State Regulation

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STATE

Department Editors ....................... 

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PHILADELPHIA MEETING ON UNIFORM AERONAUTICAL CODE

Chairman William A. Schnader of the Committee on Uniform Aeronautical Code of the National Conference of Commissioners on Uniform State Laws reports a meeting in his office in Philadelphia on December 10, 1938, with representatives of the Lawyers' Committee of the Air Transport Association of America, the aviation insurance underwriters, and the Civil Aeronautics Authority. It was the first participation of the Authority in any meeting in connection with the proposed Uniform Aeronautical Code, and its representatives were Oswald Ryan, member of the Authority, and Samuel E. Gates, Chief, International Division. Those attending the meeting were very pleased that the Authority should send two men so singularly well equipped for the task in hand, and all were high in their praise of the attitude of these two gentlemen.

Mr. Ryan announced that just prior to the meeting the Authority had officially authorized an investigation of the desirability of federal legislation covering the absolute liability and compulsory insurance fields of the proposed Code, which has been limited to state legislation. Mr. Ryan expressed the belief that it would be desirable to withhold for the present the promulgation of the proposed Code and that the committees proposing the same (Commission on Uniform State Laws, American Bar Association and American Law Institute) cooperate with the Civil Aeronautics Authority in its study about to be made. Accordingly Chairman Schnader has announced his recommendation to the Executive Committee of the National Conference of Commissioners that the promulgation of the Code be postponed.

The December 10th conference seems to have been extremely helpful in the entire situation, especially with its enlarged representation of aviation interests. Another contribution to the study will be the replies of Nathan William MacChesney and John H. Wigmore, representing Chairman Schnader's group, to the Report of the Study Committee of the National Association of State Aviation Officials adopted at Omaha on October 15, 1938. See 9 Journal of Air Law 679. The same issue of the Journal was to carry the MacChesney-Wigmore replies, and there was an editorial announcement to this effect, but intervening illness prevented. Chairman Schnader now announces the replies will appear in an early issue, perhaps April.

STATE COORDINATION

The Civil Aeronautics Authority has announced the creation of a section for the coordination of state and federal aeronautical promotional and regulatory activities in the Division of Regulation and Enforcement. This action was recommended by the convention of the National Association of State
Aviation Officials at Omaha last October, is specifically provided for in the Civil Aeronautics Act, and will, it is believed by the Authority, eliminate conflict and litigation between state and federal agencies in aviation.

Elwood B. Cole, technical assistant to the Authority, has been assigned the duty of establishing this section. He was for six years Secretary of the Illinois Aeronautics Commission and has long been active in the affairs of the National Association of State Aviation Officials.