

June 3, 1970

[Docket No. 9818; Amdt. No. 107-1]

**PART 167—ANNETTE ISLAND,
ALASKA, AIRPORT**

**Revised Landing and Parking Charges,
and Additional Rules**

The purpose of these amendments to Part 167 of the Federal Aviation Regulations is to (1) revise the landing and parking charges at Annette Island, Alaska, Airport; and (2) adopt rules governing motor vehicles, aircraft, conduct, fire hazards and fueling operations, obligations of tenants at that airport and the enforcement thereof.

Interested persons have been afforded an opportunity to participate in the making of these amendments by notice of proposed rule making (Notice 69-39) issued on August 21, 1969, and published in the FEDERAL REGISTER on September 6, 1969 (34 F.R. 14129). Due consideration

has been given to all comments presented in response to that notice.

Most of the small number of comments received on the notice concurred with the proposal. The U.S. Coast Guard noted a typographical error in the land area described in § 167.1(a), and that paragraph is corrected accordingly in the final rule. This reduces that portion of the island covered by the rules as described in the notice from approximately 2,955 acres to approximately 2,681 acres and eliminates the FAA/Coast Guard housing area from the area covered by the rules. Additionally, the Coast Guard leases certain parcels of land from the FAA on the airport. In order to insure that there is no confusion as to the regulations governing these parcels, a paragraph (e) is added at the end of § 167.1 which states that "the rules in this part apply to those areas of the Airport under lease to the U.S. Coast Guard so far as they are not inconsistent with any rules prescribed for those areas by the Commanding Officer, U.S. Coast Guard Air Station, Annette Island, Alaska."

Two commentators objected to the proposal to increase landing charges to 40 cents per 1,000 pounds on the grounds that this increase in charges is excessive, unreasonable, and discriminatory. The landing rate referred to is increased from 10 cents to 40 cents per 1,000 pounds. The previous rate was a sliding scale from 25 cents down to 10 cents per 1,000 pounds. A comparison of actual landing fee collections on the previous rate with what they should be under the new rate shows an increase of a little under 200 percent. The landing rates when initially established were low. Considering the services rendered at the Annette Island, Alaska, Airport with those at other airports in Alaska operated by the State, the proposed rate of 40 cents per 1,000 pounds is reasonable.

Additionally, both commentators objected to the provision relieving public aircraft and aircraft of 6,000 pounds or less weight from payment of landing charges. Both of these commentators asserted that the State of Alaska, that operates most of the 500 or more airports in Alaska, does not attempt to recover costs of operation through landing charges, but uses other revenues. Consequently, the commentators considered it unreasonable to attempt to support the cost of the Annette Island, Alaska, Airport by landing charges. The cost of operating the Annette Island, Alaska, Airport will be met from all available sources of revenue bearing a reasonable relevancy to the operation of the airport. These additional sources include revenues obtained from land rentals, sales of utilities, and concessions and parking fees.

In consideration of the foregoing, Part 167 of the Federal Aviation Regulations is amended, effective July 3, 1970, as hereinafter set forth.

Issued in Washington, D.C., on May 25, 1970.

J. H. SHAFFER,
Administrator.

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AUTHORITY: The provisions of this Part 167 issued under sec. 10, International Aviation Facilities Act; 49 U.S.C. 1159, secs. 303(d), 307(b), 313(a), and 1107(a), Federal Aviation Act of 1958; 49 U.S.C. 1344(d), 1348(b), 1354(a), 1507(a), Budget Bureau Circular A-25 of Sept. 23, 1959, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c), sec. 1.4(b)(2), Regulations of the Office of the Secretary of Transportation.

Subpart A—General

§ 167.1 Applicability.

(a) This part prescribes the rules governing the use of the Annette Island, Alaska, Airport (in this part referred to as "the Airport") operated by the Federal Aviation Administration, described in a lease entered into on December 13, 1948, by and between the United States of America and the Council of the Annette Island Reserve, identified as Contract No. C5ca-284-A (formerly C8ca-3095), originally covering 4,880 acres of land, more or less, including buildings and facilities, located on Annette Island, Alaska, that portion of which is covered by these rules and is more particularly described as follows:

