



Agency Legislative Proposal - 2015 Session

Document Name 093015_CAA_TechRevisions

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Airport Authority

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Lead agency division requesting this proposal: Executive Director

Agency Analyst/Drafter of Proposal: Alex Peterson and Paul Pernerewski

Title of Proposal: CAA 2015 Minor and Technical Revisions

Statutory Reference: Sec. 15-34, Sec. 15-39, Sec. 15-41, Sec. 15-43, Sec. 15-44, Sec. 15-45, Sec. 15-54, Sec. 15-60, Sec. 15-66, Sec. 15-67, Sec. 15-71a, Sec 15-73, Sec. 15-74a, Sec. 15-74b, Sec 15-74c, Sec. 15-75, Sec. 15-76, Sec. 15-87, Sec. 15-90, Sec. 15-91, Sec. 15-94, Sec. 15-95, Sec. 15-97, Sec. 15-101m, Sec. 15-101t, Sec. 15-101bb, Sec. 15-101cc, Sec. 15-101ee, Sec. 15-103, Sec. 15-104, Sec. 15-105, Sec. 15-107, Sec. 15-108, Sec. 15-109, Sec. 15-110, Sec. 15-111, Sec. 15-112, Sec. 15-115

Proposal Summary: These minor and technical changes to the Navigation and Aeronautics statutes reflect the transition of various authorities from the Department of Transportation (DOT) to the Connecticut Airport Authority (CAA) as provided by the CAA enabling statutes (Chapter 267b) and memorandums of understanding between the CAA and the DOT (per Sec. 15-120//). Other revisions are recommended to update outdated sections and other sections that have been pre-empted by recent legislation.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

- (1) The CAA is recommending the repeal of Sec. 15-101t since it references a terminal improvement and renovation project that has been completed. The CAA is also recommending the repeal of Sec. 15-101bb and Sec. 15-101cc in lieu of Sec. 15-120ss (PA 13-277). All other minor and technical changes suggested within the Navigation and Aeronautics statutes are intended to reflect the transition of various authorities from the Department of Transportation to the CAA through the CAA enabling statutes (Chapter 267b) and memorandums of understanding between the CAA and the DOT.
- (2) There would be no major effects if the changes were not enacted during this legislative session. Noted sections have either already been effectively achieved through the CAA enabling statutes (Chapter 267b) and memorandums of understanding with the Department of Transportation (per Sec. 15-120//), or pre-empted by more recent legislation.

- **Origin of Proposal**

New Proposal

Resubmission



If this is a resubmission, please share:

N/A

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Department of Transportation

Agency Contact: Pam Sucato, Legislative Director, 860-594-3013

Date Contacted:

Approve of Proposal ___ YES ___ NO X Talks Ongoing

Summary of Affected Agency's Comments

None at this time

Will there need to be further negotiation? X YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

N/A

State

N/A

Federal

N/A

Additional notes on fiscal impact

N/A

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

N/A



Insert fully drafted bill here

CHAPTER 266*

AERONAUTICS

Sec. 15-34. Definitions. For the purpose of the laws of this state relating to aeronautics, the following words and phrases shall have the meanings herein given, unless the context otherwise requires:

(1) “Aeronautics” means transportation by aircraft; the operation, repair or maintenance of aircraft or aircraft engines except by a manufacturer, including the repair, packing and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair or maintenance of airports, heliports, restricted landing areas or other air navigation facilities, and air instruction.

(2) “Air instruction” means the imparting of aeronautical information by any aeronautics instructor or in or by any air school or flying club.

(3) “Air navigation” means the operation or navigation of aircraft in the air space over this state or upon any airport or restricted landing area within this state.

(4) “Air navigation facility” means any facility, other than one owned or controlled by the federal government, used in, available for use in or designed for use in, aid of air navigation, including airports, heliports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking-off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport, heliport or restricted landing area, and any combination of such facilities.

(5) “Aircraft” means any contrivance used or designed for navigation of or flight in air, including (A) airplanes, meaning power-driven fixed-wing aircraft, heavier than air, supported by the dynamic reaction of the air against their wings, (B) gliders, meaning heavier than air aircraft, the free flight of which does not depend principally upon a power-generating unit, and (C) rotorcraft, meaning power-driven aircraft, heavier than air, supported during flight by one or more rotors.



(6) “Airman” means any individual who engages, as the person in command, or as pilot, mechanic or member of the crew, in the navigation of aircraft while under way and (excepting any individual employed outside the United States, any individual employed by a manufacturer of aircraft, aircraft engines, propellers or appliances to perform duties as inspector or mechanic in connection therewith, and any individual performing inspection or mechanical duties in connection with aircraft owned or operated by him) any individual who is directly in charge of the inspection, maintenance, overhauling or repair of aircraft engines, propellers or appliances; and any individual who serves in the capacity of aircraft dispatcher or air-traffic control-tower operator.

(7) “Airport” means any area of land or water, except a restricted landing area, which is designed for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft, or for receiving or discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities, and all appurtenant rights-of-way.

(8) “Airport hazard” means any structure, object of natural growth or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at any airport, heliport or restricted landing area or is otherwise hazardous to such landing or taking-off.

(9) “Airport protection privileges” means easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of airports, heliports or restricted landing areas and other protection privileges the acquisition or control of which is necessary to insure safe approaches to the landing areas of airports, heliports and restricted landing areas and the safe and efficient operation thereof.

(10) “Authority” means the Connecticut Airport Authority established pursuant to section 15-120bb;

~~(1011)~~ “Careless, negligent or reckless operation” means the operation or piloting of any aircraft carelessly, negligently, recklessly or in such manner as to endanger the property, life or limb of any person, due regard being had to the proximity of other aircraft, the prevailing weather conditions and the territory being flown over.

~~(1112)~~ “Civil aircraft” means any aircraft other than a public aircraft.

~~(1213)~~ Repealed by 1972, P.A. 134, S. 6.

~~(1314)~~ “Department” means the Department of Transportation of this state.



(1415) “Commissioner” means the Commissioner of Transportation of this state.

