

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

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* R E P U B L I C A I R P O R T *
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* R U L E S A N D R E G U L A T I O N S *
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* Revision of November, 1991 *
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Additions to the text are shown [in bold print within brackets], deletions are shown by reversed brackets (] [). Corrections to spelling or punctuation have been made without comment.

Pursuant to the provisions of Sections 400 and 402 of the Transportation Law, the Commissioner of Transportation does hereby amend Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York as follows, to be effective upon publication of Notice of Adoption in the State Register.

Part 78 of Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York is hereby REPEALED.

Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York is hereby amended to add a new Part, to be Part 78, to read as follows:

PART 78

OPERATION AND USE OF REPUBLIC AIRPORT

(Statutory authority: Transportation Law, Sections 400 and 402)

Sec.

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Historical Note

Part (Section 78.1-78-48) filed Oct. 15, 1984 eff. Nov. 1, 1984

SUBPART A GENERAL

SECTION 78.1 DEFINITIONS. The following terms shall have these meanings:

- a. AIRCRAFT shall mean and include any and all contrivances now or hereafter used for the navigation of or flight in air or space, including, but not limited to, airplanes, airships, dirigibles, rockets, helicopters, gliders, sailplanes, amphibians, and seaplanes.

- b. AIRPORT shall mean Republic Airport, East Farmingdale, Long Island, New York.
- c. AIRPORT OPERATOR shall mean the New York State Department of Transportation or its managing agent.
- d. AIR OPERATIONS AREA shall mean that portion of the Airport reserved exclusively for the storage, movement, takeoff, and landing of aircraft.
- e. COMMERCIAL ACTIVITY shall mean and include any and all activity conducted at or out of the Airport by any person, copartnership, company, corporation, or any other entity in which any product is exchanged or sold or any service provided for monetary gain or exchange of services.
- f. FIXED BASE OPERATOR shall mean a firm doing business at the Airport dedicated to the sale, storage, and hangaring of aircraft, the sale of petroleum, oil and lubricants, the services of maintenance, repair, and modification of aircraft, engines and ancillary equipment, the cleaning and provisioning of aircraft, and the provision of transient and related services. **]pursuant to an agreement with the Airport operator[**
- g. FLIGHT TRAINING shall mean any use of an aircraft :o increase or maintain pilot proficiency rather than the use of an aircraft as transportation between two different airports. In addition, flight training shall mean any portion of a flight between two different airports to increase or maintain pilot proficiency.
- h. FUEL shall mean any substance, either solid,. liquid, or gaseous, used to operate any engine in an aircraft or vehicle.
- i. FUEL HANDLING shall mean the transporting, delivering, fueling, and draining of fuel or fuel waste products.

- j. JET AIRCRAFT shall mean and include any and all aircraft which are not propeller-driven, and which accomplish motion entirely as a direct reaction to the thrust of any engine, including, but not limited to engines which operate on turbine, ram, rocket, or nuclear principles.
- k. OPERATOR shall mean the owner of an aircraft or any person who has rented or leased such an aircraft for the purpose of operation by himself or his own agents or any person operating an aircraft.
- l. PERMISSION shall mean a right or approval granted by the Airport operator. **]unless otherwise specifically provided[**
- m. PERSON shall mean any individual, firm, co-partnership, corporation, association, or company including any assignee, receiver, trustee, or similar representative thereof; or the United States of America or any foreign government or any state or political subdivision thereof, or the United Nations.
- n. RULES AND REGULATIONS shall mean these rules and regulations as herein set forth in Part 78 or the Official Compilation of Codes, Rules, and Regulations of the State of New York.
- [o. SALE shall mean the provision or exchange of goods or services between any Person on or off the airport including the use of any goods or services by any lessee, sub lessee, concessionaire, permittee or itself, for its own purposes in pursuit of any commercial activity.]**
- p. TOUCH-AND-GO shall mean the act of landing an aircraft on a runway and immediately taking off before coming to a full stop.
- q. VEHICLE shall mean and include automobiles, trucks, trailers, buses, motorcycles, horse-drawn vehicles, bicycles, push carts, and any other device in or upon or by which any person or property is or may be, transported, carried, or drawn upon land, except railroad rolling equipment or other devices running only on stationary rails or tracks or aircraft.

SECTION 78.2 COMPLIANCE WITH FILES AND REGULATIONS A CONDITION TO ENTRY UPON OR USE OF AIRPORT.

Any permission granted directly or indirectly, expressly, or by implication, to any person or persons, to enter upon or use the Airport or any part thereof (including aircraft operators, crew members and passengers, spectators, sightseers, pleasure and commercial vehicles, officers and employees of lessees or other persons occupying space at the Airport, persons doing business with the Airport operator, its subcontractors and licensees, and all other persons whatsoever whether or not of the

type indicated), is conditioned upon compliance with these Rules and Regulations; and entry upon or into the Airport by any person shall be deemed to constitute an agreement by such person to comply with said rules and regulations.

SECTION 78.3. UNAUTHORIZED COMMERCIAL ACTIVITY PROHIBITED.

No person shall carry on any commercial activity at the Airport without the written consent of the Airport operator.