Commencing at U.S.C. & G.S. Triangulation Station "Yellow", latitude N. 56°06'09.129", longitude W. 131°34'25.982", proceed south 7°31' west 13,189.30 feet to the true point of beginning; thence east 3,000 feet; thence south 1,000 feet; thence east 1,695.41 feet to a point on the mean high tide line; thence south 49°35' east 6,337.71 feet to a point on the mean high tide line; thence south 42°19' west 7,864.11 feet; thence south 28°41' east 4,395 feet to a point on the mean high tide line; thence along the meander of the mean high tide line a distance of approximately 8,000 feet; thence north 28°41' west 4,000 feet; thence south 44°56' west 1,610 feet; thence north 43°57' west 1,750 feet; thence north 44°56' east 1,570 feet; thence north 28°41' west 8,602.70 feet; thence north 33°55' east 3,235 feet; thence north 55°28' east 2,047.80 feet to the true point of beginning of this description, containing 2,681 acres, more or less.

(b) The Regional Director for the Alaskan Region (in this part referred to as the "Regional Director") and the Manager of the Airport (in this part referred to as the "Airport Manager") may issue such orders and instructions as are necessary for administering this part.

(c) The Airport Manager may post signs that state or apply the rules or provisions of this part. Each person on the Airport shall comply with these signs.

(d) The rules in this part do not vary the provisions of any legislation or contractual arrangement that determine the terms of tenure of the Department of Transportation, Federal Aviation Administration, at the Airport.

(e) The rules in this part apply to those areas of the airport under lease to the U.S. Coast Guard so far as they are not inconsistent with any rules prescribed

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for those areas by the Commanding Officer, U.S. Coast Guard Air Station, Annette Island, Alaska.

§ 167.3 Motor vehicles carrying passengers for hire.

(a) Except as otherwise specifically authorized by the Administrator, no person may operate a vehicle that is carrying passengers for hire from the Airport unless he has a permit from the Airport Manager.

(b) Except for discharging passengers and as otherwise directed by the Airport Manager, no person may park, on the Airport, a vehicle used for the purpose of carrying passengers for hire unless he has a permit from the Airport Manager.

(c) Except with the specific approval of the Airport Manager under conditions prescribed by him, no person may, on the Airport, solicit or invite any person to ride in a vehicle used for the purpose of carrying passengers for hire, either by driving slowly past a loading entrance to an Airport building or by any other act or the speaking of words that are intended to induce that person to engage the vehicle.

(d) Each person who requests a permit to operate, on the Airport, a vehicle used for the purpose of carrying passengers for hire must apply in writing to the Airport Manager. The application must contain—

(1) The applicant's name and address;

(2) The make, model, and license number of the vehicle to be used;

(3) A description, and the serial or other identifying number, of each permit or license that the applicant has for operating that vehicle; and

(4) A list, and the serial or other identifying number of each public liability insurance policy carried by the applicant, the names of the insurance companies that issued them, and their expiration dates.

(e) Upon receiving an application under paragraph (d) of this section, the Airport Manager may issue a permit, authorizing the holder to operate, on the Airport, a vehicle used for the purpose of carrying passengers for hire. The Manager may, in his discretion, revoke such a permit at any time.

§ 167.5 Lost articles.

Each person who finds a lost article on the Airport shall deposit it at the office of the Airport Manager. If the article is not claimed by its owner within 90 days after it is deposited, it may be returned to the finder.

§ 167.7 Publication of rates and charges for supplies and services fixed by the Regional Director.

Whenever this part provides that the Regional Director fixes charges for supplies or services, the orders prescribing these charges are on file, and may be inspected at the FAA Regional Office, 632 Sixth Avenue, Anchorage, Alaska. Copies of the orders are on file, and may be inspected at the office of the Area Manager at Juneau, Alaska. Lists of all charges in effect are posted at the office of that Area Manager and at the Airport.

Subpart B—Motor Vehicle Rules

§ 167.11 Applicability of Alaska laws.

(a) Section 13 of title 18 of the United States Code makes applicable on the Airport the laws of the State of Alaska governing operation of motor vehicles on public highways, to the extent that those laws are not inconsistent with this part.

(b) The rules of conduct and prohibitions of Chapter 35 of Title 28, Motor Vehicles of the Alaska Statutes, 1962, as amended, that carry penalties greater than a fine of not more than \$500 or imprisonment for not more than 6 months, or both, apply on the Airport, to the extent that they apply by their terms to the circumstances at the Airport and are not inconsistent with specific provisions of this part. The penalties provided by Alaska law for violations of these rules and prohibitions do not apply.

