

TITLE 17. TRANSPORTATION
CHAPTER 2. DEPARTMENT OF TRANSPORTATION
AERONAUTICS

Chapter heading amended by Notice of Final Rulemaking at 17 A.A.R. 2151, effective January 1, 2012 (Supp. 11-4).

ARTICLE 1. GENERAL PROVISIONS

Article 1, consisting of Sections R17-2-01 through R17-2-06, repealed effective May 2, 1990; new Article 1, consisting of Sections R17-2-101 adopted effective May 2, 1990.

Section
R17-2-101. Definitions

**ARTICLE 2. GRAND CANYON NATIONAL PARK
AIRPORT - OPERATION AND MANAGEMENT**

Article 2, consisting of Sections R17-2-201 through R17-2-204 adopted effective May 2, 1990.

Section
R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport
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ARTICLE 1. GENERAL PROVISIONS

R17-2-101. Definitions

In this Chapter, the following definitions shall apply:

“ADOT” means the Arizona Department of Transportation.

“After-hours” means hours beyond those determined by airport management as appropriate to meet the seasonal demand.

“Aircraft ramp area” means an artificially surfaced section of airport ground designed and used for aircraft parking with access to a taxiway.

“Airport” means the geographical boundaries of the property owned by the Arizona Department of Transportation known as the Grand Canyon National Park Airport.

“Airport business” means any business venture operating inside the boundaries of the Grand Canyon National Park Airport or relying on business generated as a result of the presence of the airport, its customers, or employees.

“Airport gate” means an entryway onto an apron, not on leased property, whether through a fence or a building.

“Airport leaseholder” means a user of the airport under a lease agreement with the Department.

“Airport management” means one or more persons designated by the Director as responsible for the management of the airport and its operations.

“Airport operations area” means an area of the airport, within a fenced perimeter, including a runway, taxiway, apron, or other FAA-mandated safety areas that are used or intended to be used for landing, takeoff, or the surface maneuvering of aircraft.

“Airport terminal building” means a building owned by the airport that is used for accommodating the enplaning and deplaning of passengers and other associated activities.

“Apron” means an artificially surfaced area of ground

designed and used for the parking and storage of aircraft at an airport.

“Commercial aviation” means the scheduled or non-scheduled transportation by air of persons or property for compensation or hire under FAA regulations.

“Commercial fuel handling” means the sale, storage, transportation, or distribution of fuels for compensation.

“Commercial ground transportation” means the non-air transportation of persons or property to or from the airport for compensation.

“Commercial service aircraft” means any aircraft while being used for commercial aviation purposes.

“Commercial service aircraft passenger” means a person, other than aircraft flight crew, who enplanes, deplanes, or who is onboard a commercial service aircraft.

“Commercial use ramp” means an apron designated by airport management for the parking of commercial service aircraft and the enplaning or deplaning of commercial service aircraft passengers.

“Direct costs” means labor, materials, and variable overhead expenses that are directly associated with a specific service.

“Direct phone” means telephone service directly to hotels, motels, or other businesses.

“Director” means the Director of the Arizona Department of Transportation or the Director’s designee.

“Disabled aircraft” means an aircraft that requires assistance to move from any position on a runway, taxiway, or apron area of the airport.

“Disabled aircraft support equipment” means any equipment used to assist aircraft movement from any position on a runway, taxiway, or apron area of the airport.

“Electronic access security badge” means a credential issued by airport management to a person for identification as an employee of the airport, an airport tenant, or an airport contractor authorized to open electronically controlled gates.

“FAA” means the Federal Aviation Administration of the United States Department of Transportation.

“Fixed base operator” means an airport business that provides airport user services, including but not limited to, commercial fuel handling within the boundaries of the airport.

“Fuel” means all flammable fluids composed of a mixture of selected hydrocarbons manufactured and blended for the purpose of aircraft, railroad, or motor vehicle propulsion.

“Fuel supplier” means an airport business that dispenses fuel to retail customers or into vehicles owned or operated by that business.

“Lease” means a contract granting use or occupation of property during a specified period in exchange for a specified compensation.

“License agreement” means a contract granting use or occupation of a portion of the terminal or other state-owned building in exchange for a specific compensation.

“Maximum landing weight” means the maximum weight at which an aircraft may normally be landed as determined by the

manufacturer.

“NFPA” means the National Fire Protection Association.

“Non-terminal ramp area” means the portion of aircraft ramp area designated by airport management for the parking of aircraft when use of a terminal building is not required.

