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STATE AND LOCAL REVIEW

ORGANIZATION AND POLICIES OF THE NATIONAL ASSOCIATION OF STATE AVIATION OFFICIALS*

ORGANIZATION AND PURPOSE

Organization. Prior to 1931 there was no central place or organization through which the various State aviation representatives or officials could coordinate their planning, compare aviation development programs, provide mutual assistance, or develop State laws, rules, regulations, and operational standards which would assure maximum uniformity in all States.

Realizing the need for an organization for purposes of accomplishing the objectives outlined above, aviation representatives from sixteen States held a conference at Cleveland, Ohio, on September 1-2, 1931, in connection with the National Air Races. At this meeting a permanent national organization, the “National Association of State Aviation Officials,” was formed.

In addition to the sixteen initial States, twenty-seven other States and three Territories later joined the membership of NASAO, bringing the total to forty-three States and three Territories.

The Association now provides an organization through which the States can act swiftly and effectively on local, national, and international aviation issues. Through NASAO it is possible to continuously coordinate the views of the various States, develop and recommend uniform policies, procedures, legislation, etc. By acting collectively through the Association, the member States are often able to effect considerable savings of time and funds in completing projects and programs of regional or national interest.

Purpose. To foster aviation as an industry, as a mode of transportation, and as an arm of the national defense; to join with the Federal Government and other groups in research, development, and advancement of aviation; to develop uniform laws and regulations; and to otherwise encourage cooperation and mutual aid among the several States.

Membership. States or Territorial possessions of the United States that pay annual dues are active voting members. Member States are normally represented by their designated aviation agency or the official charged by law with the duty of fostering, supervising, and regulating aviation within the State or Territory concerned. Dues are assessed annually on a population basis. Maximum dues are paid by the six States having the largest population; each group of six States having a smaller population is assessed dues on a proportionate scale. Officers are elected annually from eligible State aviation officials, and consist of: President; 1st Vice-President; 2nd Vice-President; Treasurer; Executive Secretary; and eight Regional Vice-Presidents. The officers constitute the Association's Board of Directors.

Regional Organization. The United States is divided into the following eight regions, each of which is supervised by a Regional Vice-President elected annually by representatives from the States within the region.

Region 2: North Dakota, South Dakota, Nebraska, Kansas, Iowa, Missouri
Region 3: Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio
Region 4: Kentucky, West Virginia, Pennsylvania, New Jersey, Maryland, Delaware, Virginia

* Editor's Note: Portions of the NASAO 1954 Statement of Organization and Policy have been selected for publication on the basis of general interest.
Region 5: New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island
Region 6: California, Nevada, Utah, Colorado, Arizona, New Mexico, Hawaii
Region 7: Texas, Oklahoma, Arkansas, Louisiana, Mississippi
Region 8: Tennessee, North Carolina, South Carolina, Georgia, Alabama, Florida, Puerto Rico.

National Headquarters. The Association maintains a Washington headquarters. This office staff represents individual States before Federal agencies or committees on matters which would otherwise require the presence of a State official, whose salary, travel, and other expenses on a single trip might amount to more than the annual dues the State pays as a member of the Association. Through the medium of special bulletins, all NASAO members are kept currently informed regarding new or proposed rules, regulations, policies, programs, etc., initiated by Federal agencies. When the matter is urgent or pertains primarily to individual States, communication is normally conducted by telephone or telegram.

Liaison. Largely through the Washington staff, NASAO maintains a continuous working liaison with many agencies and groups in order to present the States’ views and recommendations, or to obtain the views of others on matters of mutual interest.

By maintaining a close and continuous liaison with the various Congressional Committees and federal agencies responsible for the promotion and regulation of aviation, NASAO’s Washington office staff is able to present the views of the States with respect to proposed legislation, policies, programs, and regulations, while they are still in the embryo stage, supporting those that would benefit all types of aviation and the welfare of the United States, or working to prevent, where possible, the adoption of legislation and the issuance of rules or regulations which would be inimical to the best interests of the States and the aviation industry. Preventing adoption of undesirable legislation or regulations eliminates the time and effort required to obtain revisions or amendments later.