§ 167.13 Special operating rules.

(a) No person may operate a motor vehicle on the landing area, ramp, or trucking concourse in the terminal building, unless—

(1) The vehicle has been inspected and approved by the Airport Manager or his agent; and

(2) That person holds a current operator's permit issued by the Airport Manager or is properly escorted by an airport vehicle.

(b) The Airport Manager may issue a motor vehicle operator permit to any competent operator that he considers necessary for the safe and efficient operation of the Airport. The Airport Manager may, in his discretion, revoke such a permit at any time.

(c) No person may operate a two-wheeled motor vehicle on the landing area, or ramp on the Airport.

§ 167.15 Operator's license.

(a) No person may operate any motor vehicle on an airport road unless he holds a current operator's license issued by a political jurisdiction or Government agency in the United States or a foreign country.

(b) No person may operate any U.S. Government motor vehicle on the Airport unless he holds a current U.S. Government Motor Vehicle Operator's Identification Card.

§ 167.17 Speed.

(a) Unless otherwise authorized by the Airport Manager, no person may operate a motor vehicle at a speed—

(1) Of more than 6 miles an hour in the baggage concourse in the terminal building;

(2) Of more than 15 miles an hour on any apron or ramp;

(3) Of more than 25 miles an hour on any taxiway, runway, restricted service road, or other aircraft movement area other than the apron or ramp; or

(4) Higher than the speed limit posted by the Airport Manager on any area of the Airport not covered by subparagraphs (1) through (3) of this paragraph.

(b) No person may operate a motor vehicle on the Airport in a careless or reckless manner.

(c) Each person operating a motor vehicle on the Airport shall operate it so as to have it under safe control at all times, weather and traffic conditions considered.

§ 167.19 Passenger's occupancy.

Except in a vehicle designed to carry passengers in such a manner, no person may, while on the Airport, ride on the running board of a moving motor vehicle, stand up in the body of a moving motor vehicle, ride on the outside of the body of a moving motor vehicle, or ride on such a vehicle with his arms or legs protruding from the body of the vehicle.

§ 167.21 Emergency vehicles; right-of-way.

Upon the approach of a police, ambulance, fire department, or other emergency vehicle giving an audible or visual signal that it is on an emergency call, each person operating another vehicle on any road on the Airport shall immediately drive his vehicle parallel with, and as near as possible to, the right-hand edge of the road, clear of all intersections, and stay there until the emergency vehicle has stopped or passed, unless otherwise directed by the Airport Manager or his authorized representative.

§ 167.23 Parking.

(a) No person may park or stand a motor vehicle on the Airport except in an area specifically designated for parking or standing.

(b) No person may park a motor vehicle in any area on the Airport for a period longer than is prescribed for that area by the Airport Manager.

(c) No person may park a motor vehicle on the Airport, except in an attended parking area, for a period longer than 72 hours, without the specific approval of the Airport Manager.

(d) No person may park a motor vehicle in a restricted or reserved area on the Airport unless he displays, in the manner prescribed by the Airport Manager, a parking permit issued by the Airport Manager for that area.

(e) No person may double park a motor vehicle on any road on the Airport. For the purpose of this paragraph, parking a vehicle at such a distance from the curb that another vehicle could park between it and the curb, is considered to be double parking.

(f) No person may abandon a motor vehicle on the Airport.

(g) No person may park a motor vehicle on the Airport, in a space marked for the parking of vehicles, in a manner to occupy a part of another marked space.

(h) No person may leave a motor vehicle standing unattended or parked on the Airport with a key in the ignition switch, the motor running, a key in the door lock, or an open door.

(i) No person may park or stand a motor vehicle at any place on the Airport in violation of any sign posted by the Airport Manager.

(j) No person may park or stand a motor vehicle within 10 feet of a fire hydrant on the Airport.

§ 167.25 Accident reports.

Each operator of a motor vehicle involved in an accident between that vehicle and an aircraft, or in any other motor vehicle accident, on the Airport, that results in personal injury or in total property damages of more than \$50, shall report it fully to the Airport Manager as soon as possible after the accident. The report must include the name and address of the person reporting.

§ 167.27 Repair of motor vehicles.

(a) Except for persons authorized by the Airport Manager and except for minor repairs necessary to move the vehicle from the Airport, no person may clean or repair a motor vehicle on a road or in a parking area of the Airport.

