

NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and the agency decides to make substantial changes to the rule after it is proposed, the agency must prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office, and the Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.). Publication of the Notice of Supplemental Proposed Rulemaking shall appear in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 2. DEPARTMENT OF TRANSPORTATION AERONAUTICS DIVISION

Editor's Note: The following Notice of Supplemental Proposed Rulemaking was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 at 15 A.A.R. 1942, November 20, 2009.) The Governor's Office authorized the notice to proceed through the rulemaking process on February 9, 2010.

[R11-39]

PREAMBLE

1. The Register citation and dates for the Notice of Rulemaking Docket Opening, the Notice of Proposed Rulemaking, and any Notices of Supplemental Proposed Rulemaking, if applicable:

Notice of Rulemaking Docket Opening: 16 A.A.R. 1675, August 27, 2010

Notice of Proposed Rulemaking: 16 A.A.R. 1942, October 1, 2010

2. Sections Affected

Rulemaking Action

R17-2-101

Amend

R17-2-201

Amend

Table 1

Amend

R17-2-206

Amend

3. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. §§ 28-366, 28-8204, and 28-8419

Implementing statutes: A.R.S. §§ 28-8202, 28-8204, 28-8241 through 28-8244, and 28-8419

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Michael Halpin, Airport Manager

Address: Grand Canyon National Park Airport
P.O. Box 3351
Grand Canyon, AZ 86023

Telephone: (928) 638-2446

Fax: (928) 638-2834

E-mail: mhalpin2@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.azdot.gov/mvd/MVDRules/index.asp.

5. An explanation of the rules, including the agency's reasons for initiating the rules:

The Arizona Department of Transportation, Administrative Services Division, proposes to amend fees and charges for services and use of facilities and equipment at the Grand Canyon National Park Airport. This action ensures compliance with Federal Aviation Administration Airport Improvement Program Grant Assurance 24, which states, "It (the airport sponsor, the state of Arizona) will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and

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Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.”

6. An explanation of the substantial changes which resulted in this supplemental notice:

The following changes were made to R17-2-101. Definitions:

Added the terms “airport operations area,” “airport terminal building,” and “commercial service aircraft” for clarification purposes;

Modified the term “airport gate” to clarify that the term, as used in these rules, does not include an airport gate on leased property;

Modified the term “airport trespass” to clarify that the term, as used in these rules, applies only to a commercial ground transportation company;

Modified the terms “commercial aircraft passenger” and “commercial use ramp” as conforming changes by adding the word “service” to correspond with the new term “commercial service aircraft”;

Modified the term “non-terminal ramp area” as a conforming change by adding the word “airport” to correspond with the new term “airport terminal building”;

Added the term “Transportation Security Administration” for clarification purposes; and

Modified the term “overnight parking” to clarify that the term, as used in these rules, does not include overnight parking on leased property.

The following changes were made to R17-2-201, Table 1, Grand Canyon National Park Airport Fees and Charges:

The Department expanded its multi-level fee structure approach in an effort to help reduce any potential fiscal burden and other economic impacts to the current tenants and users of the Grand Canyon National Park Airport. The supplemental proposed rules, developed in partnership with current tenants and users of the airport, present an approach to fee collection that:

Supports the Department’s mandate to maintain a fee and rental structure for the facilities and services at the airport at a more self-sustaining level;

Considers, to a greater degree, the circumstances existing at the airport;

Allows the Department to consider such factors as the volume of traffic and the economy of collection in reaching its goal to make the airport as self-sustaining as possible; and

Provides a fee structure that promotes equitable and efficient collection of fees and charges at the airport while ensuring that all categories of airport users, whether they are leaseholders, licensees, or commercial itinerant operators, are paying a fair share of the costs for operation of the airport, without subjecting the current tenants and users of the airport to disproportionate amounts of any cost increase. Many of the current tenants and users of the airport have invested significant amounts over the years to help ensure that the Grand Canyon National Park Airport continues to remain the exceptional facility that supports Arizona’s number one tourist destination.

Under the heading “Landing Fees”:

Clarified that the \$1.05 per 1,000 lbs of FAA-certified maximum landing weight charged by the Department for a single-engine fixed wing, multi-engine fixed wing, or rotorcraft applies when using the airport operations area; and

Provided a lower rate of \$0.30 per 1,000 lbs of FAA-certified maximum landing weight for rotorcraft not using the airport operations area.

