

AN ACT

ENTITLED, An Act to revise certain provisions relating to the approval of airports.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 50-5-1 be amended to read as follows:

50-5-1. Any owner or operator of a public airport shall apply to the South Dakota Aeronautics Commission for approval for such public airport prior to its use. Any owner or operator of a private airport located within two miles of the nearest boundary of any approved public airport shall apply to the South Dakota Aeronautics Commission for approval for such private airport prior to its use. The commission shall consider and either approve or reject an application within sixty days of receipt of the completed application.

Section 2. That chapter 50-5 be amended by adding thereto a NEW SECTION to read as follows:

The approval requirements of § 50-5-1 do not apply to temporary airports, landing fields, or landing strips used only by aircraft while engaged in providing emergency medical services or other emergency services.

Section 3. That § 50-1-1 be amended by adding thereto two NEW SUBDIVISIONS to read as follows:

"Private airport," any airport, landing field, or landing strip that is open to and available for use only by the owner and the owner's invitees;

"Public airport," any airport, landing field, or landing strip, whether publicly or privately owned, that is open to and available for use by the flying public.

Section 4. That § 50-5-2 be repealed.

Section 5. That § 50-5-3 be amended to read as follows:

50-5-3. The Aeronautics Commission may issue a certificate of approval pursuant to § 50-5-1 and may set a reasonable charge therefor by rules promulgated pursuant to chapter 1-26.

Section 6. That § 50-5-4 be amended to read as follows:

50-5-4. It is a Class 2 misdemeanor to use or operate a public airport or a private airport located within two miles of the nearest boundary of an approved public airport without the prior approval of the Aeronautics Commission.

Section 7. That § 50-5-6 be amended to read as follows:

50-5-6. If the Aeronautics Commission rejects an application for permission to operate or establish an airport or if the commission issues any order requiring certain things to be done, the commission shall set forth its reasons therefor and shall state the requirements to be met before such approval will be given or such order modified or changed.

Section 8. That § 50-5-9 be amended to read as follows:

50-5-9. The South Dakota Aeronautics Commission and any state, county, or municipal officer charged with the duty of enforcing this chapter, may inspect and examine, at reasonable hours, any premises, and any building and any other structure thereon, where any airport approved by the commission is operated.

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I certify that the attached Act
originated in the

SENATE as Bill No. 85

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 85

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State