

**RULES OF THE GEORGIA DEPARTMENT OF TRANSPORTATION
CHAPTER 672-9
LICENSING OF CERTAIN OPEN-TO-THE-PUBLIC AIRPORTS**

672-9-.01. Definitions

The following words when used in Chapter 672-9 shall have the following meanings unless the context thereof indicates another meaning:

(a) Aircraft: Any machine, whether heavier or lighter than air, used or designated for flight in the air.

(b) Airplane: An engine-driven, fixed-wing aAircraft that is supported in flight by the dynamic reaction of the air against its wings.

(c) Airport: Any area of land, water, or mechanical structure which is used for the landing and takeoff of aAircraft, and is open to the general public, as evidenced by the existence of a current and approved Federal Aviation Administration Form 7480-1 or any successor application, for such use without prior permission or restrictions and includes any appurtenant structures and areas which are used or intended to be used for airport buildings, other airport facilities, rights of way or easements; provided, however, that the term "aAirport" shall not include the following facilities used as airports:

1. Facilities owned or operated by the United States or an agency thereof except for some joint use airports;
2. Privately owned facilities not open to the general public when such facilities do not interfere with the safe and efficient use of airspace of a facility for which a license or an Airport Operating Certificate issued under 14 C.F.R. Part 139 of the Regulations of the Federal Aviation Administration, or any successor regulations, has been granted;
3. Facilities being operated pursuant to ~~current Airport Operating Certificate issued by the Federal Aviation Administration~~14 C.F.R. Part 139 relating to certification requirements for airports serving scheduled air carrier operations, or any successor agency of the United States government; and
4. ~~Any facility served by scheduled air carrier operating under a Certificate of Public Convenience and Necessity issued by the Federal Aviation Administration, or any successor agency of the United States.~~

(d) Airport Hazard: Any structure, object of natural growth, or use of land which obstructs the defined rRunway pPrimary sSurface, safety area, and aApproach/ and dDeparture pPaths surfaces applicable to that particular aAirport.

(e) Airport License or License: ~~Permit-License~~ issued by the Department for the operation of an aAirport, hHelicopter, sSeaplane bBase or any other designated open to the public aAircraft landing area in the state.

(f) Airport Operations Areas: Any area of an aAirport used or intended to be used for landing, takeoff or surface maneuvering of aAircraft, including but not limited to runways, taxiway, and apron areas.

(g) Approach and Departure Path: An area of navigable airspace defined by the rules and regulations of the Department to insure safe ingress and egress of aAircraft to and from an aAirport.

(h) Department: Georgia Department of Transportation or any successor State agency.

(i) Displaced Threshold: A threshold which is designated as the beginning of that portion of the runway that is available for landing aAircraft. A dDisplaced tThreshold is located at a point on the runway other than the beginning of the full strength runway pavement. The paved area between the beginning of the full strength runway pavement and the dDisplaced tThreshold may be used for takeoff or rollout of aAircraft.

(j) FAA: Federal Aviation Administration or any successor Federal Agency.

(k) Geometric Layout: Designated locations of aAirport facilities and imaginary surfaces associated with minimum licensing standards.

(l) Helicopter: A rotary wing aAircraft that depends principally upon the lift generated by one or more engine-driven rotors rotating on a substantially vertical axis for its primary means of propulsion.

(m) Helicopter: An area of land, water, or structure used or intended to be used for the landing and takeoff of hHelicopters.

(n) Imaginary Surfaces, Airport: The imaginary surfaces associated with aAircraft operations and airspace surrounding an aAirport that is used to identify eObstructions to aAircraft navigation and operations.

(o) Instrument Approach: An aAircraft approach for landing at an aAirport using an electronic aid providing directional guidance.

(p) Large Airplane: An aAirplane of more than 12,500 lbs. maximum certified takeoff weight.