(b) No person may, on the Airport, move or interfere or tamper with any motor vehicle, put its motor into motion, or take or use any part, instrument, or tool of it, unless he has the permission of the owner or presents satisfactory evidence to the Airport Manager of his right to do so.

§ 167.29 License tags.

No person may operate, stand, or park a motor vehicle on any road or parking area on the Airport unless it has current license tags issued by an appropriate authority. Any motor vehicle that is found standing or parked on the Airport in violation of this section may be impounded by the Airport Manager or his authorized representative and removed to an area of the Airport designated for that purpose by the Airport Manager.

§ 167.31 Moving of motor vehicles.

The Airport Manager or his agent may tow away or otherwise move any motor vehicle on the Airport that is parked in violation of the regulations of the Airport, if the Airport Manager or his agent determines that it is a nuisance or hazard. The Airport Manager may charge a reasonable amount for the moving service and for the storage of the vehicle, if any. The vehicle is subject to a lien for that charge.

Subpart C—Aircraft Rules

§ 167.41 Confinement of aircraft operations.

No person may operate an aircraft on the Airport except on a designated runway, taxiway, ramp or parking area, unless authorized by the air traffic control tower or the flight service station. No person may use the taxi strip on the Airport for a takeoff or landing.

§ 167.43 Parking of aircraft.

No person may park an aircraft in any area on the Airport other than that prescribed by the Airport Manager or his authorized representative. No employee of the FAA may make the United States responsible for the care or protection of any aircraft (other than of the United States) that is parked on the Airport.

§ 167.45 Disabled aircraft.

The owner of an aircraft or part thereof that is disabled shall have it promptly repaired or moved from the Airport unless he is required to delay it

pending investigation of an accident. If he does not remove it within a reasonable time, the Airport Manager may remove it at the owner's expense and without liability for additional damage resulting from the removal.

§ 167.47 Malfunctioning aircraft.

No person may operate an aircraft on the ramp area or at any aircraft gate position on the Airport until the Airport Manager or his designee has allowed that operation if—

(a) That person has reported, has knowledge of, or has been advised of, an indication of a fire in the aircraft;

(b) The brakes of the aircraft are inadequate because they are malfunctioning; or

(c) The aircraft has completely lost power on one side. Complete loss of power on one side in the case of three-engine aircraft means loss of power of the center and one other engine.

§ 167.49 Accident reports.

(a) Each operator of an aircraft that is involved in an accident on the Airport shall report it fully to the Airport Manager within 24 hours after the accident. The report must include the name and address of the person reporting.

(b) In a case where a written report of the accident is otherwise required, a copy of that report may be given to the Airport Manager instead of the one required by paragraph (a) of this section.

§ 167.51 Refusal of clearance.

The Airport Manager may delay or restrict any flight or other aircraft operation at the Airport for any reason that he considers justifiable.

§ 167.53 Minimum pilot license requirements.

To be eligible to operate aircraft on the Airport, a person must have in his personal possession a current pilot certificate issued to him under Part 61 of this chapter or issued to him or validated for him by the country in which the aircraft is registered.

§ 167.55 Registration of aircraft.

The pilot of each aircraft whose owner or lessee does not have a contract with the United States for the aircraft to use the Airport, shall register at the operations office on the Airport immediately upon landing and shall report to that operations office before taking off.

§ 167.57 Demonstrations.

No person may give a flight or ground demonstration on the Airport, and no person may bring an aircraft to the Airport for an aerial demonstration within the Airport control zone without the specific approval of the Airport Manager. This section does not apply to courtesy flights, with new equipment, by air carriers.

§ 167.59 Aircraft equipment and operation rules.

(a) Except when authorized by the Airport Manager, no person may operate a fixed-wing aircraft on the land portion of the Airport unless it has wheels and wheel brakes.

(b) If the pilot of an aircraft that does not have adequate brakes is authorized by the Airport Manager to taxi his aircraft, he may not taxi it near a building or a parked aircraft unless there is an attendant at the wing of his aircraft to help him.

(c) Notwithstanding paragraphs (a) and (b) of this section, an aircraft that has wings and tail higher than 5 feet from the ground and does not have adequate brakes, may not be taxied on the Airport under any conditions, and must be towed if it is necessary to move it.

§ 167.61 Taxiing rules.

(a) No person may move an aircraft on the Airport in a careless or reckless manner.