“Overnight parking” means the act of leaving a motor vehicle unoccupied between the hours of sunset and sunrise on airport property that is not leased.

“Permit holder” means a person, partnership, association, firm, or corporation that owns or operates a business at the airport under a use permit.

“Public use terminal” means a structure designated for use by the general public that is not specifically restricted or dedicated to any one airport business.

“Retail sales” means all sales activities at the airport not directly related to the transportation of persons or property. Sales include but are not limited to food, beverages, souvenirs, sundries, books, newspapers, and magazines.

“Rotorcraft” means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.

“Security badge” means a credential issued by airport management to a person for identification as an employee of the airport, an airport tenant, or an airport contractor.

“Self-fuel dispensing or handling” means non-commercial fuel delivery to an aircraft, provided by the owner or operator.

“State” means the state of Arizona or its agents.

“Sunset” and “sunrise” have the same meaning and daily calculation as prescribed by the United States Naval Observatory (USNO), which is available on the internet at <http://aa.usno.navy.mil> or in hardcopy format from airport management.

“Taxiway” means an artificially surfaced strip of ground designed and used for the ground movement of aircraft at an airport.

“Terminal ramp area” means the portion of aircraft ramp area designated by airport management for the parking of aircraft when use of a terminal building is required.

“Terminal road” means an artificially surfaced strip of ground positioned in front of an airport terminal building, which is designated by airport management for the parking of vehicles and the loading or unloading of passengers.

“Terminal space” means any area within a structure designated as a terminal and used by the public for transitioning between aircraft and ground transportation.

“TSA” means the Transportation Security Administration of the United States Department of Homeland Security.

“Use permit” means a contract granting the privilege to conduct commercial operations at the airport in exchange for a specific compensation.

“Vehicle” means any equipment, other than aircraft, that is used for transporting persons or property.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective March 17, 1995 (Supp. 95-1). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Amended by final rulemaking at 17 A.A.R. 2151, effective January 1, 2012 (Supp. 11-4).

ARTICLE 2. GRAND CANYON NATIONAL PARK AIRPORT - OPERATION AND MANAGEMENT

R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport

The fees and charges in Table 1 apply to all tenants and users of the airport and its facilities.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective February 17, 1994 (Supp. 94-1). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Amended by final rulemaking at 17 A.A.R. 2151, effective January 1, 2012 (Supp. 11-4).

Table 1. Grand Canyon National Park Airport Fees and Charges

Landing Fees	
For commercial flight operations landing at the airport including, but not limited to, air carrier, air taxi, air tour, and air freight:	
Single-engine fixed wing, multi-engine fixed wing, or rotorcraft using the airport operations area	\$1.05 per 1,000 lbs., or part of 1,000 lbs., of FAA-certified maximum landing weight
Rotorcraft not using the airport operations area	\$0.30 per 1,000 lbs., or part of 1,000 lbs., of FAA-certified maximum landing weight
Aircraft Parking Fees	
For non-commercial service aircraft parking areas within airport boundaries designated by airport management:	
Single-engine fixed wing or rotorcraft	\$50.00 per month, if parked in designated public tie-down areas Daily rate is one-tenth of the monthly rate
Multi-engine fixed wing or rotorcraft	\$100.00 per month, if parked in designated public tie-down areas Daily rate is one-tenth of the monthly rate
Terminal Fees	
Advertising space	\$5.00 per sq. ft. (sign size), per month, for terminal and counter areas \$8.00 per sq. ft. (sign size), per month, for outdoor sign space
After-hours terminal use	\$200.00 per hour, or part of an hour, in excess of 10 minutes after scheduled terminal closure
Direct phone space	\$35.00 per phone unit, per month
Public address system	\$35.00 per monthly subscription to use the public address system
Retail sales space	\$26.00 per sq. ft., per year
Terminal counter space	\$26.00 per sq. ft., per year
Terminal office space	\$26.00 per sq. ft., per year

