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State - National Association of State Aviation Officials

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STATE

NATIONAL ASSOCIATION OF STATE
AVIATION OFFICIALS

TENTH ANNUAL CONVENTION, LOUISVILLE, KY.

OCTOBER 16-19, 1940

Organizational Officers for 1941

President............................................. DEXTER MARTIN
Director of Aeronautics, State of South Carolina

First Vice-President...............................W. D. HAMMOND
Chairman, Utah Aeronautics Commission, Utah

Second Vice-President............................ASA ROUNTREE, JR.
Director of Airfields and Developments, State of Alabama

Third Vice-President..............................A. H. NEAR
Chairman, Kentucky Aeronautics Commission

Secretary-Treasurer................................SHELTON B. STEERS
Director, Department of Aeronautics, Michigan

Legal Counsel......................................GEORGE B. LOGAN
St. Louis, Missouri

Regional Vice-Presidents

NE—CROCKET SNOW, Commissioner of Aeronautics, Massachusetts
SE—JACK PAULIE, Director of Aeronautics, Tennessee
EC—GEORGE C. ROBERTS, Director of Airfields and Developments, Alabama
NC—I. V. PACKARD, Secretary, Nebraska Aeronautics Commission, Nebraska
SC—HARLLEE TOWNSEND, Director of Aeronautics, New Mexico
SW—JOSEPH S. BERGIN, Director, Utah Aeronautics Commission, Utah
NW—W. H. HILL, Director of Aviation, Idaho

Resolutions Adopted By
The National Association of State Aviation Officials

RESOLUTION No. 1

WHEREAS, the National Association of State Aviation Officials has long
and consistently advocated an independent federal agency for the promotion and
regulation of aeronautics;

BE IT RESOLVED that the National Association of State Aviation Officials
go on record again as being unalterably opposed to any deviation from this
principle, and in this connection we urge Congress to take such affirmative
action from time to time as may be necessary to insure the complete independ-
ence of this branch of government;
AND FURTHER we urge Congress to always give full consideration to unusual character and extraordinary and ever-moving advancement of the art of flying, by never tying its control in whole or in part to other forms of transportation;

RESOLUTION No. 2

WHEREAS, the evolution of the evil philosophy that generates the science of warfare has demonstrated the potency of a primary air arm of the military services;

Be It Resolved that the Congress of the United States immediately create a separate and distinct air force with Cabinet representation;

RESOLUTION No. 3

WHEREAS, in the opinion of this association the advancement of the art of military flying since World War I has made the Civilian Pilot Training Program, in its current aspects, of negligible value; and

WHEREAS, the present military operations of this country do not include or contemplate the use of aircraft of less than 200 H.P. which further emphasizes the deficiency of the program, and

WHEREAS, all air carrier operations, either scheduled or non-scheduled, require pilotage experience comparable to the military, which therefore makes it appear that the Civilian Pilot Training Program provided no reservoir for civil air commerce; and

WHEREAS, the interests of private flying are not best served under the present maximum age limit of 26 years;

Be It Further Resolved that to obtain the greatest military and commercial advantages, the program be geared to the above needs; and

Be It Further Resolved that, to obtain the greatest benefits to private flying, the maximum age limits be raised sufficiently to admit an increasing number of qualified citizens of non-college as well as college groups;

RESOLUTION No. 4

WHEREAS, the development of airports throughout this nation, until very recently, has been accomplished only through the tireless struggle of civilian aviation personnel against the inertia of the public consciousness and the national leadership; and

WHEREAS, this airport development has been planned and prosecuted primarily to meet the needs of civil aviation; and

WHEREAS, these facilities are patently available for normal military use at all times, and for exclusive military use in time of national emergency; and

WHEREAS, no such national emergency has been declared which would justify nullifying the civil values of civil airports; and

WHEREAS, civil aviation is still the backbone of aerial national defense, and as such should be encouraged and developed to the fullest extent, as a necessary part of preparation for national defense;

Be It Therefore Resolved that the National Association of State Aviation Officials deplores the current military trend to permanently curtail or temporarily eliminate civil aviation on certain civil airports of this nation; and
BE IT FURTHER RESOLVED that this Association believes the military services should proceed at once to the establishment of sufficient military airports with a view to returning to civil aviation the full and unrestricted use of such civil airports at the earliest possible moment; and

BE IT FURTHER RESOLVED that the president of this Association designate a committee to secure from the several Federal agencies complete cooperation to this end;

RESOLUTION No. 5

WHEREAS, there are today two international air law groups; one, the International Commission for Air Navigation (commonly called CINA from the initials of its French name), and, two, the International Technical Committee of Aerial Legal Experts (commonly called CITEJA from the initials of its French name), both being the outgrowth of the Versailles Treaty and the League of Nations and both having their offices in Paris with European managing officers.

WHEREAS, CINA deals with public air law (pilot and aircraft certificates, et cetera), and, while the United States is not a member, it has entered into approximately one hundred public air law treaties from time to time which adhere to or strongly follow the CINA pattern.

WHEREAS, CITEJA deals with private air law (liability to passengers and shippers, to persons and property on the ground, et cetera), and, since 1935, representatives of the United States have officially participated in the deliberations of this group. To date the United States has ratified one CITEJA treaty, commonly called the Warsaw Convention and dealing with liability to passengers and shippers. CITEJA has eleven more treaties in process of drafting and revision or ready to submit. These treaties necessarily give primary consideration to European law and the proximity and natural enmity of the countries of Europe.

WHEREAS, the Constitution of the United States provides that treaties are part of the basic law of the land and that Congress has full power to legislate to the extent necessary to carry out treaty provisions for domestic purposes. The Supreme Court emphasized and clarified this in Missouri vs. Holland (252 U. S. 416) which upheld an Act of Congress giving Federal control over migratory birds, the basis for the legislation being the Migratory Bird Treaty between the United States and Great Britain and Canada.

WHEREAS, at Lima, Peru, in 1937, representatives of the United States and twelve South American countries adopted a resolution to create and maintain an air law group to function for the countries of the two American continents as to both public and private air law. The group will be known as the Permanent American Aeronautical Commission (commonly called CAPA from the initials of its Spanish name) and will come into being when at least seven governments of the American republics each create a national commission composed of "professors, jurists, and aviation experts", twelve months after which the first session of CAPA will be held at Bogota, Colombia. CAPA has not yet come into being nor has the United States named its national commission.

THEREFORE IT IS RESOLVED THAT the National Association of State Aviation Officials strongly favors the early naming of the national commission for the United States and the establishment of CAPA so that domestic air law
may continue to grow in the American manner, and so that international air
law may be free from European domination, and further, we respectfully sug-
gest that the President of the United States and the Secretary of State seek
the cooperation of the various aeronautical organizations of this country in
the naming of the commission for the United States and that the Department
of State create and maintain a CAPA advisory committee with representation
from such groups.

RESOLUTION No. 6

WHEREAS, the Commissioners of Uniform State Laws and the American
Bar Association, both by separate action, at their Annual Convention at San
Francisco in 1935, approved a Uniform Air Regulator Act, and,

WHEREAS, this Act was, in substance and with slight variation, the same
Act as was prepared and approved by this Association at its Annual Convention
at Cheyenne, Wyoming, in 1934, and,

WHEREAS, the American Bar Association, at said time, authorized and
directed the Commissioners on Uniform State Laws to urge the passage of the
Uniform Air Regulatory Act by the several states, and,

WHEREAS, there are still a good many states which have not passed such
acts and which, in the opinion of this Association, are needed for the proper aid,
stimulus and regulation of airports;

THEREFORE, BE IT RESOLVED by this Association that we urge the American
Bar Association and the Commissioners of Uniform State Laws to redouble
their efforts to secure the enactment of this Act by the several states and offer
to them all aid and assistance in our power to this end;

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to
the President of the American Bar Association, the Chairman of the Com-
mittee on Aeronautical Law of the American Bar Association, the Chairman
of the National Commissioners on Uniform State Laws, and the Chairman of
the Aviation Committee of the National Commissioners on Uniform State Laws.

NATIONAL ASSOCIATION OF STATE
AVIATION OFFICIALS

PRESIDENT'S REPORT FOR THE YEAR ENDING OCTOBER 17, 1940

Louisville, Kentucky

DOUGLAS O. LANGSTAFF

The practice of submitting a formal report by your outgoing President
on the preceding year's activities and accomplishments is, to me, the summary
of the things that all of you have done individually combined with your Presi-
dent's viewpoint on these things.