Under the heading “Gate Fees”:

Clarified that gate fees apply when loading or unloading commercial service aircraft passengers through an unleased airport gate; and

Created a multi-tiered approach for collection of gate fees, to the benefit of airport leaseholders and the Department, to encourage new airport lease opportunities and ensure that smaller aircraft will not bear a disproportionate amount of this proposed fee increase.

Under the heading “Fuel Flowage Fees”:

Lowered the originally proposed \$0.12 per gallon fuel flowage fee for fuel delivered to the airport to \$0.03 per gallon and added an additional fee of \$0.07 per gallon of fuel sold at the airport.

Under the heading “Miscellaneous Fees”:

Clarified that the \$100.00 fee applies for use of airport personnel, whether requested or required by regulation, when the Federal Aviation Administration (FAA) air control tower is closed; and

Clarified that the \$25.00 fee for storage of crash debris begins to accrue after release of the crash debris by the FAA or the National Transportation Safety Board.

Under the heading “Commercial Ground Transportation Fees”:

Added the word commercial to the heading for clarification purposes;

Corrected the word “monthly,” which was inadvertently stricken in the original Notice of Proposed Rulemaking;

Changed the originally proposed fee of \$0.60 per passenger transported each way, either to or from the airport, to \$7.00 per vehicle each time the vehicle is used on the airport for the purpose of loading or unloading passengers;

Lowered the originally proposed fees for an annual airport access permit from \$100.00 and \$250.00 per vehicle to \$20.00 per vehicle for an airport leaseholder and \$25.00 per vehicle for a non-airport leaseholder; and

Lowered the originally proposed fees for a terminal road parking permit from \$15.00 and \$25.00 per use to \$10.00 per use for an airport leaseholder and \$20.00 per use for a non-airport leaseholder.

Under the heading “Vehicle Parking Fees”:

The word “Daily” was added to the term “Ground transportation use permit parking” for clarification purposes.

Under the heading “Retail Sales of Goods or Services”:

The word “Terminal” was deleted to reflect the changes made to this subsection;

Changed the originally proposed language of “Air tours using the airport” to “Air tour flights originating at the airport regardless of where the tour was sold” for clarification purposes; and

Removed references to all terminal goods and services currently negotiated separately between the Department and airport leaseholders.

Under the heading “Security Fees”:

Increased the fee originally proposed for security screening from \$100 per flight to \$150.00 per flight.

Under the heading “Commercial Use Ramp Fees”:

Clarified that this subsection does not apply to any commercial service aircraft that provides air tours departing from and returning to the airport or to specifically identified air tour flights that use the airport for either departure or arrival;

Lowered the originally proposed fees of \$35.00 per hour with a maximum of \$140.00 per use of the terminal ramp area by airport leaseholders, and \$100.00 per hour with a maximum of \$500.00 per use by non-airport leaseholders, to reflect \$15.00 per hour with a maximum of \$60.00 per use of the terminal ramp area and clarified that the fees are applicable to non-excluded commercial service aircraft; and

Lowered the originally proposed fees of \$25.00 per hour with a maximum of \$100.00 per use of the non-terminal ramp area by airport leaseholders, and \$50.00 per hour with a maximum of \$200.00 per use by non-airport leaseholders, to reflect \$10.00 per hour with a maximum of \$40.00 per use of the non-terminal ramp area and clarified that the fees are applicable to non-excluded commercial service aircraft.

Under the heading “Water Usage Fees”:

Changed the fees for water usage from a tiered “per gallon” pricing schedule to a more auditable fee of direct costs plus 5% based on the airport’s previous fiscal year costs of water purchases and costs of operating the water system.

Changes were also made to ensure conformity with the rulemaking format and style requirements of the Arizona Administrative Procedure Act, the Office of the Secretary of State, and the Governor’s Regulatory Review Council.

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

Established as a self-supporting entity through the use of rates, fees, and lease charges designed to support operations, the Grand Canyon National Park Airport (GCNPA) is a tourism hub for national and international visitors to Arizona and the Grand Canyon. As the state’s third busiest commercial passenger airport servicing 100,000 flights and 300,000 passengers annually, the GCNPA has not seen a rate increase since 1997 and current revenues do not support operational costs.

The Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grants require the GCNPA to maintain a rate/fee structure that promotes a self-sustaining operation. With revenue declining in recent years, ADOT has supplemented the GCNPA budget through the state aeronautics fund. However, as the state aeronautics fund is intended to provide grants to statewide municipal airports, continual use of the state aeronautics fund reduces the amount of grant funds available to maintain local airports. This rulemaking will allow ADOT to adjust to a national market level the rates and fees charged to users of the airport thus ensuring that FAA requirements are met.

The proposed fees were developed after informal discussions and staff review of fees charged at other commercial service airports around Arizona, within the National Park Service, and in bordering states. The airports included in

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this review were Flagstaff, Prescott, Phoenix-Mesa Gateway, and Tucson International, as well as Fresno Yosemite International, St. George Utah (servicing Zion National Park), and airports in Wyoming (servicing Yellowstone and Grand Teton National Parks).

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Michael Halpin, Airport Manager
Address: Grand Canyon National Park Airport
P.O. Box 3351
Grand Canyon, AZ 86023
Telephone: (928) 638-2446
Fax: (928) 638-2834
E-mail: mhalpin2@azdot.gov

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

At the request of the tenants and users of the Grand Canyon National Park Airport, the public record for this rulemaking did not close on November 17, 2010, as published in the Department's original Notice of Proposed Rulemaking.

Oral proceedings were held at the Grand Canyon National Park Airport on November 17, 2010, and January 11, 2011. No additional oral proceedings are scheduled. To request an oral proceeding or to submit a comment in writing, or by fax or e-mail, please contact the agency official listed under item 4. Written comments may be submitted at any time, and oral comments may be made during regular business hours, before the close of public record. If no oral proceeding is requested, the public record for this rulemaking will close at 5:00 p.m. on Monday, June 6, 2011.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the changes follows:

TITLE 17. TRANSPORTATION

CHAPTER 2. DEPARTMENT OF TRANSPORTATION
~~AERONAUTICS ADMINISTRATIVE SERVICES DIVISION~~

(Authority: A.R.S. §§ 28-1707 and 28-1722)

ARTICLE 1. GENERAL PROVISIONS

Section

R17-2-101. Definitions

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

Section

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

Table 1. Grand Canyon National Park Airport Fees and Charges

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

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, ~~Aeronautics Division,~~ and known as the Grand Canyon National Park Airport.

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“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 ~~ADOT Aeronautics Division Assistant~~ 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.

“Airport trespass” means the entrance on airport property by any commercial ground transportation company issued an airport order not to enter airport property.

“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 ~~scheduled or non-scheduled transportation, exclusive of by air, non-air transportation~~ of persons or property to or from the airport for compensation ~~or hire to and from the airport.~~

“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, enplaning or deplaning from 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 which are directly dependent on the operation.

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

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

~~“Director of Aeronautics” means the ADOT Assistant Director of Aeronautics.~~

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

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

~~“Division” means the Arizona Department of Transportation’s Aeronautics Division.~~

“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 ~~any 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

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of aircraft when use of an airport terminal building is not required.

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

“Permit holder” means ~~any~~ a person, partnership, association, firm, or corporation, owning or operating a business at the airport under a use permit.

“Public use terminal” means ~~any~~ a structure designated for use by the general public and 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~~ 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 ~~at an airport~~ 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, which is used for transporting persons or property ~~other than aircraft.~~

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

~~A. Except as provided in subsection (B), the~~ The fees and charges in Table 1 apply to all tenants and users of the airport and its facilities.

~~B. The fees and charges established in subsection (A) do not apply to:~~

- ~~1. The use of leased facilities under an airport ground lease.~~
- ~~2. The use of airport facilities, equipment, or services included in an airport ground lease in effect on July 1, 1993.~~

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, and <u>or</u> rotorcraft <u>using the airport operations area</u>	\$1.00 <u>\$1.05</u> per 1,000 lbs., or part of 1,000 lbs., of FAA-certified maximum landing weight
<u>Rotorcraft not using the airport operations area</u>	<u>\$0.30</u> per 1,000 lbs., or part of 1,000 lbs., of FAA-certified maximum landing weight
Aircraft Parking Fees	
For restricted <u>non-commercial service</u> aircraft parking areas within airport boundaries designated by airport management:	

