

**§202. Prohibitions**

It shall be unlawful:

**1. Identification mark.** For any person to operate or authorize the operation of any civil aircraft which is not possessed of a valid identification mark assigned or approved therefor by the administration;

[PL 1977, c. 678, §37 (AMD).]

**2. Airworthiness certificate.** For any person to operate or authorize the operation of any civil aircraft within the State which is not possessed of a currently effective airworthiness certificate;

[PL 1977, c. 678, §38 (AMD).]

**3. Service without certificate; exemptions.** For any person to serve in any capacity as an airman in connection with any civil aircraft without an airman certificate and current medical certificate issued by the administration authorizing him to serve in that capacity;

[PL 1977, c. 678, §39 (RPR).]

**4. Landing or take off from public highways.** For any person to taxi, take off from or land on any public highway in this State except in the case of emergency or with prior written permission granted by the commissioner;

[PL 1977, c. 678, §40 (RPR).]

**5. Operation without certificate.**

[PL 2011, c. 610, Pt. A, §4 (RP).]

**6. Designation of airport.**

[PL 1977, c. 678, §42 (RP).]

**7. Unlawful operation.**

[PL 2011, c. 610, Pt. A, §5 (RP).]

**8. Operation from unauthorized areas.**

[PL 1979, c. 80, §5 (RP).]

**9. Reckless operation.** For any person to operate an aircraft in the air or on the ground or water in careless or reckless manner so as to endanger the life or property of another. In any proceeding charging careless or reckless operation of aircraft in violation of this section, the court in determining whether the operation was careless or reckless shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics;

[PL 1993, c. 467, §1 (AMD).]

**10. Trespass.** For any person to trespass upon the landing area of any licensed or registered airport;

[PL 1993, c. 467, §2 (AMD).]

**11. Operating an aircraft under the influence or with excessive alcohol level.** For any person to operate or attempt to operate an aircraft under the influence of intoxicating liquor or drugs or a combination of liquor and drugs or with an excessive alcohol level. Notwithstanding section 203, a person is guilty of a Class D crime if that person operates or attempts to operate an aircraft:

A. While under the influence of intoxicating liquor or drugs or a combination of liquor and drugs; or [PL 1993, c. 467, §3 (NEW).]

B. While having an alcohol level of 0.04 grams or more of alcohol per 100 milliliters of blood or 210 liters of breath; and [PL 2009, c. 447, §2 (AMD).]

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**12. Failure to comply with duty to submit.** For any person to fail to comply with the duty to submit to a test under this subsection and section 204. A person is guilty of failure to comply with the duty to submit to and complete a chemical test under section 204 if that person refuses to submit to or fails to complete a chemical test when requested to do so by a law enforcement officer who has probable cause to believe that the person operated or attempted to operate an aircraft while under the influence of intoxicating liquor or drugs or a combination of both.

[PL 1993, c. 467, §3 (NEW).]

#### SECTION HISTORY

PL 1969, c. 498, §11 (AMD). PL 1971, c. 404, §§24-27 (AMD). PL 1977, c. 678, §§37-44 (AMD). PL 1979, c. 80, §5 (AMD). PL 1993, c. 467, §§1-3 (AMD). PL 1995, c. 504, §B10 (AMD). PL 2009, c. 447, §2 (AMD). PL 2011, c. 610, Pt. A, §§4, 5 (AMD).

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