Before embarking on a resume of the past year's activities, I would like
to remind you, as we all have been reminded in the past few months, that we
have necessarily been brought into the national defense picture so decidedly
that we must put that picture foremost in our consciousness so that the great
amount of assistance which we can lend in the defense program will be upper-
most in our minds at all times.
While regretting the events in Europe that have awakened our country to the need of a definite national defense program of such magnitude as to make it unheard of for another nation to even consider any encroachment on our God-given rights, I feel that we in aviation should be thankful that our industry has received the impetus that it has needed for a long time. The United States is now air-conscious, and aviation is sold to the American public. Our job is to keep it sold, and if we fail we have no one to blame but ourselves.

While on the subject of national defense, I would like to remind you as State Aviation Officials that my experience in recent months has shown me that the tendency to forget civil aviation, unless it was definitely connected with the defense program, has been very decided. I feel that the responsibility for safeguarding civil aviation in our respective states should constitute a major part of our activities. Please do not misconstrue my meaning by feeling that I do not subscribe wholeheartedly to the national defense program because I most emphatically do, but in the enthusiasm to build up a defense program, I have seen otherwise farsighted men forget entirely the need for civil aviation. For instance, in several places around the country I have heard of and seen civil aviation crowded off the very airports they have helped to build, with no place provided for them to go. I hope I have impressed you with the necessity of giving every assistance you can to national defense, but at the same time let's be level-headed enough to protect civil aviation whenever possible.

While on the subject of national defense, I would like to remind you as State Aviation Officials that my experience in recent months has shown me that the tendency to forget civil aviation, unless it was definitely connected with the defense program, has been very decided. I feel that the responsibility for safeguarding civil aviation in our respective states should constitute a major part of our activities. Please do not misconstrue my meaning by feeling that I do not subscribe wholeheartedly to the national defense program because I most emphatically do, but in the enthusiasm to build up a defense program, I have seen otherwise farsighted men forget entirely the need for civil aviation. For instance, in several places around the country I have heard of and seen civil aviation crowded off the very airports they have helped to build, with no place provided for them to go. I hope I have impressed you with the necessity of giving every assistance you can to national defense, but at the same time let's be level-headed enough to protect civil aviation whenever possible.

Things have been happening the past few months in Washington with regard to civil aviation which have been so numerous and varied that I have neither time nor patience enough to recite them all to you. I will, however, give you a few of my impressions along these lines.

To begin with, all the effort that for years was put behind the formation of a separate aviation authority in our national government was declared null and void by the recommitment of the Civil Aeronautics Authority to the Department of Commerce. This was done over the protest of practically the entire aviation industry. For the first time, to my knowledge, we in aviation really got together, and even though we lost this particular fight I feel that we gained a whole lot by showing that when something of major importance comes along we have begun to think properly and constructively and will come out in the open with our opinions. The only way any industry can grow is to have all interested parties render constructive criticism at any time the need arises.

The Civil Pilot Training Program as instituted and operated by the CAA has been a boon to civil aviation. When I say civil aviation, I sincerely feel that civil aviation is the only branch of aviation that has profited by this program to date, for the following reasons:

First, the demand for planes of the particular type employed in this program has been such that the manufacturers have reached the point where they no longer have to depend on more and more capital being thrown into their businesses in the forlorn hope that some day or somehow the American public would be sold on the things they believed in by buying their planes in sufficient quantities to enable them to see black figures. They now are in a position to give us far better planes and are enjoying the volume of business they so justly deserve. For this, I thank the responsible party or parties in the CAA.

Second, the so-called 'commercial operator, and I say "so-called" because until the CPTP came along he was anything but a commercial operator, has
been able to make an honorable livelihood with CPTP as a back-log. He
suffered the pangs of hunger for years before this blessing came along, but
he is now a real commercial operator with all that the title should imply. For
this, I thank the responsible party or parties in the CAA.

Third, the instructors employed in the operation of this program have
demonstrated the fact that they are thoroughly competent to give the instruc-
tion necessary to qualify their students to meet the requirements laid down by
the CAA. Practically all these instructors came up through civil aviation.

Fourth, the General Inspection Section of the CAA was of inestimable
value in working wholeheartedly with the operators and instructors in such
a way as to make this program click.

I give credit to the responsible party or parties in Washington for securing
the necessary funds to make this program possible. But for the success of the
actual program I must give full credit to, first, the General Inspection Section
for its accomplishment of rerating the instructors and its cooperation gen-
erally to date; and second, to the operators and instructors on our various
airports around the country. To me, these are the ones who are to be con-
gratulated on the success of the program so far.

There have been rumors galore lately that CPTP is trying to take over
the General Inspection Section. I can see no reason for such an action because
the men who comprise the General Inspection Section, although woefully
lacking in personnel, have through the years been largely responsible for the
safety records established in private aviation. You may say that this record is
nothing to be proud of, but I think when you consider the many angles attached
to private aviation you will agree that the supervision of General Inspection
has resulted in a very good safety record. What we need is an expansion
of General Inspection and not a curtailment, which would certainly follow if
taken over by CPTP.

The airport problem is still with us and will be with us for many years
to come. It will necessarily be a continuous problem because as aviation grows,
the need for more and better airports will also grow. The Airport Section
of the CAA has been constantly at work trying to help us solve this mo-
mentous problem. The amount of money involved in the construction of an
adequate national system of airports seems to be staggering, but we must all
realize that these airports are a necessary adjunct to our economic welfare. We
must continue to work, and work harder than ever before, to accomplish the
construction of more and more airports. Congress has at last given an ear to
the cry for money for airports by appropriating $40,000,000 for airport con-
struction. While this was not by any means the amount hoped for, aviation
has at last sold Congress on the necessity for direct airport aid. Let us continue
to cooperate with the Airport Section in every way that we can, because on
the whole they are doing a very good job.

There are numerous other things with reference to our activities indi-
vidually and as an Association on which a report could be made, but I am sure
that you would rather devote your time here in Louisville to a general exchange
of ideas and discussions than to listen to a formal report by me. For instance,
I feel that we should continue our efforts to have the resolutions adopted at
last year's meeting result in things constructive. These and new resolutions
brought in by your Resolutions Committee should be continually before you,
and you should do all possible to accomplish them.
I hope that the seeming chaos in the CAB will soon be a thing of the past and that we all will be unified in our efforts to further aviation generally.

I want you to know that our good friend, George Roberts, as usual is due more credit than any of us for keeping the ball rolling in our Association, and I personally thank him.

I thank you for having given me the honor of being your President and hope that this Association will grow through the years, helping aviation and creating friendships that are as lasting as I have found them to be. Thank you.

REPORT OF THE COMMITTEE ON AIRPORTS AND AIRWAYS

CHAIRMAN EVANS: The first thing scheduled on the program is my report, and that is going to be brief. I am going to file the main efforts, which is a copy of my report, or my hearing, before a Senate committee on last May 20. It comprises ten pages. This document which I know none of you want to listen to will be incorporated in the minutes.

It is the usual tale, the things that we have been talking about year after year, of the necessity for federal aid for airports. Thanks for the efforts of many of the organization, we have been able to get a little start. I believe no one can take full credit for it, but the combined efforts certainly got this $40,000,000.

This report was made by myself as the Chairman of the Airport Committee and also as the President of the airport division of the American Road Builders' Association which has done a great deal to get our foot in the door.

"STATEMENT OF FLOYD E. EVANS"

"MR. EVANS: The need and necessity of Federal financial aid for the construction, maintenance, and operation of aircraft landing facilities has long been recognized by State aviation officials, airport managers, and all others familiar with airport financing. Our State aviation officials probably were the first to take recognition and publicly express this fact. It is this group of persons who comprise the membership of the airport division of the American Road Builders' Association and we sincerely appreciate the opportunity of presenting our thoughts on this important subject before this committee.

"The first official action in support of Federal airport aid was taken by the National Association of State Aviation Officials at their third annual convention at Cincinnati, Ohio, in 1933. Copy of this resolution is herewith appended as exhibit A.