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Gate Fees	
For loading or unloading commercial service aircraft passengers through an unleased airport gate that provides access to or from the aircraft ramp area:	
Airport leaseholder using an aircraft with a maximum landing weight of:	
Less than 12,500 lbs.	\$1.00 per flight
12,500 lbs. to 44,999 lbs.	\$5.00 per flight
45,000 lbs. to 99,999 lbs.	\$10.00 per flight
100,000 lbs. to 199,999 lbs.	\$50.00 per flight
200,000 lbs. or greater	\$75.00 per flight
Non-airport leaseholder using an aircraft with a maximum landing weight of:	
Less than 12,500 lbs.	\$1.50 per flight
12,500 lbs. to 44,999 lbs.	\$7.50 per flight
45,000 lbs. to 99,999 lbs.	\$15.00 per flight
100,000 lbs. to 199,999 lbs.	\$100.00 per flight
200,000 lbs. or greater	\$150.00 per flight
Fuel Flowage Fees	
Fuel flowage	\$0.03 per gallon of fuel delivered to the airport, and \$0.07 per gallon of fuel sold at the airport
Equipment Use Fees	
Aircraft tug	\$100.00 per use
Auxiliary power unit	\$100.00 per use
Non-aviation equipment	As negotiated
Passenger stairs	\$100.00 per use
Portable heater	\$50.00 per use
Miscellaneous Fees	
Clean up of hazardous materials	Direct costs
Disabled aircraft assistance	Direct costs
Disabled aircraft support equipment	Direct costs
Repairs of damage to airport property	Direct costs
Storage of crash debris	\$25.00 per sq. ft., per month, or part of a month beyond 72 hours after release of the crash debris by the FAA or National Transportation Safety Board
Use of airport personnel, whether requested or required by regulation, when the FAA Air Control Tower is closed	\$100.00 per landing, take-off, or if on standby, for each 30-minute increment
Commercial Ground Transportation Fees	
All commercial ground transportation use permit holders shall report and pay monthly the following fees and charges as appropriate:	
Daily airport access charge	\$100.00 per day charged to any commercial ground transportation company that accesses the airport without an annual airport access permit
Annual airport access permit	\$20.00 per vehicle for an airport leaseholder \$25.00 per vehicle for a non-airport leaseholder
Commercial ground transportation	\$7.00 per vehicle each time the vehicle is used on the airport for the purpose of loading or unloading passengers
Terminal road parking permit	\$10.00 per use for an airport leaseholder \$20.00 per use for a non-airport leaseholder
Vehicle Parking Fees	
For areas located within the airport boundaries and designated by airport management for restricted parking:	
Daily commercial ground transportation use permit parking	\$10.00 per vehicle, per day, or any portion of a 24-hour period for an airport leaseholder \$15.00 per vehicle, per day, or any portion of a 24-hour period for a non-airport leaseholder
Monthly commercial ground transportation use permit parking	\$100.00 per vehicle, per month, for an airport leaseholder \$150.00 per vehicle, per month, for a non-airport leaseholder
Overnight parking, commercial vehicles in excess of designated number as specified by license agreement as defined in R17-2-101, or use permit, and private vehicles	\$10.00 per vehicle, per 24-hour period \$100.00 per vehicle, per month, in designated area
Rental car parking	Auto storage, in a designated area, as established by use permit terms

Retail Sales of Goods or Services	
Fees are a percentage of gross receipts, as defined under A.R.S. § 42-5001, of all retail sales after federal, state, and local taxes, except as negotiated in each use permit. Use permits shall be based on highest bids that are in the best interest of the airport and shall contain provisions for not less than the percentage in this schedule:	
Air tour flights originating at the airport regardless of where the tour was sold	1.5%
Vendor fuel sales	5%
Other	As negotiated
Use of Other Facilities Outside the Terminal	
Use of other facilities outside the terminal	As negotiated
Security Fees	
For airport employees, airport tenant employees, and airport users for badges and to meet security requirements of the FAA and TSA	
Security badge	\$25.00 per year
Replacement security badge	\$50.00 for first lost security badge occurrence \$100.00 for second lost security badge occurrence \$150.00 for third lost security badge occurrence
Unreturned security badge	\$200.00 for failure to return security badge at termination of employment (charged to airport tenant)
Electronic access security badge	\$30.00 per year for a badge providing access to the airfield and other secured areas
Replacement electronic access security badge	\$60.00 for first lost electronic access security badge occurrence \$120.00 for second lost electronic access security badge occurrence \$180.00 for third lost electronic access security badge occurrence
Unreturned electronic access security badge	\$250.00 for failure to return electronic access security badge at termination of employment (charged to airport tenant)
Security screening	\$150.00 per flight for use of airport security screening facilities
Security violation charge	\$100.00 per violation of airport, FAA, or TSA security regulations \$250.00 for each additional violation in a 30-day period
Commercial Use Ramp Fees	
Exclusion. This fee does not apply to any commercial service aircraft that provides air tours departing from and returning to the airport or to air tour flights that bring commercial service aircraft to the airport for this purpose:	
Terminal ramp area	\$15.00 per hour for any commercial service aircraft that does not qualify for the exclusion to a maximum of \$60.00 per use
Non-terminal ramp area	\$10.00 per hour for any commercial service aircraft that does not qualify for the exclusion to a maximum of \$40.00 per use
Water Usage Fees	
Water usage	Water usage fees consist of the total direct cost of water paid by the Department for Airport usage, including all fees and taxes, the actual cost per gallon of all expenses for water testing, repair and maintenance to the water delivery system for the Airport, and an administrative fee of 5%