(b) No person may start or run an engine in an aircraft on the Airport unless there is a competent person in the aircraft at the engine controls, and unless blocks have been placed in front of the wheels or the aircraft has adequate parking brakes.

(c) No person may run an engine of an aircraft parked on the Airport in a manner that damages any other property or aircraft, or that blows paper, dirt, or other material across taxiways or runways, so as to endanger the safety of operation on the Airport.

(d) Each person operating an aircraft on a part of the Airport that is not under the direction of air traffic control shall comply with the orders, signals, and directions of the authorized representative of the Airport Manager.

(e) No person may start or taxi any aircraft on the Airport in a place where the exhaust blast is likely to cause injury to persons or property. If the aircraft cannot be taxied without violating this paragraph, the operator must have it towed to the desired destination.

(f) Each person operating a large propeller-driven aircraft shall lower its flaps when taxiing out of an aircraft gate position.

(g) No person may move a rotorcraft at a place on the Airport (other than a heliport) while its rotors are turning unless there is a clear area of at least 50 feet from the outer tip of each rotor. No person may move a rotorcraft at a heliport while its rotors are turning unless there is a clear area of at least 20 feet from the outer tip of each rotor.

§ 167.63 Use of gate positions.

(a) No person may use an aircraft gate position on the Airport unless he has been authorized to use it.

(b) Except in an emergency, no person may enplane or deplane passengers on the Airport in an area that has not been established for that purpose by the Airport Manager.

(c) No person operating a private, itinerant, nonscheduled, or military aircraft may park, stand, unload passengers, obstruct or attempt to use any aircraft gate position assigned to a scheduled air carrier, without the advance approval of the Airport Manager.

(d) Except when specifically authorized by the Airport Manager, no person may double park an aircraft at a passenger gate.

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(e) No person may enplane or deplane passengers from a double parked aircraft through any gate other than the gate at which the aircraft is parked.

(f) Each person operating a jet aircraft on the Airport shall use only the gates designated by the Airport Manager for jet aircraft.

Subpart D—Rules of Conduct**§ 167.71 Applicable laws.**

Section 13 of title 18 of the United States Code makes applicable on the Airport the criminal laws of the State of Alaska, to the extent that those laws are not inconsistent with this part.

§ 167.73 Sanitation.

(a) No person may release, deposit, blow, or spread any bodily discharge on the floor, wall, partition, furniture, or any other part of a public comfort station, terminal building, hangar, or other building on the Airport, other than directly into a fixture provided for that purpose.

(b) No person may place any foreign object in any plumbing fixture of a public comfort station, terminal building, hangar, or other building on the Airport.

(c) No person may dispose of sewage, garbage, refuse, paper, or other material on the Airport except in a receptacle provided for that purpose.

§ 167.75 Preservation of property.

No person may, without the specific permission of the Airport Manager—

(a) Destroy, injure, deface, or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other public property on the Airport;

(b) Walk on a lawn or seeded area of the Airport;

(c) Alter, add to, or erect any building on the Airport;

(d) Make an excavation on the Airport; or

(e) Willfully abandon any personal property on the Airport.

§ 167.77 Airport and equipment.

No person may interfere or tamper with, or injure, any part of the Airport or its equipment.

§ 167.79 Dangerous objects.

(a) No person except a peace officer, an authorized post office, airport, or air carrier employee, or a member of an armed force on official duty, may carry any weapon, explosive, or inflammable material on or about his person, openly or concealed, on the Airport without the written permission of the Airport Manager.

(b) No person may furnish, give, sell, or trade a weapon on the the Airport.

(c) For the purposes of this section a weapon includes a gun, dirk, bowie knife, blackjack, switch blade knife, slingshot, or metal knuckles.

§ 167.81 Coin-operated machines.

No person may, on the Airport—

(a) Use or attempt to use a coin-operated machine that requires the deposit of a coin for its use, without first depositing the coins required by the instructions on the machine;

(b) Place or attempt to place, in a coin-operated machine, a slug, foreign coin, or object other than the coin required by the instructions on the machine; or

(c) Pass through, over, or under a turnstile that requires the deposit of a coin for its use, without first depositing the required coin in the turnstile.

§ 167.83 False report.

No person may make a false report of conduct on, or the operation or use of, the Airport to the Airport Manager or any of his authorized representatives.

§ 167.85 Interfering or tampering with aircraft.

