

CHAPTER 134

REGISTRATION OF GRAVES

AN ACT to amend section four hundred forty-six (446) of the code, 1927, relating to the duties of the adjutant general, so as to provide for permanent registration of the graves of all persons who shall have served in the military or naval forces of the United States and whose remains may rest in Iowa.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the law as it appears in section four hundred
2 forty-six (446) of the code, 1927, be amended by adding thereto,
3 after the period following the word "report" in line twenty-three (23)
4 thereof and preceding the word "the" in said line twenty-three (23),
5 the following:

6 "He shall make and preserve by counties a permanent registry of
7 the graves of all persons who shall have served in the military or
8 naval forces of the United States in time of war and whose mortal
9 remains may rest in Iowa."

House File No. 261. Approved April 13, A. D. 1929.

CHAPTER 135

AIRCRAFT

AN ACT concerning the licensing of aircraft and airmen, the establishment of air traffic rules, and to make uniform the law with reference thereto.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. **Definition.** Whenever the word "aircraft" is used in
2 this act, it shall mean any contrivance now known or hereafter in-
3 vented, used or designed for navigation of or flight in the air, except
4 a parachute designed for such navigation but used primarily as
5 safety equipment. Whenever the word "airman" is used in this act,
6 it shall mean any person who engages in the navigation of aircraft
7 while under way, and any individual who is in charge of the inspec-
8 tion, overhauling or repairing of aircraft. Whenever the word
9 "passenger" is used in this act, it shall mean any person riding in
10 an aircraft other than its pilot or a member of its crew. The term
11 "public aircraft" means an aircraft used exclusively in the govern-
12 mental service of the United States or of any of the states. The
13 term "civil aircraft" means any aircraft other than "public aircraft".

1 SEC. 2. **License required.** It shall be unlawful for any person to
2 navigate any civil aircraft within the state of Iowa, unless such air-
3 craft is registered and licensed under or pursuant to the laws of the
4 United States then in force.

1 SEC. 3. **Display of license—revocation—inspection.** The aircraft
2 license must be carried in the aircraft whenever it is in service, and
3 must be conspicuously posted where it may readily be seen by any
4 passenger or inspector. Whenever the craft is unairworthy the
5 license must be removed from the craft, and when the license is sus-
6 pended or revoked, or when it is no longer in force, it shall be sur-
7 rendered to the authority issuing the same. The license must be

8 produced for inspection upon demand of any passenger of such air-
 9 craft, or by any peace officer of the state of Iowa, or by any officer,
 10 manager or employee in charge of any airport, landing field or air-
 11 drome upon which such aircraft has been landed, or from which it
 12 is proposed to be navigated.

1 **SEC. 4. Pilot license.** It shall be unlawful for any person within
 2 the state of Iowa to navigate any civil aircraft, carrying a passenger,
 3 unless such person is an airman licensed to operate aircraft by the
 4 United States government, in accordance with the laws, rules and
 5 regulations then in force.

1 **SEC. 5. Inspection of pilot's certificate.** Pilots' certificates shall
 2 be kept in their personal possession when navigating aircraft within
 3 the state of Iowa, and shall be produced for inspection upon demand
 4 by any passenger of such aircraft, or by any peace officer of the
 5 state of Iowa, or by an officer, manager or employee in charge of
 6 any airport, landing field or airdrome upon which such pilot has
 7 landed or from which he proposes to make a flight.

1 **SEC. 6. Mechanics.*** It shall be unlawful for any person to have
 2 charge of the inspection, overhauling or repairing of aircraft within
 3 the state of Iowa, unless he is the holder of a mechanic's license,
 4 issued under or pursuant to the laws of the United States then in
 5 force.

1 **SEC. 7. Rules.** The operation of civil aircraft in the state of Iowa
 2 shall be in accordance with the following rules:

3 A. Aircraft flying in established civil airways, when it is safe
 4 and practicable, shall keep to the right side of such airways.

5 B. Aircraft shall give way to each other in the following order.

6 1. Airplanes.

7 2. Airships.

8 3. Balloons, fixed or free.

9 An airship not under control is classed as a free balloon.

10 Aircraft required to give way shall keep a safe distance, having
 11 regard to the circumstances of the case. Three hundred (300) feet
 12 will be considered a minimum safe distance.