Historical Note

New Table 1 made by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Amended by final rulemaking at 17 A.A.R. 2151, effective January 1, 2012 (Supp. 11-4).

R17-2-202. Airport Use Permits

- A. A user operating commercially at the airport shall first obtain a use permit or be subject to a \$100.00 fine for each infraction. Use permits are required for the following activities:
 - 1. Commercial aviation;
 - 2. Commercial ground transportation;
 - 3. Commercial fuel handling; and
 - 4. Airport business.
- B. An aircraft owner or operator desiring to dispense fuel to the owner's or operator's own aircraft shall first obtain a self fueling or handling permit or be subject to a \$100.00 fine for each infraction.
- C. A use permit shall contain, at minimum, provisions governing the following subjects:
 - 1. Minimum insurance coverage in the amount required by the Department of Administration's Risk Management Section, naming the state as co-insured;
 - 2. Billing, payment, and audit procedures and the penalties for non-compliance;
 - 3. Data reporting in a timely manner, upon request of the airport management or other agency. This data may include, but is not limited to:
 - a. Gross receipts,
 - b. Aircraft landings,
 - c. Aircraft tie-downs,
 - d. Equipment utilized,
 - e. Enplanements,
 - f. Gallons and types of fuel pumped, and
 - g. Passengers transported each way, to or from the airport;

4. A list of all employees with access to airport security areas and any changes in the list. In addition, the fixed base operator shall provide verification of compliance with employee security checks required under federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
 5. Evidence of compliance with all other jurisdictions' requirements for permits, licenses, insurance and certificates; and
 6. Detailed descriptions of any space within the public use terminal assigned to the commercial user and provisions describing allowable uses for the space as well as minimum expected maintenance of the facilities provided.
- B. Upon commencing operations, a fixed base operator shall:
 1. Provide to airport management, an annual financial statement at the close of the state's fiscal year;
 2. Obtain and keep current, during the term of the use permit, all required federal, state, and local licenses and ensure compliance with all federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
 3. Remain available as required by airport management, either individually or in connection with the other fixed base operators situated at the airport, to provide service and to respond to emergencies during after-hours;
 4. Report all data pertaining to gallons and types of fuel pumped and other types of information as required by additional use permits. Reports shall be provided to the airport management and other requesting agencies in a timely manner;
 5. Report all activity for which fees are established and pay all fees before the 10th calendar day of each month;
 6. Retain all financial records at the airport for five years and comply with all auditing requirements in the use permit;
 7. Provide airport management with a list of all employees with access to airport security areas and notify airport management of any changes;
 8. Provide verification of compliance with employee security checks required under federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
 9. Comply with all FAA and NFPA inspection criteria;
 10. Provide airport management with a copy of written fueling operations procedures, safety and inspection manuals, and records, as required by FAA and NFPA regulations; and
 11. Maintain an approved, written, spill-prevention contingency and control plan that meets all applicable federal and state standards.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

R17-2-203. Minimum Requirements for Fixed Base Operators

- A. Before entering into a contract or commencing any operation at the airport as a fixed base operator, each fixed base operator shall:
 1. Hold a commercial fuel handling use permit;
 2. Submit to airport management, a verified statement that contains a detailed description of the scope of the intended operation. This statement shall include:
 - a. The means and methods that will be employed to accomplish the aviation operation, including how the operating standards and requirements will be met; and
 - b. The nature of ownership and the responsible parties. If the responsible party is:
 - i. An individual, include the person's name and address;
 - ii. A partnership, include the names and addresses of all the partners; or
 - iii. A corporation, association, or other organization, include the names of the president, vice president, secretary, and managing officer or managing employee;
 3. Possess a minimum of three years experience, within the past five years, in managing a fixed base operation at an airport.
 - a. The experience requirement applies either to:
 - i. The individual owner, if a sole proprietorship;
 - ii. One of the partners, if a partnership; or
 - iii. The permanent full-time managing officer or employee, if a corporation.
 - b. If more than one person shares the full-time management responsibilities and duties of the organization, their collective management experience may be used to satisfy subsection (A)(3) if that experience encompasses each particular service or operation proposed;
 4. Provide to airport management, a complete certified financial statement, prepared by an independent accounting firm;
 5. Provide to airport management, evidence of current public liability insurance coverage in the minimum amount required by the Department of Administration's Risk Management Section, naming the state as co-insured. Hangarkeeper's liability insurance may be required if aircraft are on the premises for safekeeping, storage, service, or repair; and

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Section heading corrected per Department's request as amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 09-2).