No one basing or otherwise maintaining an aircraft at the Airport shall permit it to be used for a commercial activity conducted at or out of the Airport, unless such commercial activity is expressly authorized by the terms of an agreement with the Airport operator or with a fixed base operator who has obtained the Airport operator's approval. In addition, no one basing or otherwise maintaining an aircraft at the Airport shall permit such aircraft to be serviced, cleaned, repaired, or otherwise worked upon by private entrepreneurs other than those operating at the Airport pursuant to an agreement with the Airport operator or with a fixed base operator with the Airport operator's approval. Notwithstanding the foregoing, such aircraft may be use by duly licensed flight training instructors for the purpose of training or otherwise increasing the flying proficiency of the person basing or otherwise maintaining the aircraft at the Airport and the members of that person's immediate family. However, no person shall permit an aircraft based or maintained at the Airport to be used for commercial flight instruction without the written approval of the Airport Operator.

SECTION 78.4. UNAUTHORIZED PARKING OR STORAGE OF AIRCRAFT PROHIBITED.

Unless otherwise provided for in a lease or other written agreement authorized by the Airport operator, no person shall use any area of the Airport for parking or storage of aircraft, other than transient parking, without permission of the Airport operator. If, notwithstanding the above prohibition, a person uses such areas for parking or storage as aforesaid, without first obtaining such permission, then the Airport operator shall have the authority to order the aircraft removed and stored at the expense of the owner thereof, without liability for damage thereto arising from or out of such removal or storage.

SECTION 78.5. COMPLIANCE WITH OFFICIAL DIRECTIONS REQUIRED.

No person shall use or otherwise conduct himself upon any portion of the Airport in a manner contrary to the posted or otherwise visually indicated official directions applicable to that area.

SECTION 78.6. USE OF CERTAIN FACILITIES CONDITIONED UPON PAYMENT OF PRESCRIBED FEES.

No person shall land or take off an aircraft on or from the Airport, or use any area restricted by the Airport operator, except upon payment of such fees and charges as may, from time to time, be prescribed for such use, unless such person is entitled to make such use without such payment under a lease or other agreement authorized by the Airport operator. Aircraft exempt from fees and charges are those public aircraft owned and operated by the United States, the states and political subdivisions of the states **[while being operated for official governmental duty and for purposes other than commercial operations or flight instruction]** and aircraft owned and operated by the armed forces of the United States,

[The list of fees are contained in Subpart F of these rules and regulations.]

SECTION 78.7 - PENALTIES FOR VIOLATIONS OF AIRPORT RULES AND REGULATIONS.

- a. Except as otherwise provided for in Section 78.7 (b), any person failing to comply with or violating any Rule or Regulation contained herein shall be guilty of a violation of law and, upon conviction thereof, shall be fined up to \$250 for each such violation.
- b. Any person failing to comply with or violating Section 78.8 (j) relating to permissible levels of aircraft noise when in effect shall be guilty of a violation of law, and, upon conviction, shall be fined in accordance with the following schedule:
 1. FIRST VIOLATION - A fine of up to \$500.
 2. SECOND VIOLATION - A fine of up to \$1,000.
 3. THIRD VIOLATION - A fine of up to \$2,500.
 4. Each aircraft operation (a landing or a takeoff) that exceeds the permissible levels of noise contained in Section 78.8 (j) shall be considered as a separate violation.
- c. In addition to the penalties prescribed in paragraphs (a) and (b) of this Section, operators who willfully continue to violate the Airport Rules and Regulations shall be denied the use of the Airport and its facilities.

SUBPART

AIRCRAFT OPERATIONS

SECTION 78.8. COMPLIANCE WITH AIRCRAFT AIRPORT NOISE LIMITS
ABATEMENT PROCEDURES REQUIRED.

Except in an emergency as defined in Subpart 78.8 (h), no aircraft shall be operated on the surface of any part of the Airport, or take off from the Airport, except as provided in subparagraphs (a) to (i) hereof, unless specifically exempted by prior permission of the Airport operator for an unusual situation, or are public aircraft owned and operated by the United States, the states and political subdivisions of the states, aircraft owned and operated by the armed forces of the United States, and aircraft operated in support of military operations.

- a. PREFERENTIAL RUNWAY USE PROGRAM. Consistent with the responsibility of the pilot in command to assure the safe operation of the aircraft, aircraft operators shall adhere to the procedures promulgated by the Airport Traffic Control Tower regarding the Preferential Runway Use Program at the Airport. Such procedures currently in effect are published in Tower Letter To Airmen]85-1[]91-1] which follows. In keeping with the supremacy of federal law, directions given by the Airport Traffic Control Tower and revisions to such procedures, as may be published from time to time by the FAA, shall supersede procedures contained here; provided that enforcement of the inflight aspect of the Tower Letter shall not be within the province of the Airport operator.

- b. ADDITIONAL RESTRICTIONS ON NIGHTTIME OPERATIONS. No aircraft shall takeoff or land on Runway 14-32 between the hours of 11:00 PM and 7:00 AM the subsequent day, local time, except under the following conditions:
 1. The use, of Runway 14-32 is required by actual instrument weather conditions or crosswinds in excess of those specified in Republic Tower Letter To Airmen]85-1[]91-1] above.