The national headquarters reviews all bills introduced in Congress to determine those that pertain to or affect civil aviation. A report of the latter bills, including a brief digest, number and title, is forwarded to each State Director of Aeronautics, and attention is invited to those bills which appear to be of special interest to the Association or to the individual States.

AGRICULTURAL AVIATION

The use of the airplane for all possible agricultural purposes, such as seeding, weed, insect and pest control, soil surveys, erosion control, fertilization, and, where feasible, the feeding and salting of livestock and game, should be encouraged. Through every available medium, interested persons should be continuously advised of the newest materials, equipment, and methods which would increase the utility of the airplane in agriculture; and statistics should be compiled showing comparative yield between treated and non-treated crops.

In furthering the use of the airplane for agricultural purposes, close coordination of plans and programs by Federal agencies, NASAO, State aviation agencies, and Flying Farmer and aircraft operator organizations should be maintained, including the development of low-cost landing strips. In order to permit State aviation agencies to more effectively foster and regulate agricultural aviation, the Civil Aeronautics Administration should (a) issue low flying waivers to cover the area of one State only; (b) restrict the issuance of such waivers to safety agents assigned to the designated State; (c) immediately forward to the affected State aviation agencies, copies of such waivers or renewals thereof.
AIRPORTS

Development. The development and maintenance of a balanced national system of airports, heliports, and seaplane bases, adequate for the needs of civil defense, is a mutual responsibility of Local, State, and Federal governments. Federal aid should not be limited to any class or category of airport or landing area; however, in passing upon applications for Federal expenditure for airport development or improvement, the highest preference (each State, each year) should be given to those airports which have the greatest degree of national interest. Selection of sites for airports, heliports, and seaplane bases to be included in the National Airport Plan should be the mutual responsibility of Federal, State, and Local officials.

Preparation by the Federal Government of (annual or) biennial airport programs and the selection of individual projects to be included in a Federal aid program should be based on the applications of State officials or local officials with State approval. State participation in the development of a State-wide system of airports should include a continuing program of financial aid to political subdivisions of the State, plus engineering, technical, legal, and operating assistance. The costs of those projects included in the Federal Aid Airport Program should continue to be divided on a 50% Federal—50% State-Local basis.

Federal and State aid should normally be limited to the development (or improvement) of a single runway on each airport. New airports should normally adopt the single or parallel runway design. Airport expansion should be achieved through additional parallel runways.

Federal Legislation. As experience has indicated the need, Congress should now revise the Federal Airport Act, together with all other statutes affecting airports, with a view to eliminating unnecessary costs, restrictions, and requirements. Such revisions of the Federal Airport Act should now provide for: (a) A two-year, instead of an annual, program; (b) Biennial appropriations, or CAA authority to enter into grant agreements for the following fiscal year, within limits authorized by Congress; (c) Minimum wage rates to be established at the State rather than the Federal level; (d) Elimination of the discretionary fund.

State Legislation. Where there are no existing statutes, State Legislatures should be encouraged to adopt legislation:

(a) Permitting the establishment and operation of airports by various levels of government including joint operation, and permitting the protection of approaches through zoning or actual taking under eminent domain.

(b) Facilitating ownership or joint ownership of public airports by communities of different States, or in other States, including exemption from taxation by one State of public airport facilities constructed by communities of another State or States.

(c) Creating a State Department of Aeronautics or Aeronautics Commission, or authorizing an appropriate State agency to foster, develop, promote, and regulate aviation and airports within their respective States.

(d) Authorizing the annual expenditures of specified sums for the development and improvement of airports, heliports, and seaplane bases.

(e) Requiring the channeling of Federal airport funds through the State aviation agencies, and/or requiring applications for Federal aid airport funds to be submitted through and approved by designated state agencies.

Local conditions may require modification of the single runway principle at some airports.

NASAO has proposed specific amendments to the Federal Airport Act (November, 1953).
Existing Federal and State statutes should be reviewed with a view of encouraging investment of private capital on municipal airports.

