# 17 DEPARTMENT OF TRANSPORTATION

229 OFFICE OF COMMISSIONER

CHAPTER 400: RULES AND REGULATIONS FOR THE USE OF THE AUGUSTA STATE AIRPORT

SUMMARY: The following rules and regulations govern the administration, operation, and use of the Augusta State Airport.

.01 DEFINITIONS. Unless the context otherwise indicates, the following words when used in any rule or regulation administered by the Maine Department of Transportation, Bureau of Aeronautics shall have the following meanings:

A. Air Operating Area. Any area of the airport used or intended to be used for landings, takeoffs or surface maneuvering of aircraft.

B. Airport. Airport means the Augusta State Airport as it now exists and as it may be expanded in the future, including all lands and roadways.

C. Commissioner. Commissioner means Commissioner of the Department of Transportation or his duly authorized representative.

D. Airport Manager. Airport Manager means the manager of the Augusta State Airport as appointed by the Director of the Bureau of Aeronautics.

E. FSS. FSS means the Flight Service Station operated by the Federal Aviation Administration.

F. Aircraft. Aircraft means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment.

G. Airman. Airman means any individual who engages as the person in command or as pilot, mechanic or member of the flight crew, in the navigation of aircraft while under way; and any individual who is directly in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances.

H. Person. Person means, any individual, firm, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee or other similar representative thereof.

I. Fixed Base Operator. Fixed Base Operator means any person or company engaged in the business of the sale of aircraft, aircraft parts, fuel, and petroleum products; or rental of aircraft, flight instruction, and the rendition of any related service.

.02 LIABILITY OF STATE OF MAINE

Any person using the airport and its facilities shall do so at his/her own risk. The State of Maine will not assume any responsibility for loss, injury, damage, or death to persons or property caused by fire, theft, vandalism, acts of God, or for any other reason.

.03 POLICE

Powers of the Maine State Police, the Augusta City Police and the Capitol Police extend to all areas of the airport.

.04 REPORT OF ACCIDENTS

Any person involved in an accident at the airport of any kind shall make a written report within 48 hours of such accident to the Airport Manager, such report shall be in addition to any report required by law.

.05 CONDUCT AND USE OF AIRPORT

No person shall be intoxicated, disorderly, engage in any form of gambling or commit any act of nuisance at the airport; nor shall any person omit or do any act if such act or omission endangers other people or property.

.06 AIRPORT PROPERTY

No person shall destroy or disturb any building, equipment or flora at the airport, nor alter or erect any building or sign; nor abandon any personal property at the Airport; nor use or confiscate materials or property of others without the consent of its owner.

.07 DAMAGE TO AIRPORT PROPERTY

Any person liable for causing damage to airport property shall be required to pay the full amount of such damage upon demand to the Maine Department of Transportation. Any person failing to do so may be deprived of the use of the airport and its facilities until full reimbursement has been made. Tenants, lessees, and grantees shall be held fully responsible for all damage to buildings, equipment, real property, and appurtenances in the ownership of the airport caused by negligence, abuse, or carelessness on the part of their employees, servants, agents, or customers. Any damage to, or malfunctioning of buildings, structures, utilities, or other airport property, shall be reported at once to the Airport Manager.

.08 WEAPONS: FIREARMS: EXPLOSIVES

No person, except those duly authorized by law, shall carry any weapon, firearm, or explosive on the airport, except encased sporting guns for air shipment.

.09 RESTRICTED AREAS

No person shall enter upon the air operating areas, utility and service areas, or any other area designated as restricted except persons authorized by the Airport Manager or passengers under appropriate supervision while enplaning or deplaning.

.10. STRUCTURAL OR DECORATIVE CHANGES TO AIRPORT FACILITIES

No person, tenant, lessee, or grantee shall make any alterations of any nature to any building, ramp, or other Airport space; nor erect any structure on the Airport without prior written permission from the Airport Manager, except as may be authorized in existing contracts or leases.

.11. STORAGE.

No person, tenant, lessee, or grantee shall store or stock material or equipment in such manner as to constitute a hazard to personnel or property.

.12 SMOKING

Smoking is prohibited on the ramp, in any hangar shop, service area, fuel storage area or within fifty (50) feet of any fueling area, unless such area has been approved for smoking by the Airport Manager.

.13 BUSINESS OR COMMERCIAL ACTIVITY

No person shall engage in any business or commercial activity on the premises of the airport except with the approval of the Airport Manager and under such terms and conditions as may be prescribed. No soliciting of any nature may be conducted without permission of the Airport Manager.