13 C. If the circumstances permit, the craft which is required to
 14 give way shall avoid crossing ahead of the other. The other craft
 15 may maintain its course and speed, but no engine-driven craft may
 16 pursue its course if it would come within three hundred (300) feet
 17 of another craft, three hundred (300) feet being the minimum dis-
 18 tance within which aircraft other than military aircraft of the United
 19 States engaged in military maneuvers and commercial aircraft en-
 20 gaged in local industrial operations, may come within proximity of
 21 each other in flight.

22 D. When two engine-driven aircraft are on crossing courses the
 23 aircraft which has the other on its right side shall keep out of the
 24 way.

25 E. When two engine-driven aircraft are approaching head-on, or
 26 approximately so, and there is risk of collision, each shall alter its
 27 course to the right, so that each may pass on the left side of the
 28 other. This rule does not apply to cases where aircraft will, if each

29 keeps on its respective course, pass more than three hundred (300)
30 feet from each other.

31 F. 1. An overtaking aircraft is one approaching another directly
32 from behind or within seventy degrees of that position, and no sub-
33 sequent alteration of the bearing between the two shall make the
34 overtaking aircraft a crossing aircraft within the meaning of these
35 rules or relieve it of the duty of keeping clear of the overtaken craft
36 until it is finally past and clear.

37 2. In case of doubt as to whether it is forward or abaft such
38 position it should assume that it is an overtaking aircraft and keep
39 out of the way.

40 3. The overtaking aircraft shall keep out of the way of the over-
41 taken aircraft by altering its own course to the right, and not in the
42 vertical plane.

43 G. Exclusive of taking off from or landing on an established
44 landing field, airport, or on property designated for that purpose by
45 the owner, and except as otherwise permitted by this act, aircraft
46 shall not be flown—

47 1. Over the congested parts of cities, towns, or settlements, ex-
48 cept at a height sufficient to permit of a reasonably safe emergency
49 landing, which in no case shall be less than one thousand (1000)
50 feet.

51 2. Elsewhere at height less than five hundred (500) feet, except
52 where indispensable to an industrial flying operation.

53 H. No flight under one thousand (1000) feet in height shall be
54 made over any open-air assembly of persons except with the consent
55 of the secretary of state. Such consent will be granted only for
56 limited operations.

57 I. 1. Acrobatic flying means intentional maneuvers not neces-
58 sary to air navigation.

59 2. No person shall acrobatically fly an aircraft—

60 a. Over a congested area of any city, town, or settlement.

61 b. Over any open-air assembly of persons or below two thousand
62 (2000) feet in height over any established civil airway, or at any
63 height over any established airport or landing field, or within one
64 thousand (1000) feet horizontally thereof.

65 c. Any acrobatic maneuvers performed over any other place
66 shall be concluded at a height greater than fifteen hundred (1500)
67 feet.

68 d. No person shall acrobatically fly any airplane carrying pas-
69 sengers for hire.

70 e. When an aircraft is in flight the pilot shall not drop or release,
71 or permit any person to drop or release, any object or thing which
72 may endanger life or injure property, except when necessary to the
73 personal safety of the pilot, passengers, or crew.

74 J. Take-offs and landings shall be made upwind when practicable.
75 The take-off shall not be commenced until there is no risk of colli-
76 sion with landing aircraft and until preceding aircraft are clear of
77 the field. No take-off or landing shall be made from or on a public
78 street or highway without the consent of the local governing author-
79 ity and the approval of the board of railroad commissioners.

80 K. If practicable, when within one thousand (1000) feet hori-

81 zontally of the leeward side of the landing field the airplane shall
82 maintain a direct course toward the landing zone.

83 L. A landing plane has the right of way over planes moving on
84 the ground or taking off.

85 M. When landing and maneuvering in preparation to land, the
86 airplane at the greater height shall be responsible for avoiding the
87 airplane at the lower height and shall, as regards landing, observe
88 the rules governing overtaking aircraft.

89 N. An aircraft in distress shall be given free way in attempting
90 to land.

91 O. The angular limits laid down in these rules will be determined
92 as when the aircraft is in normal flying position.

93 P. Between one-half hour after sunset and one-half hour before
94 sunrise airplanes in flight must show the following lights:

95 1. On the right side a green light and on the left side a red light,
96 each showing unbroken light between two vertical planes whose
97 dihedral angle is one hundred ten (110) degrees when measured to
98 the left and right, respectively, from dead ahead. These lights shall
99 be visible at least two (2) miles.