(16) “Executive Director” means the Executive Director of the Connecticut Airport Authority appointed pursuant to Conn. Gen. Stat. § 15-120bb(d).

(1517) “Flying club” means any person other than an individual which, neither for profit nor reward, owns, leases or uses one or more aircraft for the purpose of instruction or pleasure or both.

(1618) “Manufacturer” means a person, partnership, association, limited liability company or corporation which, during the calendar year preceding application for registration, manufactured or assembled one or more aircraft for sale, or which proves to the satisfaction of the ~~commissioner~~ Executive Director that it intends in good faith to manufacture or assemble one or more aircraft for sale during the year immediately ensuing.

(1719) “Municipality” means any city, town or borough or other subdivision of this state.

(1820) “Navigable air space” means air space above the minimum altitudes of flight prescribed by the laws of this state or by regulations of the ~~commissioner~~ Authority consistent therewith.

(1921) “Nonresident” means any person whose legal residence is outside this state.

(2022) “Operation of aircraft” means the use of aircraft for the purpose of air navigation and includes the navigation or piloting of aircraft. Any person who causes or authorizes the operation of aircraft, whether with or without the right of legal control thereof, shall be deemed to be engaged in the operation of aircraft within the meaning of the statutes of this state.

(2123) “Person” means any individual, firm, partnership, corporation, limited liability company, company, association, joint stock association or body politic and includes any trustee, receiver, assignee or other similar representative thereof.

(2224) “Public aircraft” means an aircraft used exclusively in the service of any government or of any political subdivision thereof, including the government of any state, territory or possession of the United States, or the District of Columbia, but does not include any government-owned aircraft engaged in carrying persons or property for commercial purposes.



(2325) “Restricted landing area” means any area of land or water or both, which is used or is made available for the landing and takeoff of aircraft, the use of which shall, except in case of emergency, be only as provided from time to time by the ~~commissioner~~ Executive Director.

(2426) Repealed by P.A. 85-130.

(2527) Repealed by P.A. 77-614, S. 609, 610.

(2628) Repealed by P.A. 77-614, S. 609, 610.

(2729) “Heliport” means an area of defined dimensions, either at ground level or elevated on a structure, designated for the landing and take off of helicopters, which may be restricted solely for that purpose.

(2830) “Ultra light aircraft” means (A) any aircraft which meets the criteria established by the Federal Aviation Administration, federal Air Regulation Part 103, or (B) any vehicle which: (i) Is used or intended to be used for manned operation by a single occupant in the air; (ii) is used or intended to be used for recreation or sport purposes only; (iii) has not been issued an airworthiness certificate by the government of the United States or any foreign government; and (iv) if unpowered, weighs less than one hundred fifty-five pounds or, if powered, weighs less than two hundred fifty-four pounds, empty weight, has a fuel capacity of no more than five U.S. gallons, is not capable of more than fifty-five knots calibrated air speed at full power in level flight and has a power-off stall speed which does not exceed twenty-four knots calibrated air speed.

Sec. 15-39. Inspector’s credentials. The ~~commissioner~~ Executive Director shall issue to any salaried aeronautics inspector of the ~~department~~ Authority, credentials which shall be carried upon the person of such inspector while in the discharge of official duties.

Sec. 15-41. Regulations and standards. The ~~commissioner~~ Authority may perform such acts, issue and amend such orders, and make and amend such reasonable general or special regulations and procedure and establish such minimum standards, consistent with the provisions of this chapter, as ~~he~~ it deems necessary or appropriate, and which are commensurate with and for the purpose of protecting and insuring the general public interest and safety, the safety of persons receiving instruction concerning, or operating, using or traveling in, aircraft, and of persons and property on land or water, and to develop and promote aeronautics in this state. No regulation of the ~~commissioner~~



Authority shall apply to airports or other air navigation facilities owned by the federal government within this state.

Sec. 15-43. Intervention. The ~~commissioner~~ Authority may participate as party plaintiff or defendant, or as intervenor on behalf of the state or any municipality or citizen thereof, in any controversy having to do with any claimed encroachment by the federal government or any foreign state upon any state or individual rights pertaining to aeronautics.

Sec. 15-44. Enforcement of aeronautics laws. The ~~commissioner~~ Executive Director and aeronautics inspectors of the ~~department~~ Authority, and each state, county and municipal officer charged with the enforcement of state and municipal laws shall enforce and assist in the enforcement of this chapter and of all regulations made pursuant thereto, and of all other laws of this state relating to aeronautics.

Sec. 15-45. Investigations. The ~~commissioner~~ Executive Director may hold investigations, inquiries and hearings concerning matters covered by the provisions of this chapter, aircraft accidents or orders and regulations of the ~~commissioner~~ Authority.

Sec. 15-54. Revocation or suspension of right to operate aircraft. The ~~commissioner~~ Executive Director is authorized to revoke or suspend temporarily or permanently the right to operate aircraft, when he determines that any aircraft is not airworthy, or that any airman is not qualified, has wilfully violated the provisions of this chapter or the regulations prescribed pursuant thereto or any other statute of this state relating to aeronautics, or any Act of Congress relating to aeronautics, or any rule or regulation promulgated pursuant thereto, or the statutes or rules or regulations of another state relating to aeronautics, is addicted to the use of narcotics or any other habit-forming drug or to the excessive use of intoxicating liquor, has made any false statement in any application for registration of a federal license certificate or permit or has been guilty of other conduct, acts or practices dangerous to the public safety and the safety of those engaged in aeronautics.

Sec. 15-60. Exhibition of licenses and certificates. The federal license, certificate or permit, and the evidence of registration in another state, if any, required for an airman shall be kept in the personal possession of the airman when he is operating within this state and shall be presented for inspection upon the demand of any passenger, any peace officer of this state, ~~the commissioner~~, any official or employee of the ~~department~~ Authority or any manager or person in charge of any airport in this state upon which he lands. The federal aircraft license, certificate or permit, and the evidence of registration in another state, if any, required for aircraft shall be carried in every aircraft operating



in this state at all times and shall be conspicuously posted therein where it may readily be seen by passengers or inspectors and shall be presented for inspection upon the demand of any passenger, any peace officer of this state, any official or employee of the ~~department~~ Authority or any manager or person in charge of any airport in this state upon which it lands.