"No formal action was again taken by the Association until 1936 for the reason that beginning in 1933 the several Federal relief programs had been in progress and large sums of relief money had been expended on the development and improvement of airports and landing fields in all parts of the nation. Were it not for this aid our landing facilities would have been indeed in a very sorrowful condition. In fact, it is certain that our air transport system today would be almost paralyzed, for it was during this period that the DC-2 and DC-3 type of aircraft was put into operation by many airlines. This type of equipment required greater runway lengths than heretofore and few if any
cities, counties, or States were financially able to improve their airports commensurate with the increased requirements for safe air transport operation.

"It was during this period between 1933 and 1936 that many hundreds of new airports were developed at communities that had long required such facilities but could not afford the entire construction cost. It is true many needless fields, poorly planned and constructed were also developed. This was the result of the utter lack of any national airport plan.

"By 1936 the financial burden to local communities for airport construction and maintenance had again become acute for the reason that the greater portion of the work on the airport-construction program requiring a maximum of labor and a minimum of materials and equipment had been accomplished and we were getting into the type of construction that was requiring more materials and equipment, a large portion of which was required to be paid for by the local governmental units sponsoring the airport project. With the already existing tremendous burden of relief, communities absolutely were unable to carry their portion of the construction cost. As a result, there was a definite indication that the airport-construction program was soon going to slow up. Many projects were being suspended, due to the failure of the sponsors to provide their local contribution. Many very necessary and worthwhile airports today are in a semi-completed state because of this condition, and will remain so until more liberal Federal aid is provided. Many of our cities which have a large local investment in airports and had been scheduled air-line stops no longer have this service, due to the fact that these airports, which were once suitable for safe use by transport planes, are now unsuitable for use by present-day equipment. Further, improved landing facilities are likewise urgently required for the latest military type of aircraft, many of which use our commercial airports for training purposes.

"As a result of this condition, the National Association of State Aviation Officials, at their sixth annual convention at Hartford, Connecticut, in 1936, again took action by resolution requesting the Federal Government to establish a permanent Federal policy in regard to the installation and maintenance of airports. Copy of this resolution is also appended hereto as exhibit B.

"Senator Clark: How many States have State aeronautical directors?

"Mr. Evans: There are approximately 22 States that have a State aviation agency. In many of the States it is handled by the highway commission; in others, it is handled by a railroad commission; and in some I believe the conservation commission handles it—but out of the group there are probably about twelve that have a definite set aviation agency where they are in a position to function as they should, comparable, we will say, with the State highway departments, which are well organized.

"Again in 1937 and in 1938 at the annual conventions of this Association resolutions were adopted requesting Federal financial assistance. Copies of these resolutions are also appended hereto as exhibits C and D.

"These several resolutions adopted by the State Officials' Association are not the expressions of a few individual State officials, but rather the expression of the citizens of the many States represented at the several conventions. It is certain that there is no aviation association that has so close a contact with local public officials, the aviation industry, and the taxpayers as does the National Association of State Aviation Officials, and I feel certain we have in our resolutions expressed the very definite opinions of these persons in
regard to the urgent necessity for a definite airport policy supplemented with financial assistance. As a further evidence of the public opinion in this regard, I respectfully refer you to copies of resolutions adopted by the United States Conference of Mayors (exhibit E), representing 190 of the major cities in the United States, and the resolution adopted by the American Municipal Association (exhibit F), representing 7,200 municipalities.

"Senator Clark: Those organizations don't agree with the proposition of putting it under the States, do they?

"Mr. Evans: That is right.

"The American Legion at their annual conventions have adopted Federal airport-aid resolutions, as has also the National Aeronautical Association. Other organizations that have gone on record for airport aid are the Air Transport Association, the Aeronautical Chamber of Commerce, Interstate Airways Committee, the Airline Pilots' Association, Seaplane Flying Association, Private Flyers' Association, and the National Junior Chamber of Commerce.

"The American Road Builders' Association has felt so keenly the necessity of Federal and State cooperation in the development of a national network of airports that they recently formed the airport division of their association, feeling that the design and construction of airports was so closely related to the design and construction of highways that it would be advantageous to have a department within their association to coordinate the efforts of all airport-conscious individuals and associations. Furthermore, the American Road Builders' Association adopted a resolution favoring Federal appropriations for a national airport development program, a copy of which is appended as exhibit G.

"Further, the National Airport Advisory Committee established at a meeting called by the Bureau of Air Commerce in Washington on March 4, 1938, at which representatives of all of the above organizations were present and in addition representatives of the Army, Navy Commerce, and Post Office Departments were present, the following resolution was unanimously adopted:

"That it is the proper interest and responsibility of the Federal Government to plan, develop, establish, improve, operate, and maintain a national system of public airways and that the Federal Government be authorized to share within the limits of this or subsequent legislation with the various States, their political subdivisions, and the various political subdivisions of the United States the cost of establishing, constructing, improving, and maintaining publicly owned airports, landing fields, and seaplane bases to insure the safe and economic operation of aircraft.

"To date several Federal airport-aid bills have been introduced in Congress. Probably the most well-known ones were the Dingell bill and the Copeland bill. Neither of these bills were acted upon mainly because of the urgency for the passage of the all-important Civil Aeronautic Act of 1938, which contained only the provision for an airport survey and a request that the CAA submit a definite recommendation as to whether the Federal Government should participate in the construction, improvement, development, operation, and maintenance of a national system of airports.

"If participation was recommended the Authority was asked to define the extent and manner of such participation.
"In due time the recommendations of the Civil Aeronautics Authority were made to Congress. Briefly the recommendations were as follows:

"1. The development and maintenance of an adequate system of airports and seaplane bases should be recognized as a principle of national concern.

"2. Due consideration should be given to the development of facilities that were necessary for the safe and efficient operation of air transportation along the major trade routes.

"3. Federal assistance for airports should be continued through annual appropriations based upon annual reports showing the general status of the airport system.

"4. That $100,000,000 should be allocated from public works or work-relief funds and an additional $25,000,000 of supplemental funds be provided to enable the Federal Government to increase its share of the total expense beyond that which would be normally available under the relief programs.

"5. Applications for airport aid should be presented through State governmental agencies and that the priority given these applications should be determined by the existing aeronautical policy in the State in reference to such matters as State support of a coordinated system of airport development and the State's policy in respect to the employment of taxes collected on fuels used in aircraft.

"6. There should be no direct Federal contribution to the cost of maintaining airports other than Federal airports.

"I feel the Civil Aeronautics did an excellent job in this survey, and I generally concur in all of their recommendations. I do, however, feel that their recommendations for the allocation of funds for airport development under the relief program is not a satisfactory solution. I feel there should be earmarked funds allocated for Federal airport aid in a manner similar to the allocation of funds for highways and that these funds should be administered by a Bureau of Public Airports set up under the jurisdiction of the Civil Aeronautics Authority and operated in a manner similar to the operation of the Federal Bureau of Public Roads. A national airport plan should be developed through cooperation with the various States and the allocation of the funds be made in accordance with a specific formula. I feel very definitely that the work should be done on a contract basis and not with the exclusive use of relief labor. Wherever relief labor can be used to advantage, let it be secured as it is at the present time. This type of work, however, is very limited, for our development has now reached the point where the major portion of the work requires a great amount of material and equipment and a minimum amount of hand labor.

"Another point in which I take exception to the recommendations of the Civil Aeronautics Authority is in reference to the maintenance of Federal airports only. I do not feel that municipalities should be asked to maintain facilities that are of such apparent Federal significance. We must have uniformity in maintenance as well as construction and unless there is Federal responsibility, we will not secure this uniformity. The direct revenues derived from airports is so small that counties and cities will not maintain their facilities up to the standard required for safety. We have many evidences of that, Mr. Chairman, at the present time. The runway servicing has deteriorated; in some instances the lighting is not up to the standard that it should be, and
the community can just not carry the cost and bring those facilities up to the point where they should be for the maximum of safety.

"You realize, I am sure, that the cost of the establishment, construction, and maintenance of airports has up to this time been a responsibility mainly of counties and municipalities except for the work that has been done during recent years under the several Federal relief agencies. This work has been very splendid, but, due to the emergency nature of these programs, where relief labor, mainly of the hand labor type, was utilized the maximum of efficiency could not be secured. There has been an utter lack of Federal policy, and there has been insufficient thought given to the engineering and planning. One of the greatest drawbacks of the relief programs, of course, has been the limitations on the purchase of materials and the rental of equipment, but in spite of this limitation during the period of these programs there has been a tremendous amount of development in our landing facilities, but these developments have not kept pace with the more rapid development of aircraft used by our scheduled air-transport operators as well as aircraft developed by our Army Air Corps. Larger airports are now required than heretofore with longer and wider hard-surfaced runways, more complete drainage systems and more adequate field-lighting equipment, radio facilities for instrument landings and traffic-control equipment. All of these increased requirements have been far more than it has been possible to secure under our existing relief agencies.