No person may interfere or tamper with an aircraft on the Airport or put its engine in motion, or use any aircraft, aircraft parts, instruments, or tools on the Airport, without the permission of the owner.

§ 167.87 Repairing of aircraft.

No person may repair an aircraft, aircraft engine, propeller, or apparatus in an area of the Airport other than that specifically designated for that purpose by the Airport Manager. However, this does not prevent a minor adjustment being made while the aircraft is on a landing ramp preparing to takeoff, if the adjustment is necessary to prevent a delayed takeoff.

§ 167.89 Restricted areas.

(a) Except as otherwise provided in this part, no person may, without the written permission of the Airport Manager, enter any restricted area on the Airport that is posted as closed to the public.

(b) No person may enter the aerodrome, the control tower, any hangar, the apron, or any other part of the Airport specified by the Airport Manager except—

(1) A person assigned to duty at that place;

(2) An authorized representative of the Administrator, Department of Transportation, National Transportation Safety Board, or Civil Aeronautics Board;

(3) A passenger who, under appropriate supervision, is entering the apron to embark or disembark; or

(4) Any other person authorized by the Airport Manager, or by a tenant for an area he occupies.

§ 167.91 Soliciting and canvassing.

No person may, on the Airport, solicit fares, alms, or funds, for any purpose without the permission of the Airport Manager.

§ 167.93 Commercial photography.

(a) Except as provided in paragraph (b) of this section, no person may take a still, motion, or sound picture on the Airport for commercial purposes without the permission of the Administrator.

(b) The Airport Manager may allow any of the following to take pictures on the Airport for commercial purposes:

(1) Professional photographers and motion picture cameramen photograph-

ing events on the Airport as representatives of news concerns or bona fide news publications.

(2) Professional photographers and motion picture cameramen photographing events at the Airport, for nonprofit exhibit, to stimulate interest in air commerce or travel; or for nonprofit educational purposes.

(3) Professional photographers photographing scenes on the Airport for general artistic purposes.

§ 167.95 Use of roads and walks.

(a) No person may travel on the Airport except on a road, walk, or other place provided for the kind of travel he is doing.

(b) No person may occupy or place an object on a road or walk on the Airport in a manner that hinders or obstructs its proper use.

(c) No person may walk in a picket line as a picket or take part in a labor or other public demonstration on any part of the Airport except a place specifically assigned by the Airport Manager for picket lines or other public demonstrations.

(d) No person may operate any vehicle for the disposal of garbage, ashes, or other waste material on the Airport without the approval of the Airport Manager.

§ 167.97 Animals.

No person may enter the Airport with a domestic or wild animal without the written permission of the Airport Manager, except a—

(a) Person entering any part of the Airport (other than the terminal building, gate loading area, or other restricted area) with a domestic animal that is kept restrained by a leash or in confined so as to be completely under control;

(b) Person entering the terminal building or gate loading area with a small domestic animal (such as a dog or cat) that is to be transported by air and is kept restrained by a leash or is confined so as to be completely under control; or

(c) Blind person entering the terminal building or gate loading area with a seeing-eye dog.

§ 167.99 Loitering.

No person may loiter or loaf on any part of the Airport. If a loitering or loafing person is told by the Airport Manager or his agent to move on or leave the Airport, he shall do so.

§ 167.101 Use of Airport and airspace.

(a) No person who has been denied the use of the Airport by the Airport Manager may enter on or use the Airport except while traveling through as a passenger in an interstate bus or taxi or while embarking or disembarking as a passenger on an aircraft operating on the Airport.

(b) No person, except an employee of the United States performing his official duties or a person who has the specific permission of the Airport Manager, may prepare to operate, operate, or release a kite, parachute, or balloon, model aircraft, or rocket on the Airport.

Subpart E—Fire Hazards and Fueling Operations

§ 167.111 Cleaning fluids.

(a) Except as provided in paragraph (b) of this section, no person may use a flammable volatile liquid having a flash point of less than 110° Fahrenheit for cleaning purposes in a hangar or other building on the Airport.

(b) No person may use a flammable volatile liquid having a flash point of less than 110° Fahrenheit to clean an aircraft, aircraft engine, propeller, or appliance, on the Airport, unless it is done in the open air or in a room specifically set aside for that purpose. If a room is used, it must be fireproofed, be equipped with automatic sprinklers, and have adequate and readily accessible fire extinguishing apparatus.