(q) Non-precision Instrument Runway: A runway having an instrument aApproach procedure utilizing navigational aids with normally only horizontal guidance to aAircraft approaching for landing. Vertical guidance is possible on some nNon-precision instrument runways.

(r) Obstruction: Any penetration of an aAirport imaginary surface described in Federal Aviation Regulation Part 77 and FAA Advisory Circular 150/5300-13 or as amended and superseded.

(s) Open-to-the-Public Airport: An aAirport that is publicly or privately owned which is open and available for use by the general flying public.

~~(t) Precision Instrument Runway: A runway having an instrument approach procedure utilizing navigation aids that provide horizontal and vertical guidance to aircraft approaching for landing. Person: an individual, firm, corporation, partnership, company, association, joint-stock association, municipality, county, or state agency, authority, or political subdivision and includes any director, employee, agent, trustee, receiver, assignee, or other similar representative thereof.~~

~~(t)(u)~~ Precision Instrument Runway: A runway having an iInstrument aApproach procedure utilizing navigation aids that provide horizontal and vertical guidance to aAircraft approaching for landing.

~~(u)~~ Relocated Threshold: A runway threshold that is located at a point on the runway other than the beginning of the full strength pavement and the portion of the runway between the beginning of the full strength pavement and the relocated threshold cannot be used for landing or takeoff of aAircraft.

~~(w)~~ Restricted Use Airport: An aAirport that is not open to the general public and requires prior permission from the aAirport owner for use. Most rRestricted uUse aAirports are military airfields and privately owned facilities.

~~(x) Runway Primary Surface: A runway primary surface is an imaginary surface that surrounds the runway and is centered along the runway centerline. The elevation of the primary surface is the same elevation as the nearest point on the runway centerline. When the runway is hard surfaced, the primary surface extends 200 ft. beyond the end of the runway. Runway Object Free Area: An imaginary area centered on the runway centerline that is clear of aboveground objects protruding above the runway centerline, except for allowable objects necessary for air navigation or Aircraft ground maneuvering purposes.~~

~~(wy)~~ Runway Primary Surface: A rRunway pPrimary sSurface is an imaginary surface that surrounds the runway and is centered along the runway centerline. The elevation of the primary surface is the same elevation as the nearest point on the runway centerline. ~~When the runway is hard surfaced, the primary surface extends 200 ft. beyond the end of the runway.~~ The Runway Primary Surface extends to the runway end.

~~(z)~~ Runway Safety Area: The ground surface surrounding the runway prepared or suitable for reducing the risk of damage to aAirplanes in the event of an undershoot, overshoot or excursion from the runway.

(yaa) Seaplane: An aAirplane designed for, or appropriately modified to land on and takeoff from the surface of a body of water.

(zbb) Seaplane Base: An area of water used or intended to be used for the landing and takeoff of sSeamplanes.

(AAcc) Small Airplane: An aAirplane of 12,500 lbs. or less maximum certified takeoff weight.

(BBdd) Traffic Pattern: The traffic flow that is prescribed for aAircraft landing or taking off from an aAirport.

(CCee) Visual Runway: A runway having no iInstrument aApproach procedure and intended solely for the operation of aAircraft using visual approach procedures.

Authority: O.C.G.A. Secs. 32-2-2(b), 32-9-8, 50-13-4.