.14 OPERATION OF MOTORIZED EQUIPMENT

No person shall operate motorized equipment on the air operating areas unless operated in accordance with the following restrictions:

i. If a license is required by law, the vehicle shall be so licensed.

ii. No person shall operate a vehicle in a reckless or negligent manner without caution, or in a manner which endangers, or is likely to endanger, persons or property.

iii. Pedestrians and aircraft shall at all times have the right-of-way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft whenever possible.

iv. No vehicle shall be operated on or along a ramp, taxiway, or runway except by persons authorized by the Airport Manager under conditions he may prescribe.

v. When parking adjacent to a runway on airport property, all vehicles must park at least two hundred (200) feet to the outside, unless such runway is officially closed by the Airport Manager or maintenance requirements dictate otherwise.

vi. No person shall operate a vehicle in excess of the speed limits prescribed by signs located in appropriate areas.

vii. No person shall operate or cause to operate any type of recreational or off-the-road vehicle, (reference to but not limited to bicycle, motorbike, snowmobiles, go-carts, dunebuggies, etc.), on air operating areas.

.15 PARKING

No person shall park a vehicle on the airport premises other than in the areas specifically established for parking in the manner and for the amount of time prescribed by signs, lines, or by other regulatory device.

.16 TOWING REGULATIONS

The Airport Manager may remove any vehicle which is parked in violation of these Rules and Regulations, disabled, abandoned, or which presents an operational problem, at the owner's expense and without liability on behalf of the State of Maine and the Department of Transportation.

.17 REGULATION OF AIRCRAFT OPERATION

A. Aeronautical Activities. All aircraft operations shall be conducted in conformity with the current regulations and directives of the Federal Aviation Administration, the Civil Aeronautics Board, the Maine Department of Transportation, and to the extent applicable, with the orders issued by the Commissioner.

B. Refusal of Use of the Airport. The Airport Manager or his authorized representative may restrict any flight or other operation at the airport and may refuse take-off clearance to any aircraft for any reason he believes justifiable in the interest of public safety and welfare. The Airport Manager or his authorized representative may prohibit the use of the airport to any person for any reason.

C. Careless or Negligent Operation. No person shall operate any aircraft while under the influence of intoxicants, narcotics, or other drugs, or operate an aircraft in a manner to endanger life or property.

D. Aircraft Equipment. No aircraft may land or take off unless it is equipped with brakes or other means of preventing movement on the ground.

E. Disabled Aircraft. All disabled aircraft and parts thereof at the airport shall be removed promptly by the owner after official notice by appropriate authorities. The Airport Manager or authorized representative shall have the right, without any liability for loss or damage which may result therefrom, to cause the immediate removal of a disabled aircraft or part thereof to a safe place on the airport, at the owner's expense, whenever the aircraft constitutes a hazard to persons or property. The Commissioner may cause any such aircraft or part thereof not removed by the owner to be removed from the airport at the owner's expense without liability for any loss, provided, that he shall have first given seven days written notice of his intention to do so, directed to the owner's last known address.

F. Demonstrations. No experimental flights or parachute jumping shall be permitted unless authorized by the Airport Manager and the Federal Aviation Administration.

G. Engine Run-up. No engine run-up shall be conducted which will constitute a hazard or nuisance to other aircraft, persons, or property.

H. Starting Aircraft Engines. No aircraft shall be started or run unless a qualified airman is in the aircraft and at the controls. Landing gear must be adequately blocked or braked to prevent inadvertent movement of the aircraft. Adequate fire extinguishers must be available.

I. Taxiing and Moving Aircraft. No aircraft shall be taxied except at safe and reasonable speeds.

J. Parking of Aircraft. No person shall park aircraft in any area other than that designated by the Airport Manager.

K. Repair of Aircraft. No person shall repair aircraft, aircraft engines or related apparatus in any area other than that designated by the Airport Manager.

L. Fueling of Aircraft. Aircraft fueling shall be conducted in accordance with accepted standards and requirements established by the National Fire Protection Association. No smoking will be permitted in the aircraft fueling area.

M. Airline Bomb or Sabotage Threat. Persons having knowledge of an aircraft carrying, or suspected of carrying, explosive materials shall notify the FAA-FSS and the Airport Manager or his authorized representative immediately. Such aircraft having passengers on board shall unload passengers on the outer extremities of the terminal ramp, and then shall immediately proceed to the intersection of the Cross Taxiway and Abandoned Runway 3-21. In the case of parked aircraft, the aircraft shall be evacuated except for the personnel necessary to start and taxi the aircraft to the intersection of the Cross Taxiway and Abandoned Runway 3-21. Inspection of the aircraft and subsequent declaration of safety shall be the responsibility of the aircraft owner or his authorized agent.

N. Model Aircraft. It shall be unlawful to operate model aircraft on the airport property, unless authorized by the Airport Manager or his designated representative.

.18 PENALTY

Any violation of these rules and regulations shall be punishable in accordance with Title 6, Section 203(l), and shall be considered a Class E crime.

BASIS STATEMENT

The above rules and regulations were developed in accordance with the duties of the Commissioner of the Department of Transportation to regulate State airports, consistent with federal standards relating to aeronautics, in the best interest of promoting adequate, safe, and efficient public transportation according to the economic needs and well-being of Maine's people.

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