"The result is that if our airports are to be adequate to safely accommodate our new, larger, faster, and heavier civil and military aircraft they must be continually improved and properly maintained. Further, there is still a lack of adequate airports in our larger cities. Less than 300 of our cities at this time have suitable facilities to accommodate scheduled transport equipment or the latest military aircraft. We have not yet hardly scratched the surface on our airport construction program. In total numbers we have less than 2,500 landing facilities in the United States, many of which are adequate for use by only the smallest type aircraft. The most conservative estimate establishes the number of landing facilities ultimately required at 3,500. Another estimated future total by a responsible authority calls for an excess of 5,000.

"The increasing acceptance of the airplane as a means of transportation makes it imperative that there be further improvements in our existing facilities and the construction of many additional ones. The American public has always and will continue to demand faster, safer, and more comfortable transportation. The 40 percent increase in passengers, mail, and express carried on our scheduled air-transport lines during 1939 over the previous year indicates the rapid acceptance of air transportation by the American public. With approximately 26,000 pilots today; 40,000 pilots probably by the end of this year; and 75,000 pilots within the next two years, in addition to the pilots required to man these 50,000 proposed military airplanes, it is very doubtful if we are going to have anywhere near the number of facilities required because there is certainly a limit to the number of planes that can operate from one facility.

"The greatest portion of aircraft operation in the United States at the present time is interstate in character. Every airport is of potential military value and all airports will eventually be utilized by air-mail planes. It is, therefore, a definite responsibility of the Federal Government to aid in the construction and maintenance of these landing facilities by participating in the
cost with the States and political subdivisions of the States in a manner similar to their participation in the construction of highways and waterways. The Federal Government makes the waterways safe for the operation of boats engaged in commerce, the carrying of the mail, and for use by our naval craft. The local government or a private interest builds the dock used for the actual loading and unloading of cargo. Airports are analogous in that the actual landing area constitutes part of an airway and is surely interstate in character. Likewise the field lighting equipment, radio, and traffic control facilities are urgently necessary for the safe operation of air commerce and air mail into and out of the airports. The area outside the actual landing area comprising the hangars, airport offices, depots, repair facilities, and so forth, is probably more intrastate in character and the local communities and private interests should furnish the greater portion of the cost of same except for such facilities required for housing Federal departments.

"The Federal Government has at all times aided in the conduct of commerce, aided in the carrying and distribution of mail and has at all times been attentive to those facilities which will aid in our national defense. Airports, as the most vital part of our air-transportation system, are truly as much entitled to Federal consideration as are the highways and waterways. Our government has participated liberally in the construction and maintenance of these facilities and should now, without too serious consideration being given to the economic necessity of such aids, immediately establish a policy for participation in the construction, maintenance, and improvement of aircraft landing facilities—all matters of national defense. This matter of national defense today, of course, is a matter of utmost importance, and there is no argument whatsoever as to the need of a national program of airports for national defense. As Mr. Wilson has ably stated, the personnel is one thing, equipment is another, and certainly the airports are the third portion of the chain of things absolutely required for the successful operation of a good, national air defense program.

"It may be difficult to prove the economic necessity for Federal participation, but just as Mr. Wayne Parrish, editor of American Aviation, has so ably stated:

"It is likewise difficult for a municipality to prove the economic need for water main, sewer, and electric distribution system for a proposed new sub-division, however, these facilities are installed and maintained because of the demand for the relatively few residents in that new area, and probably maintained at a loss until such a time as this new sub-division is developed and sufficiently habitated so that the use of the facilities which have been provided is of sufficient volume to show a return on the investment.

"In the days of the stage coach, our national economy progressed very slowly, because it was fettered by the heels of horses and could move no faster than the best means of communication then offered. The railroad brought tremendous advances, because the increasing tempo of their wheels provided a faster means for intercommunication. Shortly followed the telephone and telegraph permitting messages to be carried at the rate of 186,000 miles per second, and each of these advances has forced our national economy far above the heights it could have achieved under any previous methods.

"Now comes aerial transportation—the fastest means for personal intercommunication ever devised by man. On these new wings our ideas will be
able, almost overnight, to reach maturity and contribute to our growing national economy.

"Any national government is desirous of achieving as high a degree of prosperity as possible. This prosperity—this national economy—will grow only as rapidly as ideas can be put into active use, therefore, if a method is found by which this process can be accelerated the Government has a definite duty to stimulate this method in any way possible. Air transportation is just such a method for it makes possible the quickest personal communication yet conceived, therefore, it is a definite responsibility of our Government to take an active part in its development.

"The Government, and its political subdivisions, did not hesitate to deed millions of dollars worth of lands to the railroads in order that they might make possible a new era in our national economy, nor did they hesitate to build and constantly improve highways and waterways for the quicker transportation of persons and goods. It therefore is submitted that in the interest of a sounder national economy, in the interest of a faster rate of national growth, our Government should provide adequate and equitable aid for the construction, maintenance, and improvement of publicly owned airports throughout the Nation.'

"The urgent demand for Federal airport aid now exists. We know we must have airports in order to have an air transportation system and an adequate national air defense. We know that these facilities can no longer be provided and maintained solely by local communities. There therefore is only one conclusion, and that is that the Federal Government must take favorable action on airport aid.

"Precedents have been established by Federal support of all methods of transportation. Federal support has long been given to the encouragement and development of air commerce except for financial aid for the most vital part of the system. It is true we have been receiving assistance on construction during recent years through our Federal relief programs but the use of funds so expended has been done without any declaration of policy by the Federal Government that they feel their obligation to aid in this most important work. They have, however, very definitely acknowledged their responsibility for the promotion of air commerce when the Air Commerce Act of 1926 was passed and the Secretary of Commerce was directed to foster the development of air commerce. They have further acknowledged their responsibility for encouraging and fostering the development of civil aeronautics and air commerce in the Civil Aeronautics Act of 1938 in the declaration of policy wherein it is declared that the encouragement and development of air transportation is in the public interest. Further, the Administrator of the Authority established by this act is empowered to designate and establish civil airways, and within the limits of available appropriations made by Congress to acquire, establish, operate, and maintain along such airways all necessary air navigation facilities. From the very definition of 'air-navigation facilities' included in this bill landing areas are included. The Congress very definitely declared the establishment and maintenance of that portion of an airway known as landing areas as a Federal responsibility and I can see no alternative for your honorable body other than to follow the declaration of policy set up in the act and recommend the passage of the McCarran bill, S. 3620.

"We believe the provisions of S. 3620 are such that if passed by Congress,
a very definite policy will have been established by the Federal Government. We believe the sum of $125,000,000 is sufficient to get the work in progress on a national scale, but fully realize that this sum is far from sufficient to complete the national airport network. We believe the formula set up in this bill is satisfactory and that all States will share under the provisions of this formula very fairly.

"As to the allocation of funds being made through State aviation agencies, we believe this is the most practical method of distribution; however, if your honorable body feel that allocations should be made directly to political subdivisions, you can probably find sufficient precedent for such a policy and this method might prove satisfactory. It will, however, be a tremendous burden on the Federal agency designated to approve projects and allocate funds if every town, city, and county in the United States is free to present their projects directly to this Federal agency rather than coordinating same through a State aeronautics department.

"Again I want to express the sincere appreciation of our association for the opportunity of presenting this testimony in support of this very important airport bill and very respectively recommend that same be approved by your committee.

"Mr. Chairman, that is generally the story. I feel as a State official—and I believe the oldest one in the service—that the State agencies must prove their worth. If it can be determined by the agency that is allocating these funds that allocation through States is a logical place, that is fine, we will do our best to see that that method functions. If it is a practical method to allocate through the municipalities, that is fine.

"I will leave these as exhibits showing what one State has done in connection with development work.

"Senator Clark: They may be attached to the record.

(The charts are on file in the Committee on Commerce, as a part of the record.)

