

Introduced by Senator Knight

February 20, 2013

An act to amend Section 2210 of the Civil Code, relating to civil liability.

LEGISLATIVE COUNSEL'S DIGEST

SB 415, as introduced, Knight. Space flight liability.

The Space Flight Liability and Immunity Act requires a space flight entity, as defined, to collect a signed warning statement from each participant in space flight activities. The warning statement is required to inform the participant that there is limited civil liability for bodily injury sustained as a result of the inherent risks associated with space flight activities. The act limits the liability of a space flight entity that complies with these provisions.

This bill would include a manufacturer or supplier of components, services, or vehicles that have been reviewed by the United States Federal Aviation Administration as part of issuing a license, permit, or other authorization pursuant to specified provisions of federal law relating to commercial space launch activities as a space flight entity with limited liability for any participant injury.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2210 of the Civil Code is amended to
- 2 read:
- 3 2210. For purposes of this article:

- 1 (a) “Participant” means a space flight participant as defined in
2 Section 50902 of Title 51 of the United States Code.
- 3 (b) “Participant injury” means a bodily injury, including death,
4 emotional injury, or property damage, sustained by the participant.
- 5 (c) “Space flight activities” means launch services or reentry
6 services as defined in Section 50902 of Title 51 of the United
7 States Code.
- 8 (d) “Space flight entity” means any public or private entity that
9 holds, either directly or through a corporate subsidiary or parent,
10 a license, permit, or other authorization issued by the United States
11 Federal Aviation Administration pursuant to ~~the federal~~
12 ~~Commercial Space Launch Amendments Act of 2004 (51 U.S.C.~~
13 ~~Sec. 50905 et seq.) Chapter 509 (commencing with Section 50901)~~
14 *of Subtitle V of Title 51 of the United States Code*, including, but
15 not limited to, a safety approval and a payload determination.
16 *“Space flight entity” shall also include a manufacturer or supplier*
17 *of components, services, or vehicles that have been reviewed by*
18 *the United States Federal Aviation Administration as part of*
19 *issuing a license, permit, or other authorization pursuant to*
20 *Chapter 509 (commencing with Section 50901) of Subtitle V of*
21 *Title 51 of the United States Code.*