Sec. 15-66. Actions of ~~commissioner~~ Executive Director. Inspections. In any case in which the ~~commissioner~~ Executive Director refuses to issue a certificate of approval of, or license or renewal of license for, an airport, restricted landing area, heliport or other air navigation facility, or in any case in which he issues any order requiring certain things to be done or revoking any license, he shall set forth his reasons therefor and shall state the requirements to be met before such approval shall be given, license granted or order modified or changed. Any order made by the ~~commissioner~~ Executive Director pursuant to the provisions of this chapter shall be served upon the interested persons by registered or certified mail or in person. To carry out the provisions of this chapter, the ~~commissioner~~ Executive Director and any official or employee of the ~~department~~ Authority and any state or municipal officer charged with the duty of enforcing this chapter may inspect and examine at reasonable hours any premises and the buildings and other structures thereon where airports, restricted landing areas, heliports, air schools, flying clubs or other air navigation facilities or aeronautical activities are operated or carried on. No provision of this section shall prohibit the ~~commissioner~~ Executive Director from suspending or revoking the right of any person to pilot, or the right to any operation of any aircraft within this state, for any cause that he deems sufficient, with or without a hearing. No appeal taken from the action of the ~~commissioner~~ Executive Director shall act as a stay of suspension or revocation except with ~~his~~ the Executive Director's consent and under such conditions as he may prescribe. No service of process shall be necessary in connection with any of the prescribed activities of the ~~commissioner~~ Executive Director. The term of any suspension or revocation shall commence upon notice thereof by the ~~commissioner~~ Executive Director.

Sec. 15-67. Appeal. An appeal may be taken from any decision of the ~~commissioner~~ Executive Director rendered under the provisions of this chapter. The procedure in such appeal shall be the same as that provided in section 14-134 concerning appeals from decisions by the Commissioner of Motor Vehicles. No appeal taken from the order of a court in a criminal case, involving the operation of an aircraft without permission of the owner, the piloting of an aircraft while under the influence of intoxicating liquor or drugs, reckless flying or evading responsibility for accidents or involving fatal accidents shall act as a stay to any action or order of the ~~commissioner~~ Executive Director.



Sec. 15-71a. Accidents to be reported. Any pilot, whether resident or nonresident, of a civil aircraft involved in an accident resulting in personal injury or substantial damage to the aircraft shall immediately notify the ~~commissioner~~ [Executive Director](#) or the state police. If the pilot or pilots are incapacitated, any person who caused or authorized the operation of such aircraft at the time of the accident shall be responsible for giving such notification. A written report shall be filed with the ~~commissioner~~ [Executive Director](#) within fourteen calendar days on a form prescribed by the ~~commissioner~~ [Executive Director](#). If requested by the ~~commissioner~~ [Executive Director](#) a written report may also be required for an aircraft accident when the damage is less than substantial. The ~~commissioner~~ [Executive Director](#) may make an investigation of such accidents as he deems advisable or in lieu of a detailed investigation may accept a copy of the final report by a federal investigation agency.

Sec. 15-73. Airport protection privileges. Encroachments prohibited. Standards for determining necessity of taking land. Where necessary in order to provide unobstructed air space for the landing and taking-off of aircraft, in case of airports, heliports and restricted landing areas acquired or operated by the state, the commissioner, [in case of airports, heliports and restricted landing areas acquired or operated by the Authority, the Executive Director](#), and, in case of municipal airports, the municipality, is granted authority to acquire, in the same manner as is provided for the acquisition of property for airport purposes, easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of the airports, heliports or restricted landing areas, and such other airport protection privileges as are necessary to insure safe approaches to the landing areas of such airports, heliports and restricted landing areas and the safe and efficient operation thereof. ~~He is~~ [They are](#) empowered to acquire in the same manner the right of easement for a term of years or perpetually to place or maintain suitable marks for the daytime marking and suitable lights for the nighttime marking of airport hazards for the purpose of maintaining and repairing such lights and marks. No person shall build, rebuild or create or cause to be built, rebuilt or created any object, or plant, cause to be planted or permit to grow higher any tree or trees or other vegetation, which encroach upon any airport protection privileges acquired pursuant to the provisions of this section. Any such encroachment is declared to be a public nuisance and may be abated in the manner prescribed by law for the abatement of public nuisances, or the municipality in charge of the airport, heliport or restricted landing area for which airport protection privileges have been acquired as provided in this section may go upon the land of others and remove any such encroachment without being liable for damages in so doing. Before exercising any of the powers conferred herein, the commissioner shall establish and publish in detailed form, available to the public, the standards which he has adopted



and will apply in making his determination that public convenience and necessity require the taking of any parcel of land or interest therein.

Sec. 15-74a. Maintenance or construction of overhead lines and facilities near public airport runway limited. Definitions. Terms used in this section and sections 15-74b and 15-74c, shall be construed as follows, unless another meaning is expressed or is clearly apparent from the language or the context: “public service company” means “public service company” as defined by section 16-1; “public airport” means any state or municipality owned airport, heliport, restricted landing area or other air navigational facility or any facility licensed by the ~~Commissioner of Transportation~~ [Executive Director](#) under section 13b-46 except any privately owned airport, heliport, restricted landing area or air navigational facility unless the same has been on file with the Federal Aviation Administration for a period of at least two years and designated by it as a facility open to the public; “clear zone” means an area extending for up to one-half mile from the end of a runway on a public airport and designated by the ~~Commissioner of Transportation~~ [Executive Director](#) as a clear zone in accordance with regulations adopted by him.

Sec. 15-74b. Lines within clear zone prohibited. (a) No public service company shall construct or maintain any overhead line or facility within the limits of a clear zone.