EXHIBIT A
Resolution Adopted at Third Annual Convention, National Association of State Aviation Officials, Cincinnati, Ohio, 1933

"Whereas the safety and convenience of the public traveling in aircraft depends to a large measure upon a system of airways properly constructed and maintained, with frequent emergency landing fields; and

"Whereas the establishment of a unified system of airways linking principal centers of population and enabling safe air travel between them for both public and private ships, is a problem that demands the expenditure and efforts of the Federal Government and the individual States acting together; and

"Whereas it is necessary, in order to supplement the Federal Post Road Mail and Railroad Mail Service by providing State and interstate air-mail service, to have airways over which such coordinated system of postal transportation to all communities may be maintained; and

"Whereas the establishment of a national airway system is a problem similar in most respects to the establishment of a Federal highway system; and

"Whereas the latter is being so satisfactorily developed under the plan laid down in the Federal Highway Act of 1916, as amended by later acts: Be it
Resolved by the National Association of State Aviation Officials, That this association approves of and urges the passage by the United States Congress of enabling legislation similar to the Federal Highway Act providing for joint action by Federal and State Governments in the establishment, construction, and maintenance of a Federal State Airway System; and be it further

Resolved, That copies of this resolution be sent to all Senators and Representatives in the Congress of the United States.

EXHIBIT B

Resolution Adopted by the National Association of State Aviation Officials, Sixth Annual Convention, Hartford, Conn., 1936

Whereas it appears that the development of aviation must inevitably be retarded by the continued present lack of navigational aids and of publicly owned airports and landing fields; and

Whereas as adequate system of navigational aids along with publicly owned airports form a chain both necessary to the national life and beneficial to the connected local communities in the distribution of mail, the transportation of passengers and express, and as a network indispensable to the national safety: therefore be it

Resolved, That the National Association of State Aviation Officials should urge the State representatives in the National Congress and the Federal agencies charged with those responsibilities to supplement their present navigational aids and develop publicly owned airports and landing fields, particularly along Federal airways; and be it further

Resolved, That the National Association of State Aviation Officials urge the legislative representatives of the various States in the National Congress to develop a permanent Federal policy in regard to the installation and maintenance of such aids and airports.

EXHIBIT C

Resolution Adopted at Seventh Annual Convention of the National Association of State Officials, Miami, Florida, 1937

Whereas the National Association of State Aviation Officials since its inception has followed a policy of working in a strictly non-political manner for the advancement of aviation on the broadest and most permanent basis; and

Whereas it is evident that under the Air Commerce Act of 1926 we have in this country advanced further and faster than has been possible in any other country on the globe in the development of aviation; and

Whereas now that there is a growing demand for modernization of our aviation laws that must be met, it seems wise that the National Association of State Aviation Officials should break the precedent of passing various resolutions and should give emphasis and concurrence to only one resolution directed toward the solution of the most outstanding problem of the day; and

Whereas the extensive study of the Federal Aviation Commission of 1934, the exhaustive hearings of the Copeland Senate Committee on Safety in the Air, and the recent painstaking analysis of the Committee on Civil Aviation legislation, together with many other aviation conventions and conferences leave no room for further investigation or delay; and after separating the grain.
from the chaff and leaving political and selfish demands to one side, the same basic conclusions are inevitable; and

"Whereas it does not lie within our province to prescribe legislation in detail; and

"Whereas it is our duty to recommend the type of legislation in general: therefore be it

"Resolved, That with these explanatory remarks this association go on record as favoring national legislation which may look toward the ultimate goal of putting all governmental functions concerning civil aeronautics as far as practical under the jurisdiction of a single independent non-political body, which shall be required as far as may be practical to report directly to the President of the United States in all its executive functions and which shall in its judicial functions be reviewed only by the courts.

"Such a board or commission should have jurisdiction over all aviation matters, such as rate-making, certification of airmen and equipment, airport construction, and foreign air commerce except that the State Department and the Post Office Department should be conferred with no matters of foreign negotiations and the handling of the mail: therefore be it further

"Resolved, That this association emphatically recommends to the Congress and the President of the United States that the policy of making appropriations for airport construction should be continued and enlarged by further appropriations and that all such airport development work come under the jurisdiction of the independent board for commission recommended above.

EXHIBIT D
Resolution Adopted at the 8th Annual Convention of the National Association of State Aviation Officials

"Whereas the National Association of State Aviation Officials at its Organization meeting in 1930 went on record as favoring the establishment of a comprehensive system of national airways, including airports, giving equal consideration to all sections of the country without regard to population density;

"And in 1933 the National Association of State Aviation Officials favored the development of such a national airway system under the plan laid down in the Federal Highway Act of 1916, as amended by later acts;

"And in 1934 the National Association of State Aviation Officials again recommended the same system and further recommended the amendment of the Air-Commerce Act to permit the lighting and maintenance of municipal fields with Federal Government money;

"And in 1936 the National Association of State Aviation Officials urged Congress to develop publicly owned airports to supplement navigational aids;

"And in 1937 the National Association of State Aviation Officials emphatically recommended to Congress and to the President the continuation and enlargement of the policy of making appropriations for airport construction and development, all to be under the jurisdiction of an independent commission; therefore be it

"Resolved, That the National Association of State Aviation Officials at its 1938 annual meeting repeats and consolidates its former declarations by
most emphatically urging upon the President, the Congress, the Civil Aeronautics Authority and its Administrator the desirability and necessity of Federal assistance and participation in the construction, improvement, development, operation and maintenance of a national system of airports, if aviation is to attain the place it deserves in the country of its origin and the domestic and foreign commerce, the postal system and the national defense are to be properly served and advanced.

EXHIBIT E

Airport Resolution Adopted at 1937 Annual Convention of the
United States Conference of Mayors

"Whereas there are 758 municipal airports now operating in the United States; and

"Whereas these airports constitute an important and vitally necessary unit of the aerial transportation system and of the aviation industry generally, rendering a public service of great benefit to the entire Nation; and

"Whereas the municipal airports are indispensable to the United States as a facility of national defense; and

"Whereas with the exception of such funds as have been made available under the various emergency relief programs, the burden of the cost of acquisition, construction, development, and maintenance of these airports has fallen almost in its entirety upon the municipalities, notwithstanding the national and extra-municipal scope of the service rendered to the public and the aviation industry by the said airports; and

"Whereas large sums have been, are now, and will be required in the future to keep the development of facilities of these said airports abreast of the progress and expansion made in the manufacturing and operating divisions of the aviation industry, and to insure the safe and efficient operation of all types of aircraft; and

"Whereas adequate funds with which to prosecute necessary and desirable improvement and expansion programs are not readily available from their own revenues to most of the municipalities operating municipal airports; and

"Whereas the restriction of development of ground facilities, resulting from the lack of such funds involves the safety of air transportation and threatens seriously to impede and hinder the continued advancement of aviation and of the service rendered the public by aviation; and

"Whereas the need of modern, improved ground facilities at airports is a continuing one, and one which, therefore, demands a permanent program of financing in order satisfactorily to meet conditions as they arise; and

"Whereas the Federal Government, recognizing the importance to the Nation of its transportation systems, has, as a matter of public policy, rendered financial and other assistance in the construction and development of the railroads, in the construction and development of marine shipping, in the construction and development of harbors and inland waterways, and in the construction and development of a national highway system; and

"Whereas the adoption of a policy of Federal financial assistance and cooperation in the development of the public airports of the Nation would not, therefore mark any departure from establishing public policy, inasmuch as
safe and adequate airports are absolutely essential to the satisfactory functioning of aerial transportation; now therefore be it

"Resolved, That the United States Conference of Mayors petition the Congress of the United States to enact such legislation as is necessary and competent to provide for and authorize a permanent program of Federal Financial Cooperation in the construction, improvement, development, and expansion of publicly owned airports, to the end that adequate funds will be available, when needed, to carry on and complete such projects of construction, improvement, development, and expansion as are necessary to meet the requirements of public safety, public convenience, and the proper functioning of the aviation industry in its service to the people of the United States.

EXHIBIT G

American Road Builders' Association, National Press Building, Washington, D. C.—Federal Aid for Airports

"Whereas the rapid advancement in the design and manufacture of aircraft and of civil and military aviation in the United States has caused the art of flying to progress faster than the development of ground facilities provided therefor, particularly airports, and

"Whereas adequate airports are essential to the safe, efficient, and economical operation of aircraft and are necessary in the interests of national defense, the postal service, commercial and private flying, and the general public; now, therefore, be it

"Resolved: 1. That the Civil Aeronautics Authority be given authority to administer Federal funds, to approve plans, and supervise construction of the airports comprising the national system.

