
HOUSE BILL No. 1199

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-6.5-10.1.

Synopsis: Private use airport aircraft dealers. Provides that if an aircraft dealer is located at a private use airport that does not have a waiver that allows commercial operations at the private use airport, the dealer may not conduct a test flight of an aircraft offered for sale or transfer from a place other than a public use airport.

Effective: January 1, 1998 (retroactive).

Alderman

January 8, 1998, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1199



A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-6-6.5-10.1, AS ADDED BY P.L.65-1997,
- 2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JANUARY 1, 1998 (RETROACTIVE)]: Sec. 10.1. (a) An applicant
- 4 must do all of the following before an aircraft dealer's certificate may
- 5 be issued by the department:
- 6 (1) Be registered as a retail merchant with the department and
- 7 submit proof of that registration to the department.
- 8 (2) Complete and submit the annual aircraft dealer application
- 9 form provided by the department.
- 10 (3) Submit proof of a permanent established place of business to
- 11 the department, including:
- 12 (A) an executed lease or rental agreement for a period of at
- 13 least one (1) year or proof of ownership of the real property for
- 14 the location of the established place of business;
- 15 (B) photographs, at least three (3) inches by five (5) inches in
- 16 size, showing the established place of business, including the
- 17 display area, exterior advertising, and office area; and



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1 (C) the other items that the department may determine are
 2 needed to satisfactorily prove that the applicant is a bona fide
 3 dealer.
 4 (4) Submit a twenty-five dollar (\$25) fee for the certificate. The
 5 fee may not be refunded if the certificate is denied.
 6 (b) If the established place of business is located at a private use
 7 airport, a ~~commercial operation waiver~~ **the private use airport** must
 8 ~~be issued in conformity with~~ **have a commercial operations waiver**
 9 **issued under 105 IAC 3-3-23. If the private use airport is not able**
 10 **to obtain a waiver issued under 105 IAC 3-3-23, an aircraft flight**
 11 **may not be made for purposes of offering the aircraft for sale or**
 12 **transfer if:**
 13 (1) **a person other than the aircraft dealer or an employee or**
 14 **agent of the dealer is transported; and**
 15 (2) **the flight is conducted from an airport other than a public**
 16 **use airport.**
 17 (c) The initial certificate is valid for the calendar year of issuance or
 18 any remaining portion of the calendar year. However, an applicant
 19 applying in December may specifically indicate in the application that
 20 dealership status begins in the next calendar year.
 21 **SECTION 2. An emergency is declared for this act.**

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