

ARIZONA REVISED STATUTES (UAS)

28-8201. Definitions

2. "Aircraft" includes a balloon, airplane, amphibian and craft used for navigation through the air.

28-8271. Federal license; violation

A. A person who operates aircraft in this state for which a license is required by the United States or a federal agency shall have the class of license that is required.

B. It is unlawful for a person to operate aircraft in this state in any manner without a license required by this section.

C. The licensee shall:

1. Keep the license in the licensee's personal possession when operating aircraft in this state.

2. Present the license for inspection on the request of a passenger, a peace officer of this state or an official, manager or person in charge of an airport in this state where the licensee will land.

28-8272. Federal regulation; licensing and registration; violation

A. Aircraft operating in this state shall conform to design, construction and airworthiness standards prescribed by the United States or the appropriate federal agency for the navigation of aircraft subject to its jurisdiction.

B. It is unlawful for a person to navigate an aircraft in this state unless it is licensed and registered by the appropriate agency of the United States in the manner prescribed by regulations of the United States or the appropriate federal agency.

28-8277. Low altitude flying prohibited

Flight of aircraft over lands and waters of this state is lawful, unless either:

1. It is at a low altitude that interferes with the existing use to which land, water or space over the land or water is put by the owner.

2. It is conducted in a manner that is imminently dangerous to persons or property lawfully on the land or water beneath the flight.

28-8280. Careless or reckless aircraft operation; classification

A person who operates an aircraft in the air, on the ground or on the water in a careless or reckless manner that endangers the life or property of another is guilty of a class 1 misdemeanor. In determining whether the operation was careless or reckless, the court shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics.

28-8282. Prohibited operation; under the influence; incapacitation

A. A person shall not operate or be in actual physical control of an aircraft if the person is either:

1. Under the influence of intoxicating liquor, narcotic or other drugs or marijuana.
2. By reason of mental or physical disability, incapable of operating an aircraft under the circumstances.

B. In a criminal prosecution for a violation of subsection A relating to operating an aircraft while under the influence of intoxicating liquor, it is presumed that the defendant was under the influence of intoxicating liquor if there was at the time 0.04 per cent or more by weight of alcohol in the defendant's blood, urine, breath or other bodily substance. This subsection does not limit the introduction of any other competent evidence bearing on the question of whether or not the defendant was under the influence of intoxicating liquor.

C. A person shall not operate or be in actual physical control of an aircraft either:

1. While there is 0.04 per cent or more by weight of alcohol in the person's blood.
2. Within eight hours after consuming intoxicating liquor, narcotic or habit forming drugs or marijuana.

D. An owner of an aircraft or a person in charge or control of an aircraft shall not knowingly permit the aircraft to be operated by a person in violation of subsection A or C.

E. Per cent by weight of alcohol in the blood is based on grams of alcohol per hundred cubic centimeters of blood.

28-8322. Registrations; exceptions

A. Aircraft based in this state shall be registered with the department.

B. A person or governmental entity shall register an aircraft by applying to the department on a form provided by the department within sixty days after the aircraft is brought into this state. A person who registers an aircraft shall renew the registration annually for each calendar year on or before the last day of February.

C. The department shall not issue a registration certificate for an aircraft to a person who is subject to the use tax paid pursuant to title 42, chapter 5, article 4 unless the applicable tax has been paid as shown by a receipt from the collecting officer.

D. Subsections A and B do not apply to aircraft that is:

1. Operated by an airline company and regularly scheduled for the primary purpose of carrying persons or property for hire in interstate, intrastate or international transportation.

2. Owned by a nonresident who bases the aircraft in this state for a period of not more than ninety consecutive days or ninety days in any one calendar year, if the aircraft is not engaged in intrastate commercial activity.

E. Aircraft, except aircraft included in subsection D, paragraph 1, entering the state to engage in intrastate commercial operations shall be registered before commencing these operations.

28-8325. Registration fee; certificate; decal; duplicate

A. On payment of a registration fee of five dollars, the license tax and the penalty, if any, the department shall issue a certificate and license decal.

B. The license decal shall be displayed on the aircraft at all times in the manner prescribed by the department.

C. On satisfactory proof of the loss or destruction of the license decal, the department shall issue a duplicate of the license decal to the owner on payment of a four dollar fee.