the work or material furnished or to be furnished that has been signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft, part, or equipment has a lien on the property;

(3) Specifies that every person expending labor, services, skill, or material upon an aircraft part or equipment of an aircraft at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof where the maximum amount to be charged has been stated as part of the written request has a lien on the aircraft part or equipment; and

(4) Requires an anemometer tower, which is a wind speed testing tower, that is located outside of a municipality's boundaries, is 50 feet or more in height, and whose appearance is not otherwise mandated by state or federal law to have certain safety markings. The top third of the tower must be painted in equal, alternating bands of aviation orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves. If the adjacent land is grazed, the area surrounding the anchor point must be fenced. An owner of an anemometer tower in existence as of August 28, 2012, is given until January 1, 2014, to comply with these requirements. A violation of these provisions is a class B misdemeanor.