2. That annual Federal appropriations be provided for a national airport development and construction program.

3. That all work incident to airport construction be based upon properly prepared plans previously approved by the Civil Aeronautics Authority, and that such work shall be publicly advertised for bids, and shall be awarded by contract to the lowest responsible bidder.

4. That the American Road Builders' Association sponsor and promote complementary State or Territorial Legislation for the creation of State aeronautical commission to cooperate with the Civil Aeronautics Authority, to the end that orderly, long-range planning and development may be consummated.

"SENATOR CLARK: Thank you very much."

CIVIL AIR REGULATIONS
STATE OF RHODE ISLAND

RI.0 Provision for Issuance.

Pursuant to the provisions of Sec. 11 of the Uniform Aeronautical Regulatory Act requiring the Director of Public Works, with the approval of the Aeronautics Advisory Board, to provide regulations for the purpose of safeguarding from accident and protecting the safety of persons operating or using aircraft and persons or property on the ground, and to develop and promote aeronautics within this state, the following air traffic rules relating thereto,
in addition to those prescribed elsewhere in the Rhode Island Civil Air Regulations, are hereby prescribed.

RI.3 FLIGHT RULES (general).

RI.30 PILOT CERTIFICATES. No person shall pilot a civil aircraft within the State of Rhode Island
(a) unless possessed of a valid state pilot registration certificate, or
(b) in violation of any term, specification or limitation of such certificate.

RI.31 AIRCRAFT CERTIFICATE. No flight of civil aircraft, other than of a foreign aircraft, shall be made or authorized to be made
(a) within the state of Rhode Island whatever the purpose or nature of the flight may be, unless such aircraft is possessed of a valid state aircraft registration certificate, or
(b) in violation of any term, specification or limitation of such certificate.

RI.310 No foreign aircraft shall engage in interstate or intrastate commerce; nor shall it be otherwise navigated in the state of Rhode Island except in compliance with the air traffic rules and the provisions of Part 65 of the Federal Civil Air Regulations.

RI.32 IDENTIFICATION MARK. No flight of aircraft shall be made or authorized to be made in the navigable airspace over the lands or the waters of the State of Rhode Island unless such aircraft is possessed of and displays a valid identification mark assigned by the Government of the United States.

RI.33 TAKE-OFF AND LANDING.

RI.3300 METHOD OF TAKING-OFF AND LANDING. The following rules shall govern the method by which aircraft shall take-off and land:

RI.3300 (a) Aircraft, when taking-off or landing, shall observe the local field traffic rules issued for the protection of interstate and foreign air commerce, as approved by the Director of Public Works.

RI.3301 (b) A take-off shall not be commenced until there is no risk of collision with other aircraft during such take-off.

RI.3302 (c) Aircraft approaching for a landing shall circle the airport or other landing area sufficiently to observe other traffic, unless the pilot receives other instructions from the airport traffic control operator. Such circles shall be made to the left unless the pilot receives other instructions from the airport traffic control operator or unless local traffic rules approved by the Director of Public Works provide otherwise.

RI.3303 (d) Aircraft approaching for a landing shall, unless impracticable, maintain a straight approach course for the last 1,000 feet before crossing the airport boundary.

RI.3304 (e) Aircraft making contact flights within 3 miles horizontally of the center of an airport or landing area shall conform to the circuit rule provided in RI.3302 unless flying at an altitude in excess of 3,000 feet above the ground or water.

RI.3305 (f) Air traffic departing from, or arriving at an airport designated as a control airport shall take precedence over other air traffic within the control zone of such airport when required in the interests of safety, and all traffic will be governed by special traffic rules approved by the Director of Public Works.
RI.331 Running Motors, Supervision Of. No aircraft engine shall be started or run unless a competent operator is in the aircraft attending the engine controls. Blocks, equipped with ropes or other suitable means of pulling them, shall always be placed in front of the wheels before starting the engine, unless the aircraft is provided with adequate parking brakes and the same are fully on.

RI.332 Air Meet Landing. In approaching a landing area where there is a congestion of aircraft or an assembly of persons or automobiles in the vicinity of aircraft, pilots shall proceed with caution and ascertain before landing, or before flying at low altitude over the landing area, whether or not an air meet or aeronautical demonstration is in progress.

RI.333 Restricted Areas. Aircraft, when taking off or landing over any restricted area, shall be flown in such a manner as to permit at all times an emergency landing outside of such area in the event of complete power failure.

RI.34 Flight Enroute.

RI.340 Right of Way. The following rules will govern aircraft right of way:

RI.3400 (a) Order. Aircraft in flight shall have right of way in the following order: (1) Balloons, fixed for free (an airship not under control is classed as a free balloon), (2) Gliders, (3) Airships, and (4) airplanes, including rotorplanes).

RI.3401 (b) Crossing. When two aircraft are on crossing courses at approximately the same altitude, the aircraft which has the other on its left shall have right of way, and the other aircraft shall give way.

RI.3402. (c) Approaching Head-On. When two aircraft are approaching head-on, or approximately so, and there is danger of collision, each shall alter its course to the right so that they will pass each other at a distance of at least 500 feet.

RI.3403 (d) Overtaking. An overtaken aircraft shall have right of way and the overtaking aircraft shall keep clear of the overtaken aircraft by alternating its own course to the right.

RI.3404 (e) Landing. An aircraft landing in the manner prescribed in RI.3303 (d) shall have the right of way over other aircraft in flight or on the ground or water, except aircraft landing in distress.

RI.3405 (f) Distress Landing. An aircraft in distress shall have right of way in attempting to land.

RI.341 Duty to Give Way. When landing or maneuvering in preparation to land, it shall be the duty of the aircraft at the higher altitude to avoid the aircraft at the lower altitude.

RI.342 Right Side Traffic. Aircraft making a contact flight along a civil airway in accordance with the provisions of RI. 4 of the R. I. Civil Air Regulations except when impracticable for reasons of safety, shall keep to the right side of such radio range course as is projected along the airway. Except when otherwise specified in a flight plan, and except when impracticable because of any natural or other obstruction, aircraft making a flight along a civil airway in accordance with the provisions of 60.5 of the Federal Civil Air Regulations shall keep to the right side of, and close to, such radio range course as is projected along the airway: PROVIDED, that inbound aircraft may fly along the on course signal.
RI.343 Proximity in Flight. No aircraft, other than military aircraft of the United States engaged in military maneuvers, shall be flown closer than 500 feet to any other aircraft in flight, except that by prearrangement with the Director of Public Works two or more civil aircraft may be flown in formation closer than 500 feet to each other.

RI.344 Transport of Prohibited Articles. No explosives, arms, or munitions of war or other materials deemed by the Director of Public Works to be dangerous goods shall be carried by or in any aircraft other than public aircraft or aircraft in which mail is being transported or arms are required, provided that the provisions of this rule shall not apply to persons lawfully carrying arms and ammunition for legitimate purposes, proper signalling or safety equipment (such as a Very pistol or landing flares) nor to the aircraft fuel, nor to materials for industrial and agricultural spraying (dusting).

RI.345 Liquor, Narcotics, and Drugs. No pilot or other member of the crew of an aircraft in flight shall be under the influence of, or use intoxicating liquor, cocaine, or other habit-forming drugs, nor shall such person carry any other person who is obviously under the influence of intoxicating liquor, cocaine, or other habit-forming drugs, except a medical patient under proper care, or in case of emergency.

RI.346 Towing by Aircraft. The towing of aircraft by other aircraft or the towing of any device or object by aircraft is prohibited, unless permission therefor has been granted by the Director of Public Works: PROVIDED, HOWEVER, Such restriction shall not apply to military aircraft previously authorized by the appropriate governmental agency to make such flights in the public interest.

RI.347 Dropping Objects or Things. No object or thing, other than fine sand, fine (.7 or smaller) lead shot, fuel, or water (all unconfined), shall be dropped or released from an aircraft in flight by any person on board the aircraft, unless permission therefor has been granted by the Director of Public Works. PROVIDED, HOWEVER, Such restriction shall not apply to military aircraft previously authorized by the appropriate governmental agency to make such flights in the public interest. The pilot or person in charge of the aircraft shall be responsible for the observance of this rule by all persons in the aircraft.