Planning and Zoning. Airports should be made a part of a Community Master Plan. Federal, State, and Local governments should cooperate in obtaining the adoption and enforcement of reasonable zoning laws and ordinances designed to protect the approaches to and the navigable airspace in the vicinity of airports. In adopting such laws and ordinances, which are a responsibility of State and Local governments, due consideration should be given to both the rights and privileges of persons and property owners affected, and to the public interest in restricting and/or preventing obstructions to air navigation.

Operations. Engine test stands and run-up areas should be placed, and given such acoustical treatment, as will minimize noise near airports. Airways and flight patterns near airports should be designed to avoid unnecessary flight over thickly populated areas to minimize noise. Flight crew training, experimental and test flying, and military training, including Reserve and Air National Guard, should be conducted only over open spaces beyond the sound range of built-up areas. All Federal agencies utilizing airport facilities should pay a fair rental or use charge.

Military Use. In the interest of economy, where compatible with flying safety, the public welfare, traffic density, normal civil use, and the national security, joint civil-military use of airports should be agreed upon. The military should be prepared when moving onto a civil airport to stand the cost of providing equal alternate facilities for any civil aeronautical activity displaced.

Aviation Safety. Uncoordinated and individual aviation accident prevention programs are now conducted by Federal and State government agencies, industrial companies, aviation organizations, associations and others. More effective aviation accident prevention should be obtained if individual programs were conducted under the coordinated leadership of the National Safety Council. The raising of adequate funds for promoting and publicizing aviation safety should be supported.

REGULATION — ENFORCEMENT — TAXATION

Regulation. Federal, State, and Local air traffic regulations should be uniform, insofar as possible, throughout the United States and its possessions. Basic regulations should be promulgated by the Federal Government in full cooperation with State Governments. In promulgating and enforcing air traffic regulations, consideration should be given not only to safety of aircraft in flight, but also to the property, rights, health, welfare, and comfort of persons on the ground.

Congress should clearly define the authority of the Federal and State Governments with respect to the control and use regulation of the air space, bearing in mind the constitutional obligation of each state, under its police power, to protect the welfare of its citizens.

Enforcement. The most effective means of curbing reckless and unsafe flying practices is the prompt suspension or revocation of the offender's right to operate an aircraft. This can best be accomplished at the State level. States which have not already done so, should enact appropriate legislation.

Federal-State Cooperation. Effective enforcement requires cooperation of State and Federal officials. The basic principle of the successful NASAO-CAA-CAB agreement, dated February 8-9, 1951, should be continued in the interest of avoiding the duplication of effort and penalties.
Taxation. The cost of providing airports at public expense should be met to the maximum extent possible by the assessment of user benefit taxes. Since public airports are normally built, maintained, and operated by the service to aircraft entering or departing the United States may be obtained States and their political subdivisions, user benefit taxes, including all taxes imposed on aviation fuel, should be collected at the State and Local level and devoted solely to aeronautical purposes.

Helicopter-Rotary Wing Aircraft. By reason of special performance characteristics which give the helicopter a utility not possessed by any other vehicle, the various States should review their laws and regulations with a view toward removing, where necessary, language which unnecessarily limits or restricts the operation of helicopters and rotary wing aircraft; particularly with respect to airport planning, the establishment of public and private heliports, visibility limitations, minimum altitudes of flight, airport traffic patterns, and other matters where the differences between helicopters and fixed wing airplanes justify different regulatory treatment.

International. To promote international relations, communications, and aviation, and to eliminate the costs and inconveniences to both United States and visiting pilots of other nations, existing border crossing regulations and provisions should be amended to permit operators of personal and other non-scheduled aircraft to cross the borders of this country at any airport reasonably convenient to established Customs or Immigration stations, under the same procedure by which privately owned automobiles are cleared, and at no additional expense other than transportation charges incurred by U. S. Customs, Immigration, and/or Health officials to and from airports.

Many existing "airports of entry" are not staffed by Federal Customs, Public Health, and Immigration officers on Sundays, holidays, and nights, which results in the imposition of exorbitant overtime charges for Customs and other services to aircraft operators attempting entry during those periods. Appropriate Federal agencies responsible for supervising border crossings should staff a reasonable number of airports of entry so that service to aircraft entering or departing the United States may be obtained at any time without additional cost.