(b) (1) Immediately upon July 6, 1971, the ~~Commissioner of Transportation~~ [Executive Director](#) shall establish clear zones, in accordance with regulations adopted by him, for all public airport runways, and shall establish a list of priorities for the abatement or correction of encroachments thereon by public service companies. (2) Subject to the availability of funds, said ~~commissioner~~ [Executive Director](#) shall from time to time order the relocation, removal or such other appropriate corrective action as he deems necessary to abate or correct such encroachments on clear zones.

(c) Where overhead lines already exist within the limits of an established clear zone the ~~Commissioner of Transportation~~ [Authority](#) shall reimburse the owner public service company for the cost of relocation, removal or other corrective measures approved by him. Funds required for the implementation of this section shall be appropriated from existing and future appropriations for state aid to airports in accordance with regulations adopted by the ~~Commissioner of Transportation~~ [Authority](#).

Sec. 15-74c. Permit for lines and facilities within one-half mile of runway. No public service company shall erect, recable or reconstruct any overhead line or facility within one-half mile of any airport runway without written permission of the ~~Commissioner of Transportation~~ [Executive Director](#).



Sec. 15-75. Charges and rentals. Liens. The ~~commissioner~~ Executive Director may determine the charges or rental for the use of any properties and the charges for any service or accommodations under his control and the terms and conditions under which such properties may be used; provided the public shall not be deprived of its rightful, equal and uniform use of such property. The ~~state~~ Authority shall have and the ~~commissioner~~ Executive Director may enforce liens as provided by law for repairs to or improvement or storage or care of any personal property.

Sec. 15-76. Abandoned aircraft. Lien for storage charges. Notice to ~~commissioner~~ Executive Director. (a) The ~~commissioner~~ Executive Director, any employee of the ~~department~~ Authority, any officer attached to an organized police department, any state police officer or any constable, within his or her precinct, upon discovery of any aircraft apparently abandoned, whether situated within or without any airport or landing field in this state, shall take such aircraft into custody and may cause the same to be taken to and stored in a suitable place. All charges necessarily incurred by such person in the performance of such duty shall be a lien upon such aircraft. The owner or keeper of any hangar or other place where such aircraft is stored shall have a lien upon the same for storage charges. If such aircraft has been so stored for a period of ninety days, such owner or keeper may sell the same at public auction for cash, at such owner's or keeper's place of business, and apply the avails of such sale toward the payment of such owner's or keeper's charges and the payment of any debt or obligation incurred by the person who placed the same in storage, provided such sale shall be advertised three times in a newspaper published or having a circulation in the town where such hangar or other place is located, such advertisement to commence at least five days before such sale; and, if the last place of abode of the owner of such aircraft is known to or may be ascertained by such hangar owner or keeper by the exercise of reasonable diligence, notice of the time and place of sale shall be given such owner by mailing such notice to the owner in a registered or certified letter, postage paid, at such last usual place of abode, at least five days before the time of sale. The proceeds of such sale, after deducting the amount due such hangar owner or keeper and all expenses connected with such sale, including the expenses of the officer who placed such aircraft in storage, shall be paid to the owner of such aircraft or the owner's legal representatives, if claimed by such owner or representatives, at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the state.

(b) If the owner of such aircraft placed in storage in accordance with the provisions of this section fails to claim such aircraft within sixty days, the owner of such hangar or other place of storage shall, within thirty days thereafter, send a written notice to the



~~commissioner~~ Executive Director, stating the make, type, engine number and identification number of such aircraft and the date such aircraft was left with him for storage and by whom, which notice shall be placed on file by the ~~commissioner~~ Executive Director and shall be subject to public inspection. Any sale under the provisions of this section shall be void, unless the notice required by this section has been given to said ~~commissioner~~ Executive Director.

Sec. 15-87. Service of process against nonresident owners and operators. Any nonresident of this state who is the operator or owner of any aircraft and who accepts the privileges extended by the laws of this state to nonresident operators and owners of aircraft of using its aviation facilities, or of having the same operated over, or who operates an airplane above or upon, the territorial limits of this state, shall, by such operation, be deemed to have appointed the ~~commissioner~~ Authority, his agent and attorney for the service of process in any civil suit or proceeding instituted in the courts of this state against such operator or owner arising out of or by reason of any accident or collision, occurring within or above the state, in which such aircraft is involved. Such process shall be served by the officer to whom the same is directed upon the ~~commissioner~~ Authority by leaving at the office of said ~~commissioner~~ Authority, at least twelve days before the return day of such process, a true and attested copy thereof, and by sending to the defendant at his last-known address by registered or certified mail, postage prepaid, a like true and attested copy, with an endorsement thereon of the service upon said ~~commissioner~~ Authority. The officer serving such process upon the ~~commissioner~~ Authority shall pay to said ~~commissioner~~ Authority at the time of service a fee of five dollars, which fee shall be taxed as costs in the case. Said ~~commissioner~~ Authority shall keep a record of each such process and the day and hour of the service thereof upon him. This section shall extend the right of service of process upon nonresidents and shall not limit any existing provisions for the service of process. Such service shall be sufficient to confer jurisdiction of any such action upon the court to which such process is returnable, and such court may proceed to determine the issues in such action and render final judgment with or without any further action by such court concerning further order of notice to such operator or owner.

Sec. 15-90. Airport approach plan. The ~~commissioner~~ Executive Director is directed to formulate and adopt, and from time to time as may be necessary revise, an airport approach plan for each publicly-owned airport in the state. Each such plan shall indicate the circumstances in which structures or trees or both are or would be airport hazards, the area within which measures for the protection of the airport's aerial approaches should be taken and what the height limits and other objectives of such measures should be. In adopting or revising any such plan, the ~~commissioner~~ Executive



Director shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain, the height of existing structures and trees above the level of the airport, the practicability of lowering or removing existing obstructions and all other material matters, and the ~~commissioner~~ Executive Director may obtain and consider the views of the agency of the federal government charged with the fostering of civil aeronautics as to the aerial approaches necessary to safe flying operations at the airport.