 2. Runway 1-19 is unavailable for use.

- c. NOISE ABATEMENT PROCEDURES FOR TURBOJET BUSINESS AIRCRAFT. The Noise Abatement Procedures for Turbojet Business Aircraft established by the National Business Aircraft Association are recommended for operators of jet aircraft, except where superseded by other rules contained herein.

- d. INTERSECTION TAKEOFFS. No aircraft operator shall takeoff from a taxiway intersection with a runway, except for those intersections designated A1, A5, B1, B6, G1, G4, and G5 when required and cleared for such an intersection takeoff by the Airport Traffic Control Tower. During such times that the Airport Traffic Control Tower is closed, only full length takeoffs shall be made.
- e. COMPLIANCE WITH FAA NOISE RULES, REGULATIONS, ORDERS AND PROCEDURES. All aircraft operations shall be in compliance with all applicable FAA rules, regulations, orders and procedures respecting noise, as the same may be amended from time to time, except as exempted or otherwise authorized by FAA.
- f. AIRCRAFT ENGINE OPERATION FOR MAINTENANCE PURPOSES.
 - 1. Aircraft engine testing may be conducted on the Compass Rose located off Taxiway "A" between Runways 1 and 32 between the hours of 7:00 AM and 11:00 PM, local time.
 - 2. No aircraft engine testing shall be conducted on the Airport between the hours of 11:00 PM and 7:00 AM local time.
- g. FLIGHT TRAINING. Flight training, including instrument approaches and touch-and-go landings and takeoffs, may be conducted in accordance with all the requirements of Section 78.8, provided, in the opinion of the Airport operator, such flight training does not interfere with itinerant operations. However, whenever practicable, flight training shall be conducted between the hours of 7:00 AM and 11:00 PM, local time.
- h. EXEMPTION OF EMERGENCY CONDITIONS. Notwithstanding the provisions of this Section, aircraft may utilize the Airport under the following circumstances:
 - 1. An immediate landing is required due to a declared aircraft emergency.
 - 2. A takeoff or landing is conducted as a part of a medical or life-saving emergency precipitated by the existence of a life-threatening situation.
 - 3. A landing is required which results from the use of the Airport as a weather alternate airport when there is not sufficient fuel on board or weather conditions do not enable the operator to utilize another weather alternate airport.

i. VERIFICATION OF CONDITIONS. Upon request of the Airport Operator, the aircraft operator shall provide verification to the Airport Operator of the conditions necessitating the exemptions in Paragraphs (b) and (h) above.

j. PERMISSIBLE LEVELS OF AIRCRAFT NOISE.

Pursuant to Federal Aviation Administration guidelines, the Airport operator prepared Ldn 65 noise contours to determine whether such contours encroach into existing residentially developed areas. No current encroachment was found. However, future encroachment is anticipated unless the following aircraft noise performance standards, measured in accordance with Section C36.3 of Appendix C of Federal Air Regulations Part 36, are imposed in conjunction with other noise abatement measures.

IMPERMISSIBLE LEVELS OF AIRCRAFT NOISE

80 dBA and above - Takeoff Noise Level
89 dBA and above - Approach Noise Level

Since the Ldn 65 noise contour currently does not encroach into existing residentially developed areas, the above aircraft noise performance standards will not be mandatory until after such encroachment occurs. The Airport operator will continue to monitor noise levels at the Airport to determine the effectiveness of the noise abatement measures contained in Sections (a) through (i) above in preventing such encroachment. Should the Airport operator determine that these noise abatement measures have not prevented the Ldn 65 noise contour from encroaching into existing residentially developed areas, steps will be taken immediately to impose the above aircraft noise performance standards.

SECTION 78.9. PROHIBITION OF LANDING OR TAKING OFF UNDER CERTAIN CIRCUMSTANCES.

The Airport operator may prohibit aircraft from landing, except for emergency landings, or taking off at any time, when, and under any circumstances under which, the Airport operator deems such landings and takeoffs likely to endanger persons or property, exceed the weight limitation established for the Airport, or exceed the noise limits for aircraft specified herein when in effect.

SECTION 78.10. COMPLIANCE WITH FEDERAL AVIATION ADMINISTRATION RULES AND REGULATIONS REQUIRED.

No person shall land an aircraft upon, fly an aircraft from, or conduct any other aircraft operations on or from the Airport other than in conformity with the current Federal Aviation Administration Rules and Regulations.

SECTION 78.11. COMPLIANCE WITH INSTRUCTIONS FROM THE AIRPORT TRAFFIC CONTROL TOWER.

During the hours that the Airport Traffic Control Tower is in operation, aircraft operators shall comply with instructions and directions given by Tower personnel.

SECTION 78.12. CARELESS, NEGLIGENT, OR RECKLESS OPERATION OF AIRCRAFT PROHIBITED.

No aircraft shall be operated on the surface of any part of the Airport in a careless or negligent manner or in disregard of the rights and safety of others, or without due caution and circumspection, or at a speed or in a manner which endangers, or is likely to endanger persons or property, or while the pilot, or any other person aboard controlling any part of the operation thereof, is under the influence of intoxicating liquor, hallucinogenic substances, or any drug affecting his senses, or if such aircraft is so constructed, equipped, or loaded as to endanger or be likely to endanger persons or property.

SECTION 78.13. COMPLIANCE WITH OFFICIAL ORDERS, SIGNALS, OR DIRECTIONS IS REQUIRED.

The aircraft operator shall comply with any order, signal, or direction of any representative of the Airport operator. When the operation of the aircraft is controlled by lights, signs, mechanical or electrical signals, or pavement markings, such lights, signs, signals and markings shall be obeyed unless a representative of the Airport operator directs otherwise.

SECTION 78.14. COMPLIANCE WITH AIRCRAFT WEIGHT LIMIT REQUIRED.

Except in an emergency as defined in Section 78.8 (h), the aircraft weight limitation for the Airport is sixty-thousand pounds (60,000) actual gross weight. No aircraft exceeding this weight shall land upon, taxi on, park at, or take off from the Airport without previous written permission of the Airport operator. Operators of aircraft that have a certificated maximum takeoff gross weight that exceeds sixty-thousand (60,000) pounds and are operated below this weight shall obtain prior written permission of the Airport operator to utilize the Airport and shall provide the weight and balance calculations for the flight to the Airport operator, upon request. Public aircraft owned and operated by the United States, the states and political subdivisions of the states, aircraft owned and operated by the armed forces of the United States, and aircraft operated in support of military operations are exempted.

SECTION 78.15. ACTIVITIES FOR WHICH PRIOR PERMISSION IS REQUIRED.

Operators shall obtain prior permission from the Airport operator before conducting the following activities at the Airport:

a. MOTORLESS AIRCRAFT. Gliders, sailplanes, and other certificated motorless aircraft shall not land upon or be towed from the Airport without prior permission of the Airport operator.

b. ULTRALIGHT VEHICLES. Ultralight vehicles shall not land upon or takeoff from the Airport without prior permission of the Airport operator. For the purposes of this paragraph, an ultralight vehicle is defined as a contrivance used for flight that has the capacity of one person only, weighs less than 254 pounds, and carries less than five gallons of fuel.

c. LIGHTER-THAN-AIR AIRCRAFT. Airships, dirigibles, and other certificated lighter-than-air aircraft shall not land upon, moor or takeoff from the Airport without prior permission of the Airport operator. For the purposes of this paragraph, lighter-than-air shall mean those aircraft that utilize gases to provide lift such as airships, dirigibles, blimps, and balloons.

d. BANNER OR GLIDER TOWING. Operators shall not tow banners, gliders, or any other device with an aircraft to or from the Airport without prior permission of the Airport operator.

e. FORMATION LANDINGS OR TAKEOFFS. Operators shall not land upon or take off from the Airport in a formation of two or more aircraft without prior permission of the Airport operator. As a condition for such permission, the operator

shall also obtain prior permission from the local General Aviation District Office of the Federal Aviation Administration and the Airport Traffic Control Tower.

[f. COMMERCIAL ACTIVITY. Any commercial activity defined in Section 78.1 of these rules and regulations.]

SECTION 78.16. QUALIFICATIONS TO OPERATE AIRCRAFT.

No person shall land or takeoff in an aircraft at the Airport unless he is licensed by the Federal Aviation Administration to operate that particular type and class of aircraft.

SECTION 78.17. QUALIFICATIONS TO START AND RUN ENGINES AND TO TAXI AIRCRAFT.

No person shall start or run an aircraft engine at the Airport, or taxi an aircraft on the Airport, unless he is a pilot licensed by the Federal Aviation Administration to operate that particular type and class of aircraft, or an Aircraft and Powerplant Mechanic licensed by the Federal Aviation Administration and qualified to start, run the engines, and taxi that particular aircraft, shall be attending the controls. Wheel chocks, or other approved devices, for blocking the movement of an aircraft shall always be placed at the front and rear of each main landing gear and the brakes of the aircraft shall be on and locked before the engine or engines are started, except in cases where, in the opinion of the Airport operator, other proven procedures are equally safe.

SECTION 78.18. USE OF RUNNING LIGHTS DURING HOURS OF DARKNESS.

All aircraft being taxied, towed, or otherwise moved at the Airport shall proceed with running lights and anti-collision lights illuminated during the time between official sunset and official sunrise.

SECTION 78.19. TAXIING IN OR OUT OF HANGARS PROHIBITED.

No aircraft shall be taxied under its own power into or out of any hangar at the Airport.

SECTION 78.20. RESTRICTIONS UPON TAXIING OR POSITIONING OF AIRCRAFT TO AVOID DANGEROUS PROPELLER WASH OR JET EXHAUST BLAST.

No aircraft shall be taxied or positioned at the Airport where the propeller wash or jet exhaust blast may cause injury to persons or cause damage to property. If it would be impossible to taxi such aircraft without violating the above restrictions, then the engine or engines shall not be started and the aircraft shall be towed to the desired destination.

SECTION 78.21. PARKING AND STORING OF AIRCRAFT.

Parking and storing of aircraft at the Airport shall be accomplished in the manner prescribed by the Airport operator in locations designated by the manager for such parking and storage. The following conditions shall apply:

- a. AIRCRAFT TIE-DOWN. No person shall park an aircraft or leave the same standing at any place on the Airport other than inside a hangar unless it is firmly tied to the ground in the manner prescribed by the Airport operator. The main landing wheels shall be chocked with wheel blocks or other approved devices, except in cases where, in the opinion of the Airport operator, other proven procedures are equally safe. In addition to the above, helicopters shall have braking devices and/or rotor mooring blocks applied to the rotor blades.
- b. TRANSIENT PARKING. Operators may park or leave standing an aircraft in areas designated by the Airport operator for transient parking provided the aircraft is secured to the ground in the manner described in SECTION 78.21 (a) above.
- c. MOVEMENT OF PARKED OR STORED AIRCRAFT. Upon direction from the Airport operator, the operator of any aircraft parked or stored at the Airport shall move said aircraft from the place where it is parked or stored to any other designated place. Should the operator refuse to comply with such direction, the Airport operator may tow said aircraft to such designated place at the operator's expense and, if such direction was reasonable under the circumstances, without liability for damage which may result in the course of such moving.

SECTION 78.22. ACCIDENT REPORTING REQUIRED.

The operator of any aircraft involved in any accident at the Airport causing personal injury or property damage shall make a full and prompt report of said accident to the Airport operator in the form prescribed. In addition, such reports as required by the General Aviation District Office of the Federal Aviation Administration, the National Transportation Safety Board, and any agency of the State of New York shall also be made.

SECTION 78.23. WRECKED OR DISABLED AIRCRAFT TO BE REMOVED.

The operator of any wrecked or disabled aircraft at the Airport shall be responsible for the prompt disposal of such aircraft and the parts thereof as directed by the Airport operator. In the event of his failure to comply with such directions, such wrecked or disabled aircraft and the part: thereof may be removed by the Airport operator at the operator's expense and without liability for damage which may result in the

course of such removal.

SECTION 78.24. TAXIING AIRCRAFT TO YIELD RIGHT OF WAY TO
EMERGENCY VEHICLES.

Aircraft taxiing shall yield to emergency vehicles.

SUBPART C VEHICLE OPERATIONS

SECTION 78.25. COMPLIANCE WITH OFFICIAL ORDERS, SIGNALS, OR DIRECTIONS IS REQUIRED.

All vehicular traffic in or upon the Airport shall, at all times, comply with the order, signal, or direction of any representative of the Airport operator. When such traffic is controlled by official traffic lights, signs, mechanical or electrical signals, or pavement markings, such lights, signs, signals and markings shall be obeyed.

SECTION 78.26. CARELESS, NEGLIGENT, OR DANGEROUS OPERATION PROHIBITED.

No vehicle shall be operated in or upon the Airport in a careless or negligent manner or in disregard of the rights and safety of others, or without due caution or circumspection, or at a speed or in a manner which endangers unreasonably or is likely to endanger unreasonably persons or property, or while the driver thereof is under the influence of intoxicating liquor or any drug affecting his senses, or if such vehicle is so constructed, equipped, or loaded as to endanger unreasonably or be likely to endanger unreasonably persons or property.

SECTION 78.27. OPERATORS TO BE LICENSED AND VEHICLES TO BE PROPERLY EQUIPPED.

No vehicle shall be operated in or upon the Airport unless the driver thereof is duly licensed to operate such vehicle on state highways.

No vehicle shall be operated in or upon the Airport unless it shall be in sound mechanical order, have adequate lights, horn and brakes and have a clear vision from the driver's position. In addition, trailers and semi-trailers will not be permitted unless they are equipped with reflectorized devices on all sides and unless they are equipped with proper brakes so that when disengaged from a towing vehicle, neither aircraft blast nor wind will cause them to become free rolling. Positive locking couplings shall be required for all towed equipment. Except for vehicles that are exclusively used in or upon the Airport and are permitted by written authorization of the Airport operator, all vehicles shall meet New York State licensing and inspection requirements.

SECTION 78.28. VEHICLES TO YIELD RIGHT OF WAY TO AIRCRAFT.

All vehicles in or upon the Airport, shall yield the right of way to any and all aircraft in motion. However, emergency vehicles shall have right of way over, taxiing aircraft.

SECTION 78.29. OPERATION OF VEHICLES IN THE AIR OPERATIONS AREAS RESTRICTED.

All vehicles operating in the air operations areas of the Airport shall be equipped with a functioning two-way radio capable of communicating on the proper aeronautical frequencies and shall obtain a clearance from the Airport Traffic Control Tower before entry thereon. Vehicles used on a regular basis in the air operations areas of the Airport shall be painted in a manner approved by the Airport operator and be equipped with an approved amber rotating or flashing beacon on the roof or uppermost point of the vehicle. After obtaining permission of the Airport operator, vehicles used on an irregular basis in or upon the Airport shall proceed directly to their destination and shall have in operation the flashing parking lights.

SECTION 78.30. LOADING AND UNLOADING OF PASSENGERS OR CARGO BY VEHICLES FOR HIRE RESTRICTED.

No vehicle for hire shall load or unload passengers or cargo in or upon the Airport at any place other than those designated by the Airport operator.

SECTION 78.31. PARKING OR STOPPING IN CERTAIN AREAS PROHIBITED.

No person shall park or stop a vehicle in or upon the Airport:

- a. In front of a driveway.
- b. Within a bus stop zone or taxicab zone, except vehicles authorized to use such areas.
- c. In other than leased or authorized areas for the purpose of washing, greasing, or repairing a vehicle, except those repairs necessitated by an emergency.
- d. On the roadway side of any stopped or parked vehicle (double parking).
- e. Within fifteen (15) feet of a fire hydrant.
- f. Other than in accordance with the restrictions posted on authorized signs.

