

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 165
HOUSE BILL 2163

AN ACT

AMENDING TITLE 12, CHAPTER 5, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-558; RELATING TO SPACE FLIGHT LIABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 5, article 3, Arizona Revised Statutes,
3 is amended by adding section 12-558, to read:

4 12-558. Liability release agreement: space flight activities:
5 definitions

6 A. A SPACE FLIGHT ENTITY MAY ENTER INTO A LIABILITY RELEASE AGREEMENT
7 WITH A SPACE FLIGHT PARTICIPANT TO LIMIT THE ENTITY'S CIVIL LIABILITY FOR A
8 SPACE FLIGHT PARTICIPANT'S INJURY THAT ARISES OUT OF SPACE FLIGHT ACTIVITIES.

9 B. THE LIABILITY RELEASE AGREEMENT IS VALID AND ENFORCEABLE.

10 C. FOR THE PURPOSES OF THIS SECTION:

11 1. "CREW" MEANS AN EMPLOYEE OF A SPACE FLIGHT ENTITY OR A SPACE FLIGHT
12 ENTITY CONTRACTOR, LICENSEE OR AGENT WHO PERFORMS SPACE FLIGHT ACTIVITIES.

13 2. "LAUNCH" MEANS A PLACEMENT OR ATTEMPTED PLACEMENT OF A LAUNCH
14 VEHICLE AND ANY SPACECRAFT, PAYLOAD, CREW OR SPACE FLIGHT PARTICIPANT IN A
15 SUBORBITAL TRAJECTORY, EARTH ORBIT OR OUTER SPACE, INCLUDING ACTIVITIES
16 INVOLVED IN THE PREPARATION OF A LAUNCH VEHICLE OR SPACECRAFT FOR LAUNCH.

17 3. "LAUNCH VEHICLE" MEANS A VEHICLE AND ITS STAGES OR COMPONENTS THAT
18 ARE DESIGNED TO OPERATE IN OR PLACE SPACECRAFT, IF ANY, IN A SUBORBITAL
19 TRAJECTORY, EARTH ORBIT OR OUTER SPACE.

20 4. "REENTRY" MEANS A RETURN OR ATTEMPTED RETURN TO EARTH OF A LAUNCH
21 VEHICLE, A REENTRY VEHICLE AND THE SPACECRAFT, PAYLOAD, CREW OR SPACE FLIGHT
22 PARTICIPANT FROM A SUBORBITAL TRAJECTORY, EARTH ORBIT OR OUTER SPACE AND
23 INCLUDES ACTIVITIES INVOLVED IN THE RECOVERY OF A LAUNCH VEHICLE, REENTRY
24 VEHICLE OR SPACECRAFT.

25 5. "SPACECRAFT" MEANS ANY OBJECT AND ITS COMPONENTS THAT ARE DESIGNED
26 TO BE LAUNCHED FOR OPERATIONS IN A SUBORBITAL TRAJECTORY, IN EARTH ORBIT OR
27 IN OUTER SPACE AND INCLUDES A SATELLITE, A PAYLOAD, AN OBJECT CARRYING CREW
28 OR A SPACE FLIGHT PARTICIPANT AND ANY SUBCOMPONENTS OF THE LAUNCH VEHICLE OR
29 REENTRY VEHICLE THAT ARE SPECIFICALLY DESIGNED OR ADAPTED FOR THAT OBJECT.

30 6. "SPACE FLIGHT ACTIVITIES" MEANS ACTIVITIES AND TRAINING IN ANY
31 PHASE OF PREPARING FOR AND UNDERTAKING SPACE FLIGHT, INCLUDING:

32 (a) THE RESEARCH, DEVELOPMENT, TESTING OR MANUFACTURING OF A LAUNCH
33 VEHICLE, REENTRY VEHICLE OR SPACECRAFT.

34 (b) THE PREPARATION OF A LAUNCH VEHICLE, REENTRY VEHICLE, PAYLOAD,
35 SPACECRAFT, CREW OR SPACE FLIGHT PARTICIPANT FOR LAUNCH, SPACE FLIGHT AND
36 REENTRY.

37 (c) THE CONDUCT OF THE LAUNCH.

38 (d) CONDUCT OCCURRING BETWEEN THE LAUNCH AND REENTRY.

39 (e) THE PREPARATION OF A LAUNCH VEHICLE, REENTRY VEHICLE, PAYLOAD,
40 SPACECRAFT, CREW OR SPACE FLIGHT PARTICIPANT FOR REENTRY.

41 (f) THE CONDUCT OF REENTRY AND DESCENT.

42 (g) THE CONDUCT OF THE LANDING.

43 (h) THE CONDUCT OF POSTLANDING RECOVERY OF A LAUNCH VEHICLE, REENTRY
44 VEHICLE, PAYLOAD, SPACECRAFT, CREW OR SPACE FLIGHT PARTICIPANT.

1 7. "SPACE FLIGHT ENTITY" MEANS A PERSON THAT CONDUCTS SPACE FLIGHT
2 ACTIVITIES AND THAT HAS OBTAINED THE APPROPRIATE FEDERAL AVIATION
3 ADMINISTRATION LICENSE OR OTHER AUTHORIZATION, INCLUDING SAFETY APPROVAL AND
4 A PAYLOAD DETERMINATION, AND INCLUDES ANY OF THE FOLLOWING:
5 (a) A MANUFACTURER OR SUPPLIER OF COMPONENTS, SERVICES, SPACECRAFTS,
6 LAUNCH VEHICLES OR REENTRY VEHICLES USED BY THE ENTITY AND REVIEWED BY THE
7 FEDERAL AVIATION ADMINISTRATION AS PART OF ISSUING THE LICENSE OR OTHER
8 AUTHORIZATION.
9 (b) AN EMPLOYEE, OFFICER, DIRECTOR, OWNER, STOCKHOLDER, MEMBER,
10 MANAGER, ADVISOR OR PARTNER OF THE ENTITY, MANUFACTURER OR SUPPLIER.
11 (c) AN OWNER OR LESSOR OF REAL PROPERTY WHERE SPACE FLIGHT ACTIVITIES
12 ARE CONDUCTED, INCLUDING A MUNICIPALITY, COUNTY OR POLITICAL SUBDIVISION OF
13 THIS STATE WITH A CONTRACTUAL RELATIONSHIP WITH A SPACE FLIGHT ENTITY.
14 (d) A MUNICIPALITY, COUNTY, ECONOMIC DEVELOPMENT ORGANIZATION OR OTHER
15 POLITICAL SUBDIVISION IN THE TERRITORY OR EXTRATERRITORIAL JURISDICTION IN
16 WHICH SPACE FLIGHT ACTIVITIES ARE CONDUCTED.
17 8. "SPACE FLIGHT PARTICIPANT" MEANS AN INDIVIDUAL WHO IS NOT CREW AND
18 WHO PARTICIPATES IN SPACE FLIGHT ACTIVITIES.
19 9. "SPACE FLIGHT PARTICIPANT'S INJURY" MEANS AN INJURY SUSTAINED BY A
20 SPACE FLIGHT PARTICIPANT AND INCLUDES BODILY INJURY, EMOTIONAL DISTRESS,
21 DEATH, DISABILITY, PROPERTY DAMAGE OR ANY OTHER LOSS ARISING FROM THE
22 INDIVIDUAL'S PARTICIPATION IN SPACE FLIGHT ACTIVITIES.

APPROVED BY THE GOVERNOR APRIL 23, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2014.