R17-2-204. Airport Ground Leases

- A. The Division may enter into leases of airport property for the operation of businesses that foster the development of the airport.
- B. All leases of airport property, other than the existing or any future public use terminal facility, shall be based on a competitive sealed proposal process as specified in A.R.S. § 41-2534. At minimum, leases shall be based on a price per square foot of property as valued through an appraisal of that property. In addition, leases shall contain provisions for not less than the percentage in the following schedule:
 1. Food and beverage - 5%
 2. Rental of personal property - 10%
 3. Retail sales of merchandise - 10%
 4. Other - As negotiated

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January

6, 2007 (Supp. 06-4).

R17-2-205. Airport Parking Limitations; Prohibited Activities

- A. For a special occasion, or during an emergency, airport management may impose parking limitations as circumstances require.
- B. A person or entity using the airport and its facilities shall not:
 1. Park a vehicle in an area designated a no parking zone as indicated by a sign or red painted curb;
 2. Drive or park a vehicle in any area on airport property that is closed by the use of a barricade, chain, or other traffic control device;
 3. Park a vehicle on a pedestrian path, sidewalk, or safety zone;
 4. Park a vehicle in a manner or location that obstructs another parked vehicle; or
 5. Camp on airport property.

Historical Note

Adopted effective March 17, 1995 (Supp. 95-1).

Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

R17-2-206. Airport Impoundment Procedures; Notice of Impound

This Section applies to all persons or entities using the airport and its facilities:

1. Airport management may remove and impound any aircraft or other vehicle found on state property if an owner has:
 - a. Parked the aircraft or vehicle in an area designated and posted as a restricted area;
 - b. Parked the aircraft or vehicle in violation of this Article;
 - c. Abandoned the aircraft or vehicle on airport property for more than 14 days without prior notification and permission of airport management;
 - d. Failed to pay parking fees for 15 days after the date a parking statement is attached to the aircraft or vehicle, indicating that a parking fee is due; or
 - e. Parked the aircraft or vehicle in a manner or location that constitutes a hazard or impediment to the general public or to the movement and operation of aircraft or emergency equipment.
2. Notice of Impound.
 - a. An authorized agent of the airport's management, at the time of removal for impound, shall post a Notice

of Impound as near to the location from which the aircraft or vehicle was removed as is practical, and a copy of the notice shall be mailed to the address listed on the:

- i. Aircraft or vehicle,
 - ii. Vehicle registration in the aircraft or vehicle, or
 - iii. Airport records.
- b. If no address is available under subsection (2)(a), airport management, within a period of 10 business days from the date of impoundment, shall twice publish the Notice of Impound in a daily newspaper with a general circulation in Coconino County. The notice shall describe the:
 - i. Aircraft or vehicle,
 - ii. Parking violation that necessitated the impoundment,
 - iii. Location to which the aircraft or vehicle was impounded,
 - iv. Name and address of the person to contact regarding the impoundment, and
 - v. Owner's right to file a request for a hearing under subsection (5).
 3. Airport management shall ensure that:
 - a. A vehicle is removed by a tow truck registered with the Department of Public Safety, and
 - b. An aircraft is removed by a fixed base operator that has complied with R17-2-203.
 4. Costs to owner. The owner of an aircraft or vehicle is responsible for all costs involved in the removal, impoundment, and storage of the aircraft or vehicle, plus any costs incurred by publication of the Notice of Impound.
 5. Hearing requests. Any person subject to a decision made by airport management under this Chapter may request a hearing with the Director. The person shall submit a written request for the hearing to the Department not more than 30 days after the action taken by airport management. The hearing shall be held in accordance with A.R.S. Title 41, Chapter 6, Article 6.

Historical Note

Adopted effective March 17, 1995 (Supp. 95-1).

Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Amended by final rulemaking at 17 A.A.R. 2151, effective January 1, 2012 (Supp. 11-4).