

CHAPTER 320

S.B. No. 764

AN ACT

relating to offenses involving the operation of aircraft.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 1 and 2, Article 46f-7, Revised Statutes, are amended to read as follows:

Sec. 1. *DEFINITIONS* [DEFINITION]. In this article:[,]

(1) "Federal [~~federal~~] aviation regulations" means regulations adopted by the Federal Aviation Administration regarding certification procedures for products and parts, 14 C.F.R. Part 21, maintenance, preventive maintenance, rebuilding and alteration regulations, 14 C.F.R. Part 43, and general operating and flight rules, 14 C.F.R. Part 91, as those regulations existed on September 1, 1985, except that "federal aviation regulations" shall not include any regulations in existence on September 1, 1985, that are inconsistent with a regulation adopted after that date.

(2) "Operate" means to use, cause to use, or authorize to use aircraft for the purpose of air navigation, including the piloting of aircraft, with or without the right of legal control, the taxiing of aircraft before or after landing, and the postflight or preflight inspection or starting of the engine of the aircraft.

Sec. 2. *ILLEGAL FUEL TANKS PROHIBITED.* (a) A person commits an offense if the person operates or intends to operate an aircraft equipped with a fuel tank, bladder, drum, or other container for fuel that the person knows does not conform to federal aviation regulations or that has not been approved by the Federal Aviation Administration by inspection or special permit.

(b) A person commits an offense if the person operates or intends to operate an aircraft equipped with a pipe, hose, or auxiliary pump that is used for or intended for transferring fuel to the primary fuel system of an aircraft from a fuel tank, bladder, drum, or other container for fuel that the person knows does not conform to federal aviation regulations or that has not been approved by the Federal Aviation Administration by inspection or special permit.

(c) An offense under this section is a third degree felony.

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 28, 1987, by a viva-voce vote. Passed the House on May 22, 1987, by a non-record vote.

Approved June 11, 1987.

Effective Sept. 1, 1987.