§ 167.113 Open-flame operations.

No person may conduct an open-flame operation on the Airport without the specific permission of the Airport Manager.

§ 167.115 Smoking.

No person may smoke on any airport apron or ramps, in any hangar or shop, in any aircraft, on the Airport, or in any other place on the Airport where smoking is specifically prohibited by the Airport Manager.

§ 167.117 Storage.

(a) No person may store or stock material or equipment on the Airport in a manner that constitutes a fire hazard.

(b) No person may keep or store any flammable liquid, gas, signal flare, or other similar material in a hangar or other building on the Airport. However, such a material may be kept in an aircraft in proper receptacles, in rooms or areas specifically approved for that storage by the Airport Manager, or in safety cans approved by appropriate insurance underwriters.

(c) No person may keep or store lubricating or waste oils in or about a hangar, except in a room specifically designated for oil storage. However, not more than a 12-hour supply of lubricating oil may be kept in or about a hangar in containers or receptacles approved by appropriate insurance underwriters.

(d) Each lessee of a hangar (or its sublessee) on the Airport shall provide suitable metal receptacles, with self-closing covers, for storing waste, rags, and other rubbish, and shall remove all rubbish from its premises each day.

§ 167.119 Apron surface areas and floor surface.

(a) Each person to whom space on the Airport is leased, assigned, or made available for use shall keep the space free and clear of oil, grease, or other foreign materials that could cause a fire hazard or a slippery or otherwise unsafe condition.

(b) No person may use any material (such as oil absorbents or similar material) that creates an eye hazard when picked up, swirled, or blown about by the blast from an aircraft engine in any passenger loading area or other public area.

§ 167.121 Doping.

(a) No person may conduct a doping process on the Airport except in a properly designed, fireproof, and ventilated room or building in which all lights, wiring, heating, ventilation equipment, switches, outlets, and fixtures are explosion-proof, spark-proof, and vapor-proof, and in which all windows and doors are easily opened.

(b) No person may enter or work in a dope room while doping processes are being conducted unless he is wearing spark-proof shoes.

§ 167.123 Fueling operations.

(a) No person may fuel or defuel an aircraft on the Airport while—

- (1) Its engine is running or is being warmed by applying external heat;
- (2) It is in a hangar or enclosed space;
- (3) It is within 50 feet of any hangar or other building on the Airport; or
- (4) Passengers are in the aircraft, unless a passenger loading ramp is in place at the cabin door, the door is open, and a cabin attendant is at or near the door.

(b) No person other than those covered by subparagraph (4) of paragraph (a) of this section and those persons necessarily engaged in the fueling or defueling may be within 100 feet of an aircraft that is being fueled or defueled.

(c) No person may start the engine of an aircraft on the Airport if there is any gasoline or other volatile flammable liquid on the ground underneath it.

(d) No person may operate a radio transmitter or receiver, or switch electrical appliances on or off, in an aircraft on the Airport, while it is being fueled or defueled.

(e) During the fueling of an aircraft, on the Airport, the dispensing apparatus and the aircraft must both be grounded in accordance with orders and instructions of the Airport Manager.

(f) Each person engaged in fueling or defueling, on the Airport, shall exercise care to prevent the overflow of fuel, and must have readily accessible and adequate fire extinguishers.

(g) During the fueling or defueling of an aircraft, on the Airport, no person may, within 50 feet of that aircraft, smoke or use any material that is likely to cause a spark or be a source of ignition.

(h) Each hose, funnel, or appurtenance used in fueling or defueling an aircraft on the Airport must be maintained in a safe, sound, and nonleaking condition and must be properly grounded to prevent ignition of volatile liquids.

§ 167.125 Radio operation.

No person may operate any radio equipment in an aircraft while the aircraft is in a hangar on the Airport if any maintenance work, other than radio maintenance, is being done on that aircraft.

§ 167.127 Operating motor vehicles in hangar.

No person may, in any hangar on the Airport, operate a motor scooter, truck, or other motor vehicle, except a tractor with its exhaust protected by screens or

baffles to prevent sparks from escaping or the propagation of flame.

§ 167.129 Grounding of aircraft in hangars.

No person may park an aircraft in any hangar or other structure on the Airport unless the aircraft is grounded in accordance with the orders and instructions of the Airport Manager.

§ 167.131 Runway foaming services.

