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"Keeping the legacy of recreational aviation strong by preserving, maintaining and creating public use recreational and backcountry airstrips nationwide".

Airport Land Owner's Liability Laws as of Feb. 2013

The following states have included aviation-specific language in their Recreational Use Statutes or through civil code laws. Specific excerpts for each state demonstrate the wording. Right click a state and select "open hyperlink" to jump to the actual statute or code.

- **Alaska**: **CODE OF CIVIL PROCEDURE Sec. 09.65.093.** **Civil liability relating to aircraft runways, airfields, and landing areas.....**a person who without compensation owns, operates, constructs, maintains, or repairs an aircraft runway, airfield, or landing area may not be held civilly liable, except for an act or omission that constitutes gross negligence or recklessness or intentional misconduct, for the injury to or ***death of a person or for damage to an aircraft, resulting from the use of the runway, airfield, or landing area to take off, land, park, or operate an aircraft.***
- **Arizona**: (passed in 2011) "'Recreational user" means a person to whom permission has been granted or implied without the payment of an admission fee or any other consideration to travel across or to enter premises to hunt, fish, trap, camp, hike, ... ***operate aircraft***,
- **Arkansas**: (passed 2/6/2013) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof: Hunting; Fishing; Swimming; ***Aviation.***
- **Idaho**: **§ 36-1604.** "The purpose of this section is to encourage owners of land to ***make land, airstrips and water areas available to the public*** without charge.... "Recreational purposes" includes, but is not limited to, any of the following ...: hunting, fishing, swimming, boating, rafting, ***the flying of aircraft...***"
- **Kansas**: K.S.A. 58-3202 (c). "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: Hunting, fishing, swimming, boating, camping, ... ***noncommercial aviation activities...***
- **Maine**: **§159-A.** " 'Recreational or harvesting activities' means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, ... ***hang-gliding, noncommercial aviation activities, ...***"
- **Massachusetts**: Part I, Title IX, Chapter 61B. "...the term recreational use shall be limited to the following: hiking, camping, nature study and observation...***private non-commercial flying, including hang gliding...***"
- **Minnesota**: **M.S.A. § 604A.21 Recreational purpose.** "Recreational purpose" includes, but is not limited to, hunting; trapping; fishing; ***noncommercial aviation activities;***
- **Montana**: **70-16-301.** " 'Recreational purposes', as used in this part, includes hunting, fishing, swimming, boating, waterskiing.... The term includes the private, noncommercial flying

of aircraft in relation to private land.” 70-16-302. (2) (b) " ***‘Flying of aircraft’ means the operation of aircraft, including but not limited to landing, parking, taking off, unloading, loading, and taxiing of aircraft at an airstrip.***”

- **New Hampshire**: Title XXXIX, Aeronautics Act, Chapter 422, 422:12. “Private Ownership Liability Exemption. An owner, lessee, or occupant of premises on which private ***noncommercial air navigation facilities*** are located owes no duty of care to keep the premises safe for public use by others or to give any warning to willful users of the premises of hazardous conditions. [NB: "air navigation" is defined in the NH Aeronautics Act to include ***the acts of taking off, landing, etc., and air navigation facilities includes landing areas.***]
- **New Mexico**: Section 17-4-7 NMSA 1978, A. “...grants permission to any person or group to use the owner's, lessee's or land controller's lands for the purpose of hunting, fishing, ... ***the operation of aircraft*** or any other recreational use....”
- **Pennsylvania**: P.L. 1860, No. 586 C1 68 2. (3) “ ‘Recreational purpose’ includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, ... ***recreational noncommercial aircraft operations or recreational noncommercial ultralight operations on private airstrips,...***”
- **South Dakota**: § 20-9-12 (3) " ‘Outdoor recreational purpose,’ includes, but is not limited to, any of the following activities, or any combination thereof: hunting, fishing, swimming, boating, off road driving ... ***aviation activity...***”
- **Tennessee**: Tennessee Code, Title VII, Chapter 7, Part 1, 70-7-101 (4) “ ‘Recreational activity means an activity, ***whether on land, air or water***, undertaken for education, pleasure, relaxation, or sport, ***regardless of whether any type of equipment, motor, or other device is required for participation.***”
- **Utah**: UC 57-14-2. (3) " ‘Recreational purpose’ includes, but is not limited to, any of the following or any combination thereof: (a) hunting; (b) fishing; (c) swimming... (r) ***aircraft operations.***”
- **Vermont**: Title XII, Chapter 203, 5792 (4). “ ‘Recreational use’ means an activity undertaken for recreational, educational or conservation purposes, and includes hunting, fishing,...***non-commercial aviation,***”
- **Virginia**: § 29.1-509 A. " ‘Land’ or ‘premises’ means real property, ***privately owned flying fields and landing areas***, whether rural or urban, waters, boats, private ways, natural growth, trees and any building or structure which might be located on such real property, ***privately owned flying fields and landing areas***, waters, boats, private ways and natural growth.”
- **Washington**: RCW 4.24.210. “...purposes of outdoor recreation, which term includes, but is not limited to... hiking, bicycling, skateboarding or other non-motorized wheel-based activities, ((hanggliding, paragliding)), ***aviation activities including, but not limited to, the operation of airplanes, ultra-light airplanes, hanggliders, parachutes, and paragliders...***”

Summary Updated 2/13/2013 **NOTE:** OR, CA, TX, WY, FL, MI, CO, NE, & OK --- pending.

For further information, contact: