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**IDAPA 39
TITLE 04
CHAPTER 08**

39.04.08 - RULES GOVERNING OPERATIONS AT STATE AIRPORTS

000. LEGAL AUTHORITY.

Under the authority of Section 21-111, Idaho Code, the following rule has been promulgated by the Idaho Transportation Board. Violators of state law and these rules are subject to the penalties specified in Sections 18-7031, 18-7033 and 21-121, Idaho Code. (7-20-89)

001. TITLE AND SCOPE.

This rule of operation is established to provide for public safety and convenience and welfare on state airports. When questions arise concerning interpretation or applicability of a rule, aviation safety shall be the paramount concern. Protecting and serving the public, and the protection of property shall likewise govern the interpretation and application of this rule. (7-1-97)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Aircraft Parking Area. A designated site constructed on an airport with or without aircraft tiedown chains or ropes for the purpose of parking unattended aircraft. (7-20-89)

02. Airport. Any area of land which is owned, leased, or otherwise under the control of, and operated by the Division of Aeronautics, Idaho Transportation Department, designed and set aside for the landing and taking-off of aircraft. The boundaries are generally defined by fences or a recorded legal property description. (1-2-93)

03. Commercial Operations. Those operations for business profit which are based on a State airport. (1-2-93)

04. Division. The Division of Aeronautics of the Idaho Transportation Department, including its officers and employees. (1-2-93)

05. Fueling. Any procedure which involves the addition or removal of fuel from aircraft fuel tanks or the transfer of fuel from or into tanks, barrels, or bladders. (1-2-93)

06. Hazardous Material. Any material or substance as defined by Sections 49-109(3), 39-4403(7) and (14), 39-4407, or 39-6203(9), Idaho Code. (7-20-89)

07. Loading Area. A site designated on an airport for the purpose of loading or unloading passengers and cargo and facilitating the access of designated vehicles. (7-20-89)

08. Runway. An airport surface designed specifically for the takeoff and landing of aircraft. (7-20-89)

09. Vehicle. Any motorized vehicle excluding aircraft and including, but not limited to, highway automobile, truck, bus, van, trailer, motorcycle, ATV, recreational vehicle, or snowmobile. (1-2-93)

10. Camping Area. Any site designated for camping and identified by the placement of picnic tables, fire pits, barbecue stoves or appropriate signing. (7-1-97)

011. -- 099. (RESERVED)

100. SPECIAL OPERATING RESTRICTIONS ON AIRPORTS.

The Division may establish special operating restrictions on an airport to assure the safety and convenience of users and the general public when special events or temporary or seasonal factors warrant. Such special restrictions shall be issued in writing at least ten (10) days prior to their effective date and published as a NOTAM (Notice to Airmen). Special restrictions shall also be conspicuously posted on the airport. When practical, the Division may advise

principal users of the airport of the special restrictions. (1-2-93)

101. -- 199. (RESERVED)

200. AIRCRAFT PARKING, LOADING, AND TIEDOWN.

Aircraft that are loading and unloading on state airports shall be parked in the available designated aircraft parking or loading areas. In the event such designated areas are fully occupied, pilots shall park so as to remain clear of the defined runway. All unattended aircraft shall be tied down when tiedowns are available. Persons parking their aircraft where tiedowns are not available shall secure their aircraft with portable tiedown devices, or use other positive means of restraining their aircraft which will assure that their aircraft will not damage other aircraft or property. Aircraft will not remain tied down on an airport in excess of one (1) month without the approval of the Division. (1-2-93)

201. -- 299. (RESERVED)

300. VEHICLES, DOMESTIC ANIMALS, BAGGAGE, AND OBJECTS.

01. Parking. No person shall operate or park any vehicle on an airport without prior approval of the Division. Vehicles authorized on an airport will not be operated on the runway or parked so as to occupy or block designated tiedowns or loading areas, except that temporary parking necessary for actual loading or unloading of baggage or objects is allowed if no hazard is thus created. Vehicles shall be parked only in designated parking areas. (1-2-93)

02. Domestic Animals. No person shall allow any domestic animal on an airport, taxiway or adjacent camping area without its being on a leash beyond the minimum time necessary for the loading or unloading of such animal into or from an aircraft without prior approval of the Division. (3-23-98)

03. Livestock. No person shall allow livestock to graze on airport property without permission from the Division. (1-2-93)

04. Domestic Animal Droppings. No person shall allow domestic animal droppings to be left on an airport, a loading area or in an adjacent camping area. (3-23-98)

05. Unattended Objects or Baggage. No person shall place any unattended objects or baggage in a tiedown area when such placement creates a hazard, or restricts aircraft parking in such a way that displaced aircraft create a hazard. (7-20-89)

301. -- 399. (RESERVED)

400. CAMPING, TRASH, AND REFUSE.

01. Camping. No person shall camp on an airport except in designated camping areas without prior approval of Division employees. (7-1-97)

02. Camping Limits. No person is permitted to use a camping area adjacent to an airport for more than fourteen (14) consecutive days, however this time limit may be extended by Division employees when existing camp area vacancies exist. (7-1-97)

03. Fires. No campfires or open flame camp stoves are allowed within fifty (50) feet of aircraft. (7-20-89)

04. Trash and Refuse. All persons on an airport shall place their trash, garbage, and refuse in designated containers or shall otherwise remove it from the airport. (7-20-89)

05. Trash Disposal. No person shall deposit their trash on an area adjacent to an airport. (7-20-89)

401. -- 499. (RESERVED)

500. AIRCRAFT FUELING, AGRICULTURAL OPERATIONS, AND HAZARDOUS MATERIAL.

01. Fueling Procedures. Any person performing aircraft fueling on an airport shall obtain and read a copy of the refueling procedures published by the Division and shall conduct fueling in accordance with these procedures. All persons shall comply with any airport restrictions issued by the Division in connection with recognized fire danger conditions. (1-2-93)

02. Aerial Application Operations. No person shall perform aerial spraying, dusting, or other aerial chemical application operations from an airport without making formal application to and receiving an approved operational agreement from the Division (IDAPA 39.04.06, "Rules Governing Commercial and Through-the-Fence Operations and Hanger Construction at State Airports"). Any person spilling, dumping, or disposing of any hazardous, toxic, or otherwise dangerous or offensive substance on an airport shall be responsible for the full cost of the cleanup, disposal, and administrative costs to the Division necessitated by removal of the substance. (1-2-93)

501. -- 599. (RESERVED)

600. COMMERCIAL OPERATIONS.

01. Operational Agreement. No person shall conduct any commercial or business operations from an airport without making formal application to and receiving an approved operational agreement issued by the Division (IDAPA 39.04.06, "Commercial and Through-the-Fence Operations and Hanger Construction at State Airports"). (1-2-93)

02. Airport Use. No approved commercial operation on an airport by persons or firms engaged in business shall be deemed to have priority over any public or other commercial use of such airport. (7-20-89)

601. -- 999. (RESERVED)

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