Sec. 15-91. Adoption of airport zoning regulations. (a) Every municipality having within its territorial limits an area within which, according to an airport approach plan adopted by the ~~commissioner~~ Executive Director, measures should be taken for the protection of airport approaches, shall adopt, administer and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed, airport zoning regulations applicable to such area, which regulations shall divide the area into zones and, within such zones, specify the land uses permitted, and regulate and restrict the height to which structures and trees may be erected or allowed to grow, as may be necessary to effectuate the ~~commissioner's~~ Executive Director's approach plan for the airport.

(b) If a municipality has adopted or adopts a general zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations adopted for the same area or portion thereof under this section may be incorporated in and made a part of such general zoning regulations and may be administered and enforced in connection therewith, but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted hereunder.

(c) Any zoning or other regulations applicable to any area within which, according to the airport approach plan adopted by the ~~commissioner~~ Executive Director, measures should be taken for the protection of airport approaches, including any airport zoning regulations adopted under this section and any zoning or other regulations dealing with the same or similar matters adopted under authority other than that conferred by this section, shall be consistent with, and conform to, the ~~commissioner's~~ Executive Director's approach plan for such area, and shall be amended from time to time as may be necessary to conform to any revision of the plan that may be made by the ~~commissioner~~ Executive Director.

(d) All airport zoning regulations adopted hereunder shall be reasonable, and none shall require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with



the continuance of any nonconforming use, except as provided in subsection (a) of section 15-93.

(e) If any municipality fails to adopt airport zoning regulations within a reasonable time, the ~~commissioner~~ Authority may, for the protection of public safety, adopt and from time to time as may be necessary amend or repeal such regulations for such municipality until airport zoning regulations herein provided for are adopted by such municipality.

Sec. 15-94. Regulations. Appeals. (a) **Adoption of zoning regulations.** No airport zoning regulations shall be adopted, amended or changed hereunder except by action of the legislative body in the municipality in question after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the hearing shall be published in an official paper, or a paper of general circulation, in the municipality.

(b) **Administration of zoning regulations; administrative agency.** The legislative body of any municipality adopting airport zoning regulations hereunder may delegate the duty of administering and enforcing such regulations to any administrative agency under its jurisdiction, but such administrative agency shall not include any member of the board of appeals. The duties of such administrative agency shall include hearing and ruling on the granting of all permits under subsection (a) of section 15-93, but such agency shall not have or exercise any of the powers delegated to the board of appeals.

(c) **Board of appeals.** Airport zoning regulations adopted hereunder shall provide for appointment of a board of appeals to have and exercise the following powers: (1) To hear and decide appeals from any order, requirement, decision or determination made by the administrative agency in the enforcement of sections 15-88 to 15-97, inclusive, or any ordinance adopted pursuant thereto; (2) to hear and decide special exceptions to the terms of the ordinance upon which such board may be required to pass under such ordinance; (3) to hear and decide specific variances under subsection (b) of section 15-93. Where a zoning board of appeals already exists, it may be appointed as the board of appeals. Otherwise, the board of appeals shall consist of five members, each to be appointed to serve for a term of three years unless removed for cause by the appointing authority upon written charges and after public hearing.

(d) **Appeal by municipality.** Any municipality aggrieved by any zoning ordinance or regulation under the terms of sections 15-88 to 15-97, inclusive, may appeal to the ~~commissioner~~ Executive Director without recourse to the board of appeals.



Sec. 15-95. Appeals from board of appeals. Any person aggrieved by the action of a board of appeals acting under the provisions of subsection (c) of section 15-94, or any municipality aggrieved by the action of the ~~commissioner~~ Executive Director, may appeal therefrom as provided in section 8-8.

Sec. 15-97. Penalty. Any person who violates any provision of sections 15-88 to 15-96, inclusive, or any regulation, order, zoning ordinance or ruling promulgated or made pursuant thereto, shall (1) for a first offense, be fined not more than two hundred fifty dollars, and (2) for any subsequent offense, be guilty of a class D misdemeanor. Each day a violation continues to exist shall constitute a separate offense. In addition, either the municipality within which the property is located or the ~~commissioner~~ Authority may institute, in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation thereof, or of airport zoning regulations adopted thereunder, or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, which may be mandatory, or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purpose of said sections and of the regulations adopted and orders and rulings made pursuant thereto.

Sec. 15-101m. Management of airport. ~~(a) Commissioner to establish rates, rents, fees and charges. Exception. Subject to the provisions of the general statutes and resolution authorizing the issuance of bonds pursuant to subsection (a) of section 15-101l, the Commissioner of Transportation is authorized to fix, revise, charge and collect rates, rents, fees and charges for the use of and for the services furnished or to be furnished by the facilities of Bradley International Airport and to contract with any person, partnership, association or corporation, or other body, public or private, in respect thereof except that, the commissioner shall not impose any fee, charge or commission on the gross revenues of off-airport parking operators for the right to access said airport that exceeds five per cent of such gross revenues for calendar quarters commencing on or after July 1, 1997, and prior to July 1, 1998, and four per cent of such gross revenues for calendar quarters commencing on or after July 1, 1998. Such rates, rents, fees and charges shall be fixed and adjusted in respect of the aggregate of rates, rents, fees and charges from the operation of Bradley International Airport so as to provide funds sufficient with other revenues or moneys available therefor, if any, (1) to pay the cost of maintaining, repairing and operating the facilities of Bradley International Airport and each and every portion thereof, to the extent that the payment of such cost has not otherwise been adequately provided for, (2) to pay the principal of and the interest on any outstanding revenue obligations of the state issued in respect of the project as the same shall become due and payable and (3) to create and maintain~~



~~reserves and sinking funds required or provided for in any resolution authorizing, or trust agreement securing, such bonds. A sufficient amount of the revenues as may be necessary to pay the cost of maintenance, repair and operation and to provide reserves and for renewals, replacements, extensions, enlargements and improvements as may be provided for in the resolution authorizing the issuance of any bonds or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or trust agreement in a reserve, sinking or other similar fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. The use and disposition of moneys to the credit of such reserve, sinking or other similar fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement.~~

