

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Aeronautics Act is amended by  
5 changing Section 42 as follows:

6 (620 ILCS 5/42) (from Ch. 15 1/2, par. 22.42)

7 Sec. 42. Regulation of aircraft, airmen, and airports.

8 (a) The general public interest and safety, the safety of  
9 persons operating, using, or traveling in, aircraft, and of  
10 persons and property on the ground, and the interest of  
11 aeronautical progress require that aircraft operated within  
12 this State should be airworthy, that airmen should be properly  
13 qualified, and that air navigation facilities should be  
14 suitable for the purposes for which they are designed. The  
15 purposes of this Act require that the Department should be  
16 enabled to exercise the powers of regulation and supervision  
17 herein granted. The advantage of uniform regulation makes it  
18 desirable that aircraft operated within this State should  
19 conform with respect to design, construction, and  
20 airworthiness to the standards prescribed by the United States  
21 Government with respect to civil aircraft subject to its  
22 jurisdiction and that persons engaging in aeronautics within  
23 this State should have the qualifications necessary for

1 obtaining and holding appropriate airman certificates of the  
2 United States. It is desirable and right that all applicable  
3 fees and taxes shall be paid with respect to aircraft operated  
4 within this State.

5 (b) In light of the findings in subsection (a), the  
6 Department is authorized:

7 (1) To require the registration, every 2 years, of  
8 federal licenses, certificates or permits of civil  
9 aircraft engaged in air navigation within this State, and a  
10 one-time registration, ~~and~~ of airmen engaged in  
11 aeronautics within this State, and to issue certificates of  
12 such registration. These certificates of registration  
13 constitute the authorization of such aircraft and airmen  
14 for operations within this State to the extent permitted by  
15 the federal licenses, certificates or permits so  
16 registered. It shall charge a fee, payable every 2 years,  
17 for the registration of each federal license, certificate  
18 or permit of ~~\$10 for each airman's certificate~~ and \$20 for  
19 each aircraft certificate and a one-time fee of \$20,  
20 payable at registration, for each airman's certificate. It  
21 may accept as evidence of the holding of a federal license,  
22 certificate or permit the verified application of the  
23 airman or the owner of the aircraft, which application  
24 shall contain such information as the Department may by  
25 rule, ruling, regulation, order or decision prescribe. The  
26 Department's authority to register aircraft or to issue

1 certificates of registration is limited as follows:

2 (i) Except as to any aircraft vehicle purchased  
3 before March 8, 1963, the Department, in the case of  
4 the first registration of any aircraft vehicle for any  
5 given owner on or after March 8, 1963, may not issue a  
6 certificate of registration with respect to any  
7 aircraft vehicle until after the Department has been  
8 satisfied that no tax under the Use Tax Act, the  
9 Aircraft Use Tax Law, the Municipal Use Tax Act, or the  
10 Home Rule County Use Tax Law is owing by reason of the  
11 use of the vehicle in Illinois or that any tax so  
12 imposed has been paid. A receipt issued under those  
13 Acts by the Department of Revenue constitutes proof of  
14 payment of the tax. For the purpose of this paragraph,  
15 "aircraft vehicle" means a single aircraft.

16 (ii) If the proof of payment of the tax or of  
17 nonliability therefor is, after the issuance of the  
18 certificate of registration, found to be invalid, the  
19 Department shall revoke the certificate and require  
20 that the certificate be returned to the Department.

21 (2) To classify and approve airports and restricted  
22 landing areas and any alterations or extensions thereof.  
23 Certificates of approval issued pursuant to this  
24 paragraph, or pursuant to any prior law, shall be issued in  
25 the name of the applicant and shall be transferable upon a  
26 change of ownership or control of the airport or restricted

1 landing area only after approval of the Department. No  
2 charge or fee shall be made or imposed for any kind of  
3 certificate of approval or a transfer thereof.

4 (3) To revoke, temporarily or permanently, any  
5 certificate of registration of an aircraft or airman issued  
6 by it, or to refuse to issue any such certificate of  
7 registration, when it shall reasonably determine that any  
8 aircraft is not airworthy, or that any airman:

9 (i) is not qualified;

10 (ii) has willfully violated the laws of this State  
11 pertaining to aeronautics or any rules, rulings,  
12 regulations, orders, or decisions issued pursuant  
13 thereto, or any Federal law or any rule or regulation  
14 issued pursuant thereto;

15 (iii) is addicted to the use of narcotics or other  
16 habit forming drug, or to the excessive use of  
17 intoxicating liquor;

18 (iv) has made any false statement in any  
19 application for registration of a federal license,  
20 certificate or permit; or

21 (v) has been guilty of other conduct, acts, or  
22 practices dangerous to the public safety or the safety  
23 of those engaged in aeronautics.

24 (c) The Department may refuse to issue or may suspend the  
25 certificate of any person who fails to file a return, or to pay  
26 the tax, penalty or interest shown in a filed return, or to pay

1 any final assessment of tax, penalty or interest, as required  
2 by any tax Act administered by the Illinois Department of  
3 Revenue, until such time as the requirements of any such tax  
4 Act are satisfied.

5 (Source: P.A. 92-341, eff. 8-10-01; 93-24, eff. 6-20-03.)