Each operator of an aircraft for which runway foaming services are provided on the Airport at his request shall pay the expenses arising from providing those services.

Subpart F—Obligations of Tenants

§ 167.141 Use of premises.

No lessee of airport property may knowingly allow that property to be used or occupied for any purpose prohibited by this part.

§ 167.143 Trash containers.

(a) No tenant, lessee, concessionaire, or agent of any of them, doing business on the Airport, may keep uncovered trash containers on a sidewalk or road, or in a public area, of the Airport.

(b) No person may operate an uncovered vehicle to haul trash on the Airport.

(c) No person may operate a vehicle for hauling trash, dirt, or any other material on the Airport unless it is built to prevent its contents from dropping, sifting, leaking, or otherwise escaping.

(d) No person may spill dirt or any other material from a vehicle operated on the Airport.

§ 167.145 Bulletin boards.

Each lessee of a hangar or other operational area specified by the Airport Manager on the Airport shall maintain a bulletin board in a conspicuous place in his hangar or area. He shall post on that board current workmen's compensation notices, a list of competent physicians, a list of his liability insurance carriers, a copy of this part, and a copy of each pertinent order or instruction issued under this part.

§ 167.147 Storage of equipment.

No tenant or lessee of a hangar, shop facility, or other operational area specified by the Airport Manager on the Airport may store or stack equipment or material in a manner to be a hazard to persons or property.

§ 167.149 Fire apparatus.

Each tenant or lessee of a hangar, shop facility, or other operational area specified by the Airport Manager on the Airport shall supply and maintain adequate and readily accessible fire extinguishers, approved by fire underwriters for the hazard involved, that the Airport Manager considers necessary.

§ 167.151 Discrimination or segregation.

All services performed in operating a facility at the Airport must be without discrimination or segregation as to race, creed, color, sex, or national origin.

Subpart G—Charges

§ 167.161 Landing charges.

(a) Except as provided in paragraph (b) of this section and in § 167.167, the charge for each landing of an aircraft at the Airport is forty (40) cents per 1,000 pounds.

(b) There is no landing charge under this subpart for the following:

(1) Public aircraft.

(2) Aircraft engaged in a test flight, not including a survey or proving run.

(3) Aircraft compelled to return after takeoff.

(4) Aircraft of 6,000 pounds or less weight.

§ 167.163 Parking charges.

(a) The charge for parking an aircraft of 6,000 pounds or less weight at the Airport is as follows:

<i>Period of time</i>	<i>Charge</i>
Each day or fraction thereof.....	\$1.00
Each week.....	3.00
Each month.....	10.00

(b) The charge for parking an aircraft of more than 6,000 pounds weight at the Airport is as follows:

<i>Period of time</i>	<i>Charge for each 1,000 lbs. (Minimum charge \$1.50)</i>
Each day or fraction thereof.....	\$0.20
Each week.....	.75
Each month.....	2.50

(c) Charges for parking aircraft under this section begin 6 hours after the aircraft lands at the Airport.

§ 167.165 Computation of weight for payment of charges.

For purposes of §§ 167.161(a) and 167.163(b) the weight of an aircraft is the maximum takeoff weight permitted for that aircraft by the appropriate aeronautical authority of the country in which it was made, computed to the nearest 1,000 pounds.

§ 167.167 Charges for aircraft based at the Airport.

The Regional Director may fix such fair and reasonable landing and parking charges for aircraft based at the Airport as he considers appropriate without regard to §§ 167.161 and 167.163.

§ 167.169 Payment of charges.

Charges for storage, repairs, supplies, and other services furnished by the FAA at the Airport, and for the use of the Airport facilities, must be paid to the Airport Manager before leaving the Airport. The user shall pay the charges in U.S. currency, unless he has arranged with the Regional Director, or the Airport Manager, to pay the charges in some other manner.

Subpart H—Enforcement

§ 167.181 Penalties.

(a) Any person who willfully and knowingly violates a rule prescribed or made applicable in this part, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500, or imprisoned for not more than 6 months.

(b) In addition to the penalties prescribed in paragraph (a) of this section, the Airport Manager may remove or eject any person from the Airport, if that person willfully and knowingly violates a rule prescribed in this part, or an order or instruction issued by the Regional Director or Airport Manager under this part, or any applicable State or Federal law. The Airport Manager may deny the use of the Airport and its facilities to such a person if the Airport Manager determines that the denial is necessary under the circumstances.

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