RI.35 Minimum Safe Altitudes. Exclusive of taking off from or landing upon an airport or other landing area, aircraft shall not be flown below the following minimum safe altitudes of flight:

RI.350 (a) An altitude over the congested parts of cities, towns, or settlements, sufficient to permit at all times an emergency landing outside of such areas in the event of complete power failure, but in no case less than 1,000 feet above the ground.

RI.351 (b) An altitude over restricted areas sufficient to permit at all times an emergency landing outside of such restricted area in the event of complete power failure, but in no case less than 1,000 feet above the ground: PROVIDED, HOWEVER, that the Director of Public Works may authorize specific flights below such minimums in the public interest.

RI.352 (c) 1,000 feet above the ground over any penal institution or any open air assembly of persons.

RI.353 (d) 500 feet above the ground or water elsewhere than as specified
STATE

or within 500 feet from any mountain, hill or other obstruction to flight, except as may be specifically approved by the Director of Public Works: PROVIDED, HOWEVER, that seaplanes and amphibians may be flown below 500 feet but not below 300 feet, if making a contact flight during daylight hours over open water and where an emergency landing may, at all times, be made, without the aid of power, into the wind and without danger of collision with craft on the surface or other obstructions; AND PROVIDED, FURTHER, That the restrictions of this subparagraph shall not apply to public aircraft, previously authorized by the appropriate governmental agency, to make specific flights below such minimums in the public interest.

RI.354 (e) 1,000 feet above the ground or water, or within 1,000 feet of any mountain, hill or other obstruction to flight, if an aircraft is making an instrument flight as defined in 60.131 of the Federal Civil Air Regulations.

RI.36 Parachutes. No parachute shall be carried, available for immediate use as such, in any aircraft in flight unless it has been packed within the preceding 60 days by a properly qualified parachute packer.

RI.37 Landing Flares. No aircraft shall be flown for hire at night beyond an area within a circle with a radius of 3 miles drawn from the center of the airport of take-off unless equipped with certificated landing flares as required in 04.512 (c) of the Federal Civil Air Regulations.

RI.4 Flight Rules (Contact). In addition to general or special air traffic rules which apply, the following rules shall govern a contact flight in weather conditions equal to or better than those described in RI.44, within the limits of the State of Rhode Island. For flight in weather conditions worse than those described in 60.44 of the Federal Civil Air Regulations, and for flight in closer proximity to cloud formations than the distance prescribed in RI.44, the Regulations prescribed in 60.5 of the Federal Civil Air Regulations shall apply.

RI.40 Unassigned.

RI.41 Unassigned.

RI.42 Fuel Requirements. No aircraft shall take-off without sufficient fuel and oil, taking into account wind and other weather conditions to be encountered during the course of the flight, to arrive at its point of first intended landing and effect a safe landing thereat.

RI.43 Flight Plan. No flight plan is required.

RI.44 Weather Minimums. The following weather minimums shall govern flight made in accordance with contact flight rules: PROVIDED, HOWEVER, that a certificated controlman on duty in a control tower may, for reasons of safety, restrict or suspend contact flight operations within the Air Traffic Control Zone of said control tower: AND PROVIDED, FURTHER, That the Director may require higher minimums at any particular airport.

RI.440 Within the State of Rhode Island (Day). Flight of aircraft shall not be made during the hours of daylight within the State of Rhode Island unless the ceiling is at least 800 feet (1,000 feet if precipitation is occurring in any form) and the visibility is at least 3 miles, and

(b) that such operator shall suspend contact flight operations within the control zone whenever in his opinion safety requires such action.

RI.441 Within the State of Rhode Island (Night). Flight of aircraft shall not be made during the hours of darkness within a control zone.
unless the ceiling is at least 1,000 feet and the visibility is at least 3 miles:

(a) that a certificated airport control tower operator on duty in a radio equipped airport control tower may authorize flight at or below 1,000 feet above the ground in the control zone for such control airport when the visibility is less than 3 miles but not less than 2 miles, and

(b) that such operator shall suspend contact flight operations within the control zone whenever in his opinion safety requires such action.

RI.442 Within the State of Rhode Island (Day or Night Below Overcast). No flight of aircraft shall be made during daylight within the State of Rhode Island closer than 300 feet vertically to the base of an overcast or cloud formation, nor closer than 500 feet vertically if precipitation is occurring.

RI.46 Over-the-Top Flight. No flight of aircraft shall be made over broken clouds or stretches of solid overcast unless the altitude of the aircraft and its flight path can at all times be controlled by visual reference to the ground or water and ascent and descent can be made in accordance with the provisions of RI.443.

RI.47 Flight Enroute.

RI.470 Weather Changes. If weather conditions below the minimums prescribed in RI.44 are anticipated or are actually encountered enroute, a landing shall be made at the nearest airport at which weather conditions are equal to or better than those prescribed in RI.44, or the flight shall be altered so that it may be made in weather conditions as good as, or better than, such minimums, unless such flight can and does proceed in accordance with the instrument flight rules prescribed in 60.5 of the Federal Civil Air Regulations.

RI.471 Unassigned.

RI.472 Unassigned.

RI.48 Unassigned.

RI.7 Acrobatic Flight Rules.

RI.70 Prohibited Zones. No person shall acrobatically fly an aircraft RI.700 (a) at any height whatsoever over a congested area of any city, town, or settlement, or over any open air assembly of persons, or over any airport or landing area or within 1,000 feet horizontally thereof, or within any control zone unless under the supervision of a Federal Aeronautics inspector observing flight tests and then only between 2,000 and 5,000 feet above the ground or water.

RI.701 (b) at any height less than 1,500 feet over any place over which flight is not otherwise restricted.

RI.702 (c) at any place unless the visibility is at least 3 miles and the ceiling at least 3,000 feet, and unless the pilot has first ascertained that there is no danger of collision with other aircraft.

RI.71 Acrobatics While Carrying Persons. No person shall acrobatically fly an aircraft while carrying any other person or persons for hire: PROVIDED, HOWEVER, That this provision shall not apply to the giving of instruction in acrobatic flying to a person receiving dual instruction.

RI.72 Equipment for Acrobatics. Each person in an aircraft flown acrobatically shall be properly equipped with a parachute manufactured under
a valid type certificate and maintained in accordance with the provisions of the Federal Civil Air Regulations, and RI.36 of the State Civil Air Regulations.

RI.73 Parachute Jump. No person shall make any exhibition, test, training or demonstration parachute jump, unless (a) a permit for said jump has been issued by the Director of Public Works, and (b) wearing a certificated and properly maintained auxiliary parachute so arranged that it can be operated if the first parachute should fail to function or become fouled. Whenever an auxiliary parachute is required, it shall consist of a single-harness pack.

RI.730 Altitude Before Jump. No person shall make any exhibition, training or demonstration parachute jump from an altitude of less than 2,000 feet above the surface of the ground or water.

RI.731 Delayed Jump. No person shall delay opening his parachute more than is necessary to properly and safely clear the aircraft, which in no case, except in an emergency jump, shall be less than 1,500 feet above the surface of the ground.

RI.732 Jump in High Wind. No person shall make any exhibition, test, training or demonstration parachute jump from any aircraft when the surface wind is more than 15 miles per hour.

RI.733 Jump Near Open Water. No person shall make any exhibition, test, training or demonstration parachute jump from any aircraft within 2 miles horizontally from any body of water, unless the jumper wears a flotation device approved by the Director and unless motor-powered marine rescue equipment is available.

RI.8 Air Meet Rules.

RI.81 Permit Required. No air meet shall be held or conducted, or authorized to be held or conducted within the State of Rhode Island unless a permit for such meet has been issued by the Director of Public Works.

Signed Frederick V. Waterman,
   Director of Public Works.

Approved: Aeronautics Advisory Board.
   LeRoy M. Gardner, Chairman
   William F. Hoey, Member.
   Hugh S. McLeod, Member
   Thomas Harris, Member.
   Maurice Eighme, Member.
RHODE ISLAND REGULATIONS

GOVERNING THE FLYING OF AIRCRAFT MODELS

In accordance with the provisions of Section 11 of the Uniform Aeronautical Regulatory Act, the following regulations are hereby in effect governing the flying of aircraft models:

1. RUBBER BANDS. Aircraft models, if powered by rubber bands, are exempt from these regulations.

2. AGE LIMIT. No person less than 14 years of age shall fly, or cause to be flown, any free-flying aircraft model powered by other than rubber bands.