~~(b) **Designation of fiscal year. Annual operating budget. Personnel.** The Department of Transportation shall designate the beginning and ending dates of the fiscal year for the operation of Bradley International Airport. Each year, within ninety days prior to the beginning of the next ensuing fiscal year, the Department of Transportation shall prepare and submit to the Secretary of the Office of Policy and Management an annual operating budget for Bradley International Airport for such fiscal year, providing for (1) payment of the costs of maintaining, repairing and operating the facilities of Bradley International Airport and each and every portion thereof during such fiscal year, to the extent that the payment of such costs has not otherwise been adequately provided for, (2) the payment of the principal of and interest on any outstanding revenue obligations of the state issued in respect of the project and becoming due and payable in such fiscal year and (3) the creation and maintenance of reserves and sinking funds required or provided for in any resolution authorizing, or trust agreement securing, such bonds. Such annual operating budget shall include an estimate of revenues from the rates, rents, fees and charges fixed by the Department of Transportation pursuant to subsection (a), and from any and all other sources, to meet the estimated expenditures of Bradley International Airport for such fiscal year. Within thirty days prior to the first day of such fiscal year the Secretary of the Office of Policy and Management shall approve said annual operating budget, with such changes, amendments, additions and deletions as shall be agreed upon prior to that date by the Department of Transportation and the Secretary of the Office of Policy and Management. The annual operating budget of Bradley International Airport as so approved shall take effect as of the date of its approval. On or before the twentieth day of each month, including the month next preceding the first month of the fiscal year to which the annual operating budget applies, the Treasurer or the trustee under any trust~~



~~indenture securing the bonds issued under subsection (a) of section 15-101l shall pay to the Department of Transportation out of the funds available for such purpose such amount as may be necessary to make the amount then held by said department for the payment of operating expenses of Bradley International Airport equal to such amount as shall be necessary for the payment of such operating expenses during the next ensuing two months, as shown by the annual operating budget for such fiscal year. Except as otherwise provided in sections 15-101k to 15-101p, inclusive, either expressly or by implication, all provisions of the general statutes governing state employees and state property, and all other provisions of the general statutes applicable to Bradley International Airport, shall continue in effect. All pension, retirement or other similar benefits vested or acquired at any time before or after July 1, 1981, with respect to any state employees shall continue unaffected and as if the salaries and wages of such employees continued to be paid out of the general funds of the state.~~

~~(c) **Operating budget submitted to General Assembly committee.** On the day the Department of Transportation submits an annual operating budget for Bradley International Airport to the Secretary of the Office of Policy and Management pursuant to subsection (b) of this section, the department shall submit a copy of such budget to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the legislative Office of Fiscal Analysis. Upon the approval of the annual operating budget, the department shall submit a copy of the budget as so approved to said joint standing committee, through the Office of Fiscal Analysis.~~ [Section 15-101m is repealed.](#)

~~**Sec. 15-101t. Bradley International Airport terminal improvement and renovation project. Solicitation of bids. Award of contract.** Notwithstanding the provisions of section 13a-95 and other statutes related to competitive bidding procedures, the Commissioner of Transportation may direct the construction manager for the Bradley International Airport terminal improvement and renovation project to solicit and prequalify responsible and qualified contractors. The list of prequalified contractors shall be approved by the commissioner. The construction manager shall obtain bids on the different construction elements of the project from the contractors on said list. The construction manager shall evaluate all such bids that are fair and reasonable with regard to the state's interest, from at least three prequalified contractors, and make a recommendation for selection to the commissioner. The commissioner shall make the final selection and the construction manager shall award the contract to the selected bidder. Any contractor awarded said contract pursuant to this section shall be subject to the same requirements concerning the furnishing of bonds as a contractor awarded a contract pursuant to section 13a-95.~~ [Section 15-101t is repealed.](#)



Sec. 15-101bb. Assessment of airport property subject to taxation. ~~Property subject to taxation under this chapter shall be assessed by the assessor or board of assessors of the town in which it is located at seventy per cent of the fair market value as determined by a person certified by the state as a real estate appraiser, provided such appraiser is selected by a majority vote of the chief executive officers of the towns of East Granby, Suffield, Windsor and Windsor Locks. The services of the appraiser selected shall be paid for by the towns of East Granby, Suffield, Windsor and Windsor Locks in proportion to the percentages for each town set forth in section 15-101cc. Not later than August first in any assessment year, the appraiser shall provide to the assessor or board of assessors of each of the towns listed in said section and to the lessee of the property, the fair market value of the property subject to taxation under this chapter as of October first in such assessment year. The appraiser shall be responsible for making a determination of taxability or nontaxability of leasehold interests under this chapter. If any town or the lessee is aggrieved by the determination of the appraiser concerning (1) the taxability of real property under the provisions of this chapter, or (2) the valuation thereof, such town or the lessee may, within thirty days of the receipt of written notice of such determination, appeal to the superior court for the judicial district where such property is located. Such appeals shall be preferred cases, to be heard, unless cause appears to the contrary, at the first session, by the court.~~ [Section 15-101bb is repealed.](#)

Sec. 15-101cc. Determination of tax applicable to airport property. Collection by towns in which property is located. ~~The rate of tax applicable to the assessed value of property the taxability of which has been determined in accordance with section 15-101bb, shall be levied on the basis of an adjusted mill rate, equal to the average mill rate assessed on property in the towns of Windsor, Windsor Locks, Suffield and East Granby. Each of these towns shall be entitled to collect the proceeds of the tax on a pro rata basis, based upon the proportion of land in Bradley International Airport located within each town's borders. The respective percentages allocable to each town are as follows:~~

Windsor Locks	40.72%
Suffield	32.75%
East Granby	26.02%
Windsor	.51%

~~Each town shall be entitled to collect interest, at the rate of one and one half per cent per month on any amount of tax that remains unpaid for more than thirty days from its~~



~~due date. Each lessee of property subject to taxation under this chapter shall be liable directly to the towns for payment of the tax and the towns shall have all remedies available to them at law to collect such tax, provided no liens or attachments shall be placed on any such property and no action may be taken against the state of Connecticut with respect to any such property. [Section 15-101cc is repealed.](#)~~

~~Sec. 15-101ee. Regulations related to taxation of airport property.—The Commissioner of Transportation may adopt regulations, in accordance with the provisions of chapter 54, necessary to carry out the purposes of this chapter. [Section 15-101ee is repealed.](#)~~

CHAPTER 267*

UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT

Sec. 15-103. Hearings; appeals. The ~~Commissioner of Transportation~~ [Authority](#) shall provide for hearings upon request of any person who may be affected by his orders or acts under the provisions of this chapter and may provide for a stay thereof until a hearing is had. Any person aggrieved by any order or act of the ~~commissioner~~ [Authority](#) hereunder may appeal therefrom in accordance with the provisions of section 4-183.