SECTION 78.32. PAYMENT OF PRESCRIBED PARKING FEES REQUIRED.

No person shall park a vehicle within any public vehicular parking area of the Airport except upon the payment of such parking fees and charges as may from time to time be prescribed.

SECTION 78.33. DISABLED, ABANDONED, OR ILLEGALLY PARKED VEHICLES
SUBJECT TO REMOVAL.

The Airport operator may remove from any area of the Airport any vehicle which is disabled, abandoned, parked in violation of these Rules and Regulations, or which presents an operational problem, at the operator's expense and without liability for damage which may result from such removal.

SECTION 78.34. OPERATION OF TANK VEHICLES RESTRICTED.

]Since the presence in or upon the airport of a tank vehicle used for the transportation of flammable liquids and the associated fueling and defueling of aircraft, including tank trucks and tank semi-trailers, could endanger persons or property,] No tank vehicle shall be operated in or upon the Airport unless approved as to equipment, construction, and condition by the Airport operator.

SUBPART D

HAZARDOUS MATERIALS

SECTION 78.35. OPEN FIRES RESTRICTED

No person shall start any open fires of any type, including flare pots, torches, or fires in containers formerly used for fuel, oil, paint, or similar flammable material, on any part of the Airport without prior permission of the Airport operator.

SECTION 78.36. FUEL HANDLING.

Fuel used for aircraft and vehicle engines at the Airport is a hazardous material. All fuel handled in or upon the Airport shall be treated with due caution and circumspection with regard to the rights and safety of others so as not to endanger, or be likely to endanger, persons or property. The following prohibitions, restrictions, and requirements apply at the Airport:

- a. SMOKING PROHIBITED. Smoking is prohibited within fifty (50) feet of an aircraft or fuel truck during fuel handling operations.
- b. FUELING WHILE ENGINES ARE RUNNING OR BEING HEATED PROHIBITED. Fueling is prohibited while engines are running or being heated.
- c. OPERATION OF AIRCRAFT RADIOS OR ELECTRICAL EQUIPMENT PROHIBITED. No person shall operate any radio transmitter or receiver, any other electrical equipment, or switch any electrical circuit on or off, or do any act or use any material which is likely to cause a spark within fifty (50) feet of an aircraft during fuel handling operations.
- d. TRANSFER OF BULK FUEL PROHIBITED. The transfer of bulk aircraft or vehicular fuel from one vehicular tender to another is prohibited in or upon the Airport.
- e. OPERATION OF AIRBORNE RADAR EQUIPMENT RESTRICTED. No airborne radar equipment shall be operated or ground tested in any area of the Airport wherein the directional beam of high intensity radar is within three hundred (300) feet, or the directional beam of low intensity radar (less than 1.0 KW output) is within one hundred (100) feet, of an aircraft fueling operation, an aircraft fueling truck, or an aircraft fueling of flammable liquid storage facility.

- f. PRESENCE OF PASSENGERS AND UNAUTHORIZED PERSONS RESTRICTED. No passenger or passengers shall be permitted to remain aboard an aircraft during fueling operations. Only authorized persons engaged in the fuel handling, or engaged in the maintenance and operation of the aircraft being fueled, shall be permitted within fifty (50) feet of such aircraft during fuel handling operations.
- g. STARTING OF ENGINES NEAR FUEL SPILL RESTRICTED. No person shall start any aircraft engine when there is any type of fuel on the ground under the aircraft, even though the spillage may have been flushed, unless specific permission to start engines has been granted by the Airport operator.
- h. REFUELING OF AUTOMOTIVE EQUIPMENT RESTRICTED. Automotive equipment shall be refueled at the Airport only at refueling stations and from dispensing devices approved by the Airport operator.
- i. PRESENCE OF AT LEAST TWO APPROVED FIRE EXTINGUISHERS REQUIRED. At least two (2) Carbon Dioxide fire extinguishers (15 pounds or larger), or other type of fire extinguishers acceptable to the Airport operator shall be immediately available for use during fuel handling operations.
- j. USE OF APPROVED FUEL STORAGE AND DELIVERY FACILITIES REQUIRED. All operators of aircraft who receive, and all persons who supply, aviation fuel, oil, and lubricants at the Airport shall use only those aviation fuel storage and delivery facilities and equipment approved by the Airport for such use.
- k. AIRCRAFT AND FUEL DISPENSING APPARATUS TO BE GROUNDED. The aircraft and fuel dispensing or draining apparatus shall be grounded by metal wire or cable to a designated grounding point to prevent the possibility of static ignition of volatile liquids,
- l. FUELING TO BE CONDUCTED AT LEAST 50 FEET FROM BUILDINGS. Aircraft fuel handling shall be conducted at least fifty (50) feet from any hangar or any other building.

SECTION 78.37. STORAGE, HANDLING, USE OR TRANSPORT OF HAZARDOUS MATERIALS RESTRICTED.

No person shall store, keep, handle, use, dispense, or transport at, in or upon the Airport any hazardous material without prior permission of the Airport operator.

SECTION 78.38. STORAGE, HANDLING, USE OR TRANSPORT OF
RADIO-ACTIVE MATERIALS RESTRICTED.

No person shall store, keep, handle, use, dispense or transport at, in or upon the Airport any radioactive material without prior permission of the Airport operator.

SUBPART E
MISCELLANEOUS

SECTION 78.39. UNAUTHORIZED COMMERCIAL ACTIVITY, ENTERTAINMENT,
AND SOLICITATION OF ALMS PROHIBITED.

No person, unless duly authorized by the Airport operator,
shall, in or upon the Airport:

- a. Sell, or offer for sale, any article of
merchandise; or
- b. Solicit any business or trade, including the
carrying of baggage for hire, the shining of shoes
or bootblacking; or
- c. Entertain any persons by singing, dancing, or
playing any musical instrument; or
- d. Solicit alms.

SECTION 78.40. LOITERING PROHIBITED.

No person]**who is unable to give satisfactory explanation of
his presence,**[shall loiter in or about any toilet area, waiting
room, or any other location in or upon the Airport.

SECTION 78.41. INTERFERENCE WITH, OR UNAUTHORIZED STARTING OF,
AIRCRAFT PROHIBITED.

No person shall interfere with the operation of any aircraft
at the Airport or start any engine of such aircraft without the
operator's consent.

SECTION 78.42. ENTRY UPON AIR OPERATIONS AREAS RESTRICTED.

No person shall enter upon any air operations area of the
Airport without permission of the Airport operator except persons
assigned to duty therein, authorized representatives of the
Airport operator, or passengers and crews entering for purposes
of embarkation or debarkation.

SECTION 78.43. CARRYING OF FIREARMS RESTRICTED.

No person except peace officers and other authorized
government representatives, authorized security employees and
members of the armed forces of the United States shall carry
firearms in or upon the Airport without prior permission of the
Airport operator.

SECTION 78.44. CLEANING OR MAINTENANCE OF AIRCRAFT RESTRICTED TO DESIGNATED AREAS.

Cleaning of or otherwise maintaining, repairing, or servicing aircraft shall be accomplished only in areas of the Airport designated for that purpose by the Airport operator.

SECTION 78.45. GARBAGE OR OTHER REFUSE DISPOSAL RESTRICTED.

No person shall place, discharge, or deposit in any manner offal, garbage, or any refuse in or upon any part of the Airport, except at such places and under such conditions as the Airport operator may, from time to time, prescribe.

SECTION 78.46. ENTRY OF ANIMALS IN OR UPON THE AIRPORT RESTRICTED.

No person shall enter in or upon any part of the Airport with any animal except a "Guide Dog," one properly confined for shipment, on a leash or confined in such a manner as to be under control.

SECTION 78.47. PERMISSION TO POST, DISTRIBUTE OR DISPLAY PRINTED MATTER REQUIRED.

No person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airport without prior permission of the Airport operator. Signs or any printed matter posted or displayed without the written permission of the Airport operator may be removed from the Airport by the Airport operator at the expense of their owner.

SECTION 78.48. PERMISSION FOR SOLICITATION OF FUNDS REQUIRED.

No person shall solicit funds for any purpose in or upon the Airport without prior permission of the Airport operator.

SUBPART F

RATES AND CHARGES

Effective May 1, 1991

- a. LANDING FEE - \$0.30 per 1,000 pounds of aircraft certified maximum gross takeoff weight with a minimum of \$2.50 per landing.
- b. TERMINAL USE FEE -
1. \$100 per aircraft operation with an arrival and departure constituting separate operations.
 2. Alternatively, an airline operator may elect to pay pursuant to the following:

Charters, \$1.50 per seat (based on total seats in aircraft); Scheduled airline service, \$1.50 per passenger.
- c. NON-LEASED TICKET COUNTER USE FEE - \$25.00 per use.
- d. AIRCRAFT RAMP PARKING FEE FOR COMMERCIAL USE -
- While loading and unloading, no fee; While not unloading and loading, after directed by airport operator to remove aircraft, \$25.00 for the first 2 hours and \$10.00 per hour thereafter.
- e. TIE-DOWN FEES -
- Single Engine Aircraft in Delta Area
\$90.00 per month.
- Multi-Engine Aircraft in Delta Area
\$115.00 per month.
- Single Engine Aircraft in Echo Area \$85.00
per month.
- Multi-Engine Aircraft in Echo Area
\$110.00 per month.

Effective May 1, 1994

a. FUEL FLOWAGE FEES -

The Airport's fuel flowage fees are revised as follows:

The Airport's fuel flowage fee shall be based upon the total gallons of aviation or jet fuel sold at the airport in the previous fiscal year according to the following schedule.