3. SIZE LIMIT. No person shall fly, or cause to be flown, any free-flying aircraft model powered by other than rubber bands, if such model weighs more than seven pounds, nor if it has a wing-loading of less than eight ounces per square foot.

4. LIMIT OF FLIGHT. A suitable automatic timer, set for a maximum engine run of not to exceed 30 seconds shall be installed on all free-flying aircraft models, other than those powered by rubber bands.

5. RADIO CONTROLS. If radio control is installed in any model, sufficient to control the aircraft at all possible distances from the transmitter, the restrictions in Sections 3 and 4 may be disregarded, provided, however: that the maximum gross weight does not exceed 25 pounds.

6. SITES. No free-flying aircraft model, other than those powered by rubber bands, shall be flown within 3 miles of any airport (except as provided in Section 7). No such model shall take off from a point closer than 600 feet from any building or highway.

7. AIRPORT FLIGHTS. Model aircraft may be flown from airports which do not accommodate scheduled air transport operations, provided that:

   a. Permission in writing shall be secured from the Airport Manager or his authorized representative;
   b. All full-scale aircraft flights originating on the airport shall be suspended;
   c. No model shall be released for flight when any full-scale aircraft is in the vicinity of the airport.
   d. The automatic timer on the model shall be set for a maximum engine run of not to exceed 15 seconds;
   e. An area of approximately 500 feet square shall be set aside by the airport manager or his authorized representative, and shall be marked by suitable warning flags spaced not more than 75 feet apart;
   f. Said area shall be in a portion of the airport farthest from the portion that would be used by full-scale aircraft taking off or landing under the current wind conditions;
APPLICATION FOR REGISTRATION OF FEDERAL AIRCRAFT CERTIFICATE AND FEDERAL PILOTS CERTIFICATE

Acting pursuant to the authority vested in me by the "Uniform Regulatory Act", particularly Section 7, and finding that this action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform the powers and duties under said Act, I, the Director of the Department of Public Works, with the approval of the Aeronautics Advisory Board, adopt the following regulations:

APPLICATION FOR REGISTRATION OF FEDERAL AIRCRAFT CERTIFICATE AND FEDERAL PILOTS CERTIFICATE

AIRCRAFT REGISTRATION

Application for the registration of the Federal Certificate for aircraft based in the State of Rhode Island shall be made upon the applicable form prescribed by the Director of Public Works and obtainable at the office of the Administrator of Aeronautics. The applicant shall produce with the application the Federal Certificate of the aircraft sought to be registered. Each registration shall be issued to correspond with the date of expiration on the Federal Certificate.

A registration certificate is not transferrable. Upon the transfer of ownership of an aircraft registered in the State of Rhode Island the registered owner shall endorse the registration certificate in the manner provided thereon and deliver said certificate on the date said transfer of ownership is made.

PILOT REGISTRATION

All pilots holding a Federal Certificate of Competency who operate aircraft in the State of Rhode Island as a base shall, prior to ( )
make application for the registration of said Federal Certificate of Competency upon the applicable form prescribed by the Director of the Department of Public Works and obtainable at the office of the Administrator of Aeronautics. The applicant shall produce with the application the Federal Certificate of competency sought to be registered.

Each registration shall be issued to correspond with the date of expiration on the Federal Certificate of Competence and the cost of registration shall be one dollar for all grades of certificates.

It shall be the obligation of the holder of a Rhode Island Pilots Registration Certificate to notify the Administrator of Aeronautics in writing of any change in the status of his Federal Certificate of Competency on the date said change in status occurs.

Signed: Frederick V. Waterman,
       Director of Public Works.

Approved: Aeronautics Advisory Board.
       LeRoy M. Gardner, Member.
       William F. Hoey, Member.
       Thomas Harris, Member.
       Hugh S. McLeod, Member.
       Maurice Eighme, Member.
STATE OF RHODE ISLAND
DEPARTMENT OF PUBLIC WORKS
DIVISION OF AERONAUTICS

Application for Aircraft Registration

All blanks must be made out in ink, or typewritten, or application will be returned.

1. Is this a transfer, renewal, or new application

2. (a) Name

   (To be typewritten or printed)

   (b) P. O. Address

   (Street) (City or Town) (State)

3. (a) Place and date of birth

   (b) If a corporation, partnership, club, etc., names of President, Directors and Managing Officers

4. Description of aircraft:

   (a) Name of Manufacturer

   (b) Name of Aircraft

   (c) Manufacturer's Model

   (d) Manufacturer's Serial No.

   (e) Date of Manufacture

   (f) Color of Fuselage

   (g) Color of Wings

   (h) Total time to date

   (i) Check Type: Airplane ( ) Glider ( ) Dirigible ( ) Balloon ( )

   (j) Check Style: Open Cockpit ( ) Cabin ( ) Convertible ( )

   (k) Check Model: Landplane ( ) Seaplane ( ) Amphibian ( ) Biplane ( ) Monoplane ( )

   (l) Seating Capacity: Crew ...... Passengers ......

   (m) Gross Weight ...... (n) Weight Empty ......

5. Description of power plant:

   (a) Name of Manufacturer

   (b) Number of engines installed

   (c) Type and model of each

   (d) Date Manufactured

   (e) Manufacturer's Serial No.

   (f) Number of Cylinders (each motor)

   (g) Rated Horsepower (each motor)

6. (a) Has this aircraft been remodeled? ...... (b) If so, give details

7. (a) Is there a lien against this aircraft? ...... (b) If so, name and address of holder of lien

8. (a) Date purchased

   (b) Purchased from

   (c) Purchase Price when new

9. (a) Present base of Aircraft

10. Date of this application

    Department of Commerce Certificate No.

    Fee $

STATE OF RHODE ISLAND

COUNTY OF ............... ss.

Subscribed and sworn to before me this ...... day of ........... 19...

(Notary Public, Justice of the Peace)
STATE OF RHODE ISLAND
DEPARTMENT OF PUBLIC WORKS
DIVISION OF AERONAUTICS

Application for Aircraft Pilot's License

(Make checks payable to General Treasurer, State of R.I.)

All blanks must be made out in ink, or typewritten, or application will be returned. Original applicants must answer all questions. Applicants for renewal or transfer may omit questions 12 to 18 inclusive.

All applications must be notarized.

Fees: All grades Aircraft Pilots' Certificate, $1.00

1. Application is hereby made for .............. Reg. Certificate
2. Is this a renewal new application or transfer? ..........................................
   (Note: Renewal of certificate will be granted only for a certificate December 31, previous to the year for which renewal is requested.)
3. Last Rhode Island Certificate No........ Year? ....... Grade? .......
4. (a) Name .............................................. (To be typewritten or printed)
   (b) P. O. Address .............................................................
   (Street) (City or Town) (State)
5. Age ...... Years ...... Months
6. (a) Color of eyes ........ (b) Color of hair ....... (c) Sex ......
   (d) Weight ........ (e) Height ........
7. Date of last physical examination for flying and Doctor's Name ........
8. Have you a waiver for any physical defect? .... If so, what? ........
9. (a) Total number of solo hours ...... (b) Solo hours in past twelve months ........
   (c) Solo hours in past six months ........ (d) Solo hours in past thirty days ...... (e) Total dual hours ........
10. (a) Do you hold a Federal certificate of Competency? .......
    Number? ....... Grade? ....... (b) Ratings ........
    Instructor's Rating? ................................
11. (a) Has your pilot's license or certificate ever been suspended?
    (Federal) ........ (State) ........
    (b) If so, give details .............................................
12. (a) Place and date of birth ......... (b) Race ........
    (White, Negro, etc.)
13. Names and types of aircraft that you have flown ........
14. Experience and training on aircraft engines, giving types with which familiar and length of experience on each ........
15. Air courses attended ........
16. Are you familiar with the aircraft laws of this State and the U. S. Civil Air Regulations? ........
17. Where and by whom instructed? ....

Dated ........................................

(Signature of Applicant)

STATE OF RHODE ISLAND
COUNTY OF ........................................

Subscribed and sworn to before me this ... day of ........ 19 ...

(Notary Public, Justice of the Peace)