Sec. 15-104. Report of accident. (a) The operator of any aircraft involved in an accident within this state in which any person is killed or injured or damage in excess of one thousand dollars is sustained to the property of any person, other than property owned by the owner or operator or in his care, custody or control or carried in or on the aircraft, shall immediately but not later than fourteen calendar days after the accident report the matter in writing to the ~~Commissioner of Transportation~~ [Authority](#). If the operator is physically incapable of making the report, the owner of the aircraft involved in the accident shall immediately but not later than fourteen calendar days after learning of the accident make the report. If neither the operator nor the owner is physically capable of making the report, then each passenger shall, within ten days after learning of the incapacity of the operator or owner, make the report. If the owner or operator dies as a result of the accident, the legal representative of the operator or owner shall make the report within ten days after his qualification. The state police shall notify the ~~commissioner~~ [Authority](#) thereof in writing immediately but not later than fourteen calendar days after learning of the accident.



(b) The report, the form of which shall be prescribed by the ~~commissioner~~ [Authority](#), shall include information to enable the ~~commissioner~~ [Authority](#) to determine whether the requirements for the deposit of security under section 15-105 are inapplicable by reason of the existence of insurance or other exceptions specified in this chapter. The ~~commissioner~~ [Authority](#) may rely upon the accuracy of the information until he has reason to believe that the information is erroneous.

(c) The operator and the owner shall furnish such additional information as the ~~commissioner~~ [Authority](#) may require.

Sec. 15-105. Security and suspension requirements. Exceptions. Waiver. Modification. (a) As promptly as practicable but not later than thirty days after receipt of an accident report as required in section 15-104, the ~~commissioner~~ [Authority](#) shall determine by an order entered of record (1) the amount of security within the limits specified in section 15-106, which he deems sufficient to satisfy any judgment for damages resulting from the accident which may be recovered against each owner or operator, and (2) the name and address of each claimant.

(b) As promptly as practicable but not later than thirty days after the entry of the order required by subsection (a) of this section, the ~~commissioner~~ [Authority](#), unless there is deposited for the benefit of the owner or operator or both, as the case may be, security in the sum so determined by the ~~commissioner~~ [Authority](#), upon ten days' notification shall suspend: (1) The operating privilege of the owner and of all aircraft owned by him; (2) the operating privilege of the operator.

(c) The requirements as to security and suspension do not apply: (1) To the operator or the owner of the aircraft if the ~~commissioner~~ [Authority](#) determines upon satisfactory evidence that he is not charged with responsibility for the accident by the claimants, or to the operator of an aircraft involved in an accident in which no injury was caused to the person of anyone other than the operator, and no damage in excess of three hundred dollars was caused to property not owned, rented, occupied or used by such operator nor in his care, custody or control nor carried in or on the aircraft; (2) to the operator or owner of an aircraft if at the time of the accident the aircraft was stationary, without passengers thereon or boarding the aircraft or alighting therefrom and the aircraft was parked in an area legally used for aircraft parking with no engine running nor in the process of being started; (3) to the owner of an aircraft if at the time of the accident the aircraft was being operated, or was parked, without his permission, express or implied; (4) to the owner if there is in effect at the time of the accident an aircraft liability policy or bond with respect to the aircraft involved in the accident; (5) to the operator, if not the owner of the aircraft, if there is in effect at the time of the accident an aircraft liability



policy or bond with respect to his operation of the aircraft involved in the accident; (6) to the operator or owner if his liability for damages resulting from such accident is covered by any other form of liability insurance policy or bond in effect at the time of the accident; (7) to any person qualifying as a self-insurer under section 15-108, or to any person operating an aircraft for the self-insurer for whose acts the self-insurer is legally responsible; nor (8) after there is filed with the ~~commissioner~~ Authority satisfactory evidence that the person otherwise required to deposit security has (i) been released from liability; or (ii) been adjudicated not to be liable by judgment, or (iii) executed a written agreement with all claimants providing for payment of an agreed amount with respect to all claims for injuries or damages resulting from the accident.

(d) The requirements as to suspension may be waived by the ~~commissioner~~ Authority, in his discretion, if there is filed with the ~~commissioner~~ Authority by all claimants consent in writing that the person hereunder chargeable be allowed continuing operating privilege. If such waiver is granted by the ~~commissioner~~ Authority, it shall continue for six months from the date of the consent and thereafter unless the consent is revoked in writing.

(e) The ~~commissioner~~ Authority may take the actions authorized hereby or may modify or rescind the same at any time necessary to carry out the provisions of this chapter upon ten days' notification of the persons affected thereby.