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Single-engine fixed wing and or rotorcraft	\$30.00 <u>\$50.00</u> per month, if parked in designated public tie-down areas
Multi-engine fixed wing	\$40.00 per month, if parked in designated public tie-down areas The daily rate shall be 1/10 of the applicable monthly rate <u>Daily rate is one-tenth of the monthly rate</u>
Multi-engine fixed wing or rotorcraft	\$100.00 per month, if parked in designated public tie-down areas <u>Daily rate is one-tenth of the monthly rate</u>
Terminal Fees	
Advertising space	<u>\$5.00 per sq. ft. (sign size), per month, for terminal and counter areas</u> <u>\$8.00 per sq. ft. (sign size), per month, for outdoor sign space</u>
After-hours terminal use	<u>\$200.00 per hour, or part of an hour, in excess of 10 minutes after scheduled terminal closure</u>
Direct phone space	<u>\$35.00 per unit, per month</u>
Public address system	<u>\$35.00 per monthly subscription</u>
Retail sales space	<u>\$26.00 per sq. ft., per year</u>
Terminal counter space	\$20.00 <u>\$26.00</u> per sq. ft., per year
Terminal office space	<u>\$15.00 per sq. ft., per year</u>
Advertising space	<u>\$2.00 per sq. ft. (sign size), per month, for terminal and counter areas</u> <u>\$5.00 per sq. ft. (sign size), per month, for outdoor sign space</u>
Direct phone space	<u>\$20.00 per unit, per month</u>
Retail sales space	<u>\$20.00 per sq. ft., per year</u>
Public address system	<u>\$25.00 per monthly subscription</u>
After hours terminal use	<u>\$150.00 per hour, or part of an hour, in excess of ten minutes after scheduled terminal closure</u>
Terminal office space	<u>\$26.00 per sq. ft., per year</u>
Gate Fees	
For loading or unloading commercial service aircraft passengers through an un-leased airport gate providing access to or from the aircraft ramp area:	
Airport leaseholder using an aircraft with a maximum landing weight of:	
<u>Less than 12,500 lbs.</u>	<u>\$1.00 per flight</u>
<u>12,500 lbs. to 44,999 lbs.</u>	<u>\$5.00 per flight</u>
<u>45,000 lbs. to 99,999 lbs.</u>	<u>\$10.00 per flight</u>
<u>100,000 lbs. to 199,999 lbs.</u>	<u>\$50.00 per flight</u>
<u>200,000 lbs. or more</u>	<u>\$75.00 per flight</u>
Non-airport leaseholder using an aircraft with a maximum landing weight of:	
<u>Less than 12,500 lbs.</u>	<u>\$1.50 per flight</u>
<u>12,500 lbs. to 44,999 lbs.</u>	<u>\$7.50 per flight</u>
<u>45,000 lbs. to 99,999 lbs.</u>	<u>\$15.00 per flight</u>
<u>100,000 lbs. to 199,999 lbs.</u>	<u>\$100.00 per flight</u>
<u>200,000 lbs. or more</u>	<u>\$150.00 per flight</u>
Fuel Flowage Fees	
Fuel flowage	<u>\$0.03 per gallon of fuel delivered to the airport, and</u> <u>\$0.07 per gallon of fuel sold at the airport</u>
Equipment Use Fees	
Aircraft tug	<u>\$100.00 per use</u>
Auxiliary power unit	\$10.00 <u>\$100.00</u> per use
Aircraft tug	<u>\$20.00 per use</u>
Portable heater	<u>\$10.00 per use</u>
Passenger stairs	<u>\$10.00 per use</u>
Non-aviation equipment	<u>As negotiated</u>
Non-aviation equipment	<u>As negotiated</u>
Passenger stairs	<u>\$100.00 per use</u>
Portable heater	<u>\$50.00 per use</u>