100 2. At the rear and as far aft as possible a white light shining
101 rearward, visible in a dihedral angle of one hundred forty (140)
102 degrees bisected by a vertical plane through the line of flight and
103 visible at least three (3) miles.

104 Q. Between one-half hour after sunset and one-half hour before
105 sunrise airships shall carry and display the same lights that are
106 prescribed for airplanes, excepting the side lights shall be doubled
107 horizontally in a fore-and-aft position, and the rear light shall be
108 doubled vertically. Lights in a pair shall be at least seven (7) feet
109 apart.

110 R. A free balloon, between one-half hour after sunset and one-
111 half hour before sunrise, shall display one white light not less than
112 twenty (20) feet below the car, visible for at least two (2) miles.
113 A fixed balloon, or airship, shall carry three lights—red, white, and
114 red—in a vertical line, one over the other, visible at least two (2)
115 miles. The top red light shall be not less than twenty (20) feet
116 below the car, and the lights shall be not less than seven (7) nor
117 more than ten (10) feet apart.

118 S. 1. Between one-half hour after sunset and one-half hour be-
119 fore sunrise, all aircraft which are on the surface of water and not
120 under control, or which are moored or anchored in navigation lanes,
121 shall show a white light visible for at least two (2) miles in all
122 directions.

123 2. Balloon and airship mooring cable between one-half hour after
124 sunset and one-half hour before sunrise shall show groups of three
125 (3) red lights at intervals of at least every one hundred (100)
126 feet, measured from the basket, the first light in the first group to
127 be approximately twenty (20) feet from the lower red balloon light.
128 The object to which the balloon is moored on the ground shall have
129 a similar group of lights to mark its position.

130 T. By day, balloon and airship mooring cable shall be marked
131 with tubular streamers not less than eight (8) inches in diameter
132 and seven (7) feet long and marked with alternate bands of white
133 and red, twenty (20) inches in width. The object to which the bal-

134 loon or airship is moored on the ground shall have the same kind
135 of streamers, which must be in the same position as the lights
136 specified herein.

137 U. The following signals, separately or together, shall, where
138 practicable, be used in case of distress:

139 1. The international signal, S O S, by radio.

140 2. The international-code flag signal of distress, NC.

141 3. A square flag having either above or below it a ball, or any-
142 thing resembling a ball.

143 V. When an aircraft is forced to land at night at a lighted air-
144 port it shall signal its forced landing by making a series of short
145 flashes with its navigation lights if practicable to do so.

146 W. In fog, mist, or heavy weather an aircraft on the water in
147 navigation lanes, when its engines are not running, shall signal its
148 presence by a sound device emitting a signal for about five seconds
149 in two-minute intervals.

1 SEC. 8. **Penalty.** Any person violating any of the provisions of
2 this act, shall be guilty of a misdemeanor, and shall be punished by
3 a fine of not more than one hundred (\$100.00) dollars or imprison-
4 ment for not more than thirty (30) days, or by both such fine and
5 imprisonment.

1 SEC. 9. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its publica-
3 tion in the Waterloo Tribune, a newspaper published in Waterloo,
4 Iowa, and the Sioux City Journal, a newspaper published in Sioux
5 City, Iowa.

Senate File No. 284. Approved March 21, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Tribune March 23, 1929, and the Sioux City Journal March 23, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 136.

CHAPTER 136

LICENSING OF AIRCRAFT

AN ACT to amend an act duly passed by the forty-third (43rd) general assembly as senate file No. two hundred eighty-four (284), and signed by the governor on March 21, 1929, and now on file in the office of the secretary of state, and entitled "An act concerning the licensing of aircraft and airmen, the establishment of air traffic rules, and to make uniform the law with reference thereto".

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That an act duly passed by the forty-third (43rd) gen-
2 eral assembly as senate file No. two hundred eighty-four (284) and
3 signed by the governor on March 21, 1929, and now on file in the
4 office of the secretary of state, and entitled "An act concerning the
5 licensing of aircraft and airmen, the establishment of air traffic rules,
6 and to make uniform the law with reference thereto" is hereby
7 amended by striking therefrom section nine (9).

1 SEC. 2. The publications already made of said act in compliance