Sec. 15-107. Requirements for restoration or renewal of operating privileges. Operating privileges suspended as provided in section 15-105 shall not be restored or renewed until: (a) Security is deposited as required under section 15-105; or (b) two years have elapsed following the date of such suspension and satisfactory evidence is filed with the ~~commissioner~~ Authority that during such period no action for damages arising out of the accident has been instituted; or (c) satisfactory evidence is filed with the ~~commissioner~~ Authority of a release from liability, or a judgment of nonliability as to all persons damaged or injured in the accident, or a written agreement executed with all claimants providing for payment of an agreed amount with respect to all claims for injuries and damages resulting from the accident. If there is a default in payment under such written agreement, then upon ten days' notification of the owner or operator, the ~~commissioner~~ Authority shall suspend the operating privilege of such person defaulting and the same shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under section 15-105 in such amount as the ~~commissioner~~ Authority may then determine, within the limits provided in section 15-106, or (2) two years have elapsed following the time when such security was required upon default and during such period no action upon the agreement has



been instituted in a court of this state; or (d) satisfactory evidence is filed with the ~~commissioner~~ [Authority](#) that any judgment against such person for damages resulting from the accident has been satisfied in full or that there has been paid thereon an amount equal to the applicable limits set forth in section 15-106; or (e) written consent thereto has been filed with the ~~commissioner~~ [Authority](#) by all claimants and the same is approved by the ~~commissioner~~ [Authority](#) in his discretion.

Sec. 15-108. Self-insurance. (a) Any person may at any time apply to the ~~commissioner~~ [Authority](#) for a certificate of self-insurance, whether or not there has occurred an accident as a result of which he might be affected by some other provision of this chapter.

(b) The ~~commissioner~~ [Authority](#) may issue a certificate of self-insurance when satisfied that the applicant is possessed and will continue to be possessed of ability to pay judgments against him within the limits provided in this chapter.

(c) Upon not less than ten days' notification of a self-insurer the ~~commissioner~~ [Authority](#) may for reasonable cause cancel a certificate of self-insurance and shall cancel such certificate upon failure of a self-insurer to pay any judgment within thirty days.

Sec. 15-109. Reciprocity for enforcement. (a) When a nonresident's operating privilege is suspended pursuant to section 15-105 or 15-107, the ~~commissioner~~ [Authority](#) shall transmit a certified copy of the record of such action to the official or department regulating the operation of aircraft in the state in which the nonresident resides, if the law of the other state provides for action in relation thereto, similar to that provided for in subsection (b) of this section.

(b) Upon receipt of a certification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of an aircraft accident, under circumstances which would require the ~~commissioner~~ [Authority](#) to suspend a nonresident's operating privilege had the accident occurred in this state, the ~~commissioner~~ [Authority](#) upon ten days' notification to the resident shall suspend the right of such resident to operate any aircraft in this state if he was the operator of an aircraft involved in the accident or if he was the owner of an aircraft involved in the accident and was legally responsible for its operation and shall suspend the right of such owner to permit the operation of such aircraft in this state. The suspension shall continue until the resident furnishes evidence of his compliance with the security requirements of the law of the other state.



Sec. 15-110. Form and amount of security. (a) The security required under this chapter shall be cash or securities permissible under state law as security for deposit of state funds and in such amount as the ~~commissioner~~ [Authority](#) may require but in no case in excess of the limits specified in section 15-106 in reference to the limits of a policy or bond. If at the time of the accident there is in effect a liability policy or a bond meeting the requisites of this chapter other than amount of coverage set forth in section 15-106, the ~~commissioner~~ [Authority](#) may consider such policy or bond in fixing the amount of security. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the State Treasurer, the person depositing it may, upon approval of the ~~commissioner~~ [Authority](#), amend in writing the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; provided a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident. Interest and other income upon securities deposited as herein provided shall be paid or inure to the benefit of the person making the deposit.

(b) Upon ten days' notification of the parties concerned, the ~~commissioner~~ [Authority](#) may reduce or, within the limits specified in sections 15-106, increase the amount of security ordered in any case if in his discretion the amount ordered is excessive or insufficient. In case the security originally ordered has been deposited, the excess shall be returned to the depositor notwithstanding the provisions of section 15-111. Substitution of security shall be permitted.

Sec. 15-111. Custody and release of security. Security deposited in compliance with the requirements of this chapter shall be delivered to the ~~commissioner~~ [Authority](#) and shall be placed by him in the custody of the State Treasurer and shall be released only: (a) Upon a certificate of the ~~commissioner~~ [Authority](#) in the payment of a judgment rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in a civil action begun not later than two years after the date of the accident or within two years after the date of deposit of any security under subdivision (1) of subsection (c) of section 15-107, or in the payment of a settlement, agreed to by the depositor and all the claimants, of a claim or claims arising out of the accident; (b) upon a certificate of the ~~commissioner~~ [Authority](#) issued after ten days' notification of all claimants upon evidence satisfactory to the ~~commissioner~~ [Authority](#) that all claims arising from such accident have been satisfied by either (1) a release from liability, or (2) a judgment of nonliability, or (3) a written agreement in accordance with subdivision (8) of subsection (c) of section 15-105, or whenever after the expiration of two years from the time of the accident or from the date of deposit of



any security under subdivision (1) of subsection (c) of section 15-107, the ~~commissioner~~ Authority is given satisfactory evidence that there is no such action pending and that no judgment rendered in any such action is unpaid; (c) upon the certificate of the ~~commissioner~~ Authority that other security, complying with subsection (a) of section 15-110 and satisfactory in form, character and amount, has been deposited with it in lieu of the original security deposited hereunder.

Sec. 15-112. Records and proceedings inadmissible as evidence. The records of and proceedings before the ~~commissioner~~ Authority and the State Treasurer shall be inadmissible in evidence and shall not be referred to at the trial of any civil action or criminal proceeding. Subject to the foregoing provisions, the ~~commissioner~~ Authority shall, upon written request, make available to persons whose legal rights may be affected thereby, information and material developed in the course of his administration of this chapter.

Sec. 15-115. Failure to report accident. False statement in report or instrument. (a) Any owner or operator who knowingly refuses or fails to make any report of an accident as required in section 15-104 shall be fined not more than one hundred dollars, and if any person is killed or injured in such accident, the ~~commissioner~~ Authority shall, in addition, suspend the operating privilege of the person failing to make such report, until such report is filed and for such further period not to exceed thirty days as the ~~commissioner~~ Authority may fix.

(b) Any owner or operator who knowingly makes a false statement or representation of a material fact in a report to or written instrument filed with the ~~commissioner~~ Authority shall be guilty of a class C misdemeanor.