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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 increment of a month beyond 72 hours after release of the crash debris by the FAA or National Transportation Safety Board
After hours runway inspection for commercial use permit holder Use of airport personnel, whether requested or required by regulation, when the FAA Air Control Tower is closed	\$50.00 \$100.00 per landing, take-off, or if on standby, for each 30-minute increment
Storage of crash debris	\$5.00 per sq. ft., per month, or increment of a month beyond 72 hours
Clean up of hazardous materials	Direct costs
Repairs of damage to airport property	Direct costs
Disabled aircraft assistance	Direct costs
Disabled aircraft support equipment	Direct costs
Commercial Ground Transportation Fees	
All commercial ground transportation use permit holders shall report and pay monthly the following fee fees :	
Airport trespass	\$1000.00 per occurrence, applies to any ground transportation company that violates an airport order not to enter airport property
Annual airport access permit	\$20.00 per vehicle for an airport leaseholder \$25.00 per vehicle for a non-airport leaseholder
Ground Commercial ground transportation	\$0.30 per passenger transported each way; either to or from the airport \$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 restricted parking areas located within <u>the</u> airport boundaries <u>and</u> designated by airport management for restricted parking:	
Ground Daily commercial ground transportation use permit parking	\$5.00 \$10.00 per vehicle, per day, or any portion of any 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
Rental car parking	\$50.00 per vehicle, per month, in designated areas
Overnight parking, commercial vehicles in excess of designated number as specified by license agreement or use permit, and private vehicles	Auto storage, in a designated area, as established by use permit terms \$5.00 per vehicle, per 24-hour period; or \$50.00 per vehicle, per month, in designated area
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 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
Terminal Retail Sales of Goods or Services	
Fees shall be <u>are</u> a percentage of gross receipts, as defined in <u>under</u> 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 upon <u>on</u> highest and best bids but shall <u>and</u> contain provisions for not less than the percentage in this schedule:	

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Air tours <u>air tour flights</u> originating at the airport <u>regardless of where the tour was sold</u>	7% <u>1.5%</u>
<u>Food and beverage</u>	<u>15%</u>
<u>Rental of personal property, including but not limited to car rentals</u>	<u>15%</u>
<u>Retail sales of merchandise</u>	<u>15%</u>
<u>Personal services businesses, including but not limited to shoe shine, beauty and barber shops and others</u>	<u>15%</u>
<u>Other</u>	<u>As negotiated</u>
<u>Retail sales of fuel</u>	<u>5%</u>
<u>Other</u>	<u>As negotiated</u>
Use of Other Facilities Outside the Terminal	
<u>Use of other facilities outside the terminal</u>	<u>As negotiated</u>
Security Fees	
<u>For airport employees, airport tenant employees, and airport users as required by the FAA and TSA</u>	
<u>Security badge</u>	<u>\$25.00 per year</u>
<u>Replacement security badge</u>	<u>\$50.00 for first lost security badge occurrence</u> <u>\$100.00 for second lost security badge occurrence</u> <u>\$150.00 for third lost security badge occurrence</u>
<u>Unreturned security badge</u>	<u>\$200.00 for failure to return security badge at termination of employment (charged to airport tenant)</u>
<u>Electronic access security badge</u>	<u>\$30.00 per year for a badge providing access to the airfield and other secured areas</u>
<u>Replacement electronic access security badge</u>	<u>\$60.00 for first lost electronic access security badge occurrence</u> <u>\$120.00 for second lost electronic access security badge occurrence</u> <u>\$180.00 for third lost electronic access security badge occurrence</u>
<u>Unreturned electronic access security badge</u>	<u>\$250.00 for failure to return electronic access security badge at termination of employment (charged to airport tenant)</u>
<u>Security screening</u>	<u>\$150.00 per flight for use of airport security screening facilities</u>
<u>Security violation</u>	<u>\$100.00 per violation of airport, FAA, or TSA security regulations</u> <u>\$250.00 for each additional violation in a 30 day period</u>
Commercial Use Ramp Fees	
<u>Exclusion. This fee does not apply to any commercial service aircraft that provides air tours departing from and returning to the airport or to specifically identified air tour flights that use the airport for either departure or arrival.</u>	
<u>Terminal ramp area</u>	<u>\$15.00 per hour for any non-excluded commercial service aircraft to a maximum of \$60.00 per use</u>
<u>Non-terminal ramp area</u>	<u>\$10.00 per hour for any non-excluded commercial service aircraft to a maximum of \$40.00 per use</u>
Water Usage Fees	
<u>Water usage</u>	<u>Direct costs plus 5% based on the Airport's previous fiscal year costs of water purchases and costs of operating the water system</u>

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 where 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 these rules;
 - 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.

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- a. An authorized agent of the airport 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. 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, if no address is known. 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 company licensed by the Department of Public Safety; and
 - b. An aircraft is removed by a fixed base operator licensed by the ADOT ~~Aeronautics~~ Administrative Services Division.
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 ~~within the Aeronautics Division~~ by airport management under this Chapter may request a hearing ~~before~~ with the Director. The person shall submit a written request for the hearing to the Department not more than 30 days after the action ~~of the Aeronautics Division~~ taken by airport management. The hearing shall be held in accordance with A.R.S. Title 41, Chapter 6, Article 6.