<u>Previous Year</u> <u>Gallons Sold</u>	<u>Fee Per Gallon</u>
1.02 or less of 1990/91 sales	\$.0800
1.02 to 1.04 of 1990/91 sales	\$.0775
1.04 to 1.06 of 1990/91 sales	\$.0750
1.06 to 1.08 of 1990/91 sales	\$.0725
1.08 to 1.10 of 1990/91 sales	\$.0700
1.10 to 1.12 of 1990/91 sales	\$.0675
1.12 to 1.14 of 1990/91 sales	\$.0650
1.14 to 1.16 of 1990/91 sales	\$.0625
1.16 to 1.18 of 1990/91 sales	\$.0600
1.18 to 1.20 of 1990/91 sales	\$.0575
1.20 to 1.22 of 1990/91 sales	\$.0550
1.22 to 1.24 of 1990/91 sales	\$.0525
1.24 or greater of 1990/91 sales	\$.0500

h. AIRSHIP MOORING FEE -

\$75.00 per day not to exceed \$1,500 per month.

i. LAND USE FEES - \$150.00 per day per acre.

j. FILM/COMMERCIAL USAGE FEES -

Taxiways	\$900.00 per day
Runways	\$250.00 per hour
Terminal Building	\$800.00 per day
Ramp Area	\$875.00 per day
Area Outside Airport Operations Area	\$675.00 per day

k. AIRCRAFT REMOVAL FROM RUNWAY OR TAXIWAY FEES -

Single Engine \$375.00
Multi-Engine \$750.00

l. MEETING ROOM USAGE FEE -

\$150.00 per 4 hour period or part thereof.

Non-Profit or Public Organization \$50.00 custodial fee.

m. COMMERCIAL OPERATING PERMIT FEE - \$200.00 per year.

Effective May 1, 1993

a. FUEL FLOWAGE FEES -

The Airport's fuel flowage fees are revised as follows:

The Airport's fuel flowage fee shall be based upon the total gallons of aviation or jet fuel sold at the airport in the previous fiscal year according to the following schedule.

<u>Previous Year Gallons Sold</u>	<u>Fee Per Gallon</u>
1.02 or less of 1990/91 Sales	\$.0700
1.02 to 1.04 of 1990/91 Sales	\$.0675
1.04 to 1.06 of 1990/91 Sales	\$.0650
1.06 to 1.08 of 1990/91 Sales	\$.0675
1.08 to 1.10 of 1990/91 Sales	\$.0600
1.10 to 1.12 of 1990/91 Sales	\$.0575
1.12 to 1.14 of 1990/91 Sales	\$.0550
1.14 to 1.16 of 1990/91 Sales	\$.0525
1.16 or greater of 1990/91 Sales	\$.0500

2. Alternatively, an airline operator may elect to pay pursuant to the following:

Charters, \$1.50 per seat (based on total seats in aircraft); Scheduled airline service, \$1.50 per passenger.

c. NON-LEASED TICKET COUNTER USE FEE - \$25.00 per use.

d. AIRCRAFT RAMP PARKING FEE FOR COMMERCIAL USE -

While loading and unloading, no fee; While not unloading and loading, after directed by airport operator to remove aircraft, \$25.00 for the first 2 hours and \$10.00 per hour thereafter.

e. TIE-DOWN FEES -

Single Engine Aircraft in Delta Area
\$90.00 per month.

Multi-Engine Aircraft in Delta Area
\$115.00 per month.

Single Engine Aircraft in West Side Area
(old echo area) \$105.00 per month.

Multi-Engine Aircraft in West Side Area
(old echo area) \$130.00 per month.

f. FUEL FLOWAGE FEES -

The Airport's fuel flowage fee shall be based upon the total gallons of aviation or jet fuel sold at the airport in the previous fiscal year according to the following schedule:

<u>Previous Year</u> <u>Gallons Sold</u>	<u>Fee Per Gallon</u>
1.02 or less of 1990/91 sales	\$.0600
1.02 to 1.04 of 1990/91 sales	\$.0575
1.04 to 1.06 of 1990/91 sales	\$.0550
1.06 to 1.08 of 1990/91 sales	\$.0525
1.08 or greater of 1990/91 sales	\$.0500

g. AIRCRAFT OVERNIGHT RAMP PARKING FEES FOR COMMUTER AIRCRAFT - \$150.00 per month.

f. FUEL FLOWAGE FEES -

The Airport's fuel flowage fee shall be \$.05 per gallon for each gallon of aviation or jet fuel sold at the airport.

g. AIRCRAFT OVERNIGHT RAMP PARKING FEES FOR COMMUTER AIRCRAFT - \$150.00 per month.

h. AIRSHIP MOORING FEE -

\$75.00 per day not to exceed \$1,500 per month.

i. LAND USE FEES - \$150.00 per day per acre.

j. FILM/COMMERCIAL USAGE FEES -

Taxiways	\$900.00 per day
Runways	\$250.00 per hour
Terminal Building	\$800.00 per day
Ramp Area	\$875.00 per day
Area Outside Airport Operations Area	\$675.00 per day

k. AIRCRAFT REMOVAL FROM RUNWAY OR TAXIWAY FEES -

Single Engine \$375.00
Multi-Engine \$750.00

l. MEETING ROOM USAGE FEE -

\$150.00 per 4 hour period or part thereof.

Non-Profit or Public Organization \$50.00 custodial fee.

m. COMMERCIAL OPERATING PERMIT FEE - \$200.00 per year.

Effective May 1, 1992

a. LANDING FEE - \$0.40 per 1,000 pounds of aircraft certified maximum gross takeoff weight with a minimum of \$2.50 per landing.

b. TERMINAL USE FEE -

1. \$100 per aircraft operation with an arrival and departure constituting separate operations.