PROPOSED

672-9-.03. Airports: Licensing Minimum Standards

A. Unobstructed Approach and Departure Paths for:

1. Runways less than 4000 ft shall begin at the runway end (marked threshold), shall slope upward at a minimum of 15:1 ratio, be centered along the extended runway centerline beginning at a width of 120 ft and extend for 500 ft to a width of 300 ft and continue at a width of 300 ft for an additional 2500 ft.
2. Runways 4000 ft. but less than 5000 ft shall begin at the runway end (marked threshold), slope upward at a minimum of 20:1 ratio, be centered along the extended runway centerline beginning at a width of 250 ft and extend for 2250 ft to a width of 700 ft and continue at a width of 700 ft for an additional 2750 ft.
3. Runways 5000 ft. or more shall begin at the runway end (marked threshold), slope upward at a minimum of 20:1 ratio, be centered along the extended runway centerline beginning at a width of ~~400~~340 ft and extend for ~~1800~~2200 ft to a width of 1000 ft and continue at a width of 1000 ft for an additional ~~8,500~~ 7,800 ft.
4. All penetrations of the ~~a~~Approach and ~~e~~Departure ~~p~~Paths, whether natural or manmade, constitute an ~~e~~Obstruction to navigation and a violation to licensing standards. If the ~~e~~Obstruction is not removed, the runway threshold must be displaced or relocated to a point on the runway that will provide a clear and unobstructed flight path.

B. Unobstructed Primary Surface (see above definition for Runway Primary Surface):

1. Shall be centered along runway centerline to the end of the turf-runways and extend 200 ft beyond the end of hard surfaced runways.
2. Runways less than 4000 ft. shall have a primary surface width of 120 ft.
3. Runways 4000 ft. but less than 5000 ft. shall have a primary surface width of 250 ft.
4. Runways 5000 ft. or more shall have a primary surface width of ~~400~~340 ft.
5. The primary surface shall be free of all ~~e~~Obstructions including natural growth and manmade objects. The only allowable ~~e~~Obstructions are frangible runway lights, frangible guidance signs, or navigation equipment that, by function, are required to be within the primary surface boundaries. The area not hard surfaced must be compacted and graded smooth with no ruts, humps, depressions or other potentially hazardous surface variations.
6. If the FAA Runway Object Free Area width is less than the Department's primary surface width set forth in this rule, the FAA Runway Object Free Area width will

become the standard for Department use for the primary surface width for that particular area.

C. Unobstructed Runway Safety Area:

1. Shall be centered along runway centerline and extend 240 ft. beyond the end of the runway for all runways less than 5000 ft. in length and 300 ft. beyond the end of the runway for runways 5000 ft. or greater in length.

2. The width of the runway safety area shall be 120 ft. for all runways less than 5000 ft in length and 150 ft. for runways 5000 ft. or greater in length.

3. The ~~r~~Runway ~~s~~Safety ~~a~~Area shall be free of all ~~e~~Obstructions including natural growth and manmade objects. The only allowable ~~e~~Obstructions are frangible runway lights, frangible guidance signs, or navigation equipment that, by function, are required to be within the ~~r~~Runway ~~s~~Safety ~~A~~Area boundaries. The area that is not hard surfaced must be compacted and graded smooth with no ruts, humps, depressions or other potentially hazardous surface variations.

4. If the FAA Runway Safety Area length and width are less than the Department standards set forth in this rule, the FAA Runway Safety Area length and width will become the standard for Department use for the Runway Safety Area length and width for that particular Airport.

D. Airport Marking: All runways shall be marked in a manner that clearly identifies the boundaries of the landing area.

1. Minimum marking for hard surface runways and taxiways:

2. All markings on hard surfaced runways and taxiways shall be painted and ~~the painted markings~~ must be maintained in legible condition.

3. Runway markings shall be white and taxiway markings shall be yellow. The size, shape, location and color of the marking shall be in compliance with the current FAA AC 150/5340-1, Standards for Airport Markings, as amended or superseded.

i. Minimum marking for turf or sod runways: All runway markings shall be colored white, securely attached to the surface, clearly visible from the ~~a~~Airport traffic pattern and identify the boundaries of the landing area.

ii. Threshold markings shall be L-shaped on each corner of each threshold. Runway side line markers shall be spaced at minimum intervals of 500 ft.

iii. Displaced ~~t~~Thresholds shall be identified by placing markers on each runway side at the displacement point. The markers shall be perpendicular to the runway with the inner edge aligned with the runway sideline markers.

E. Wind Direction Indicators:

1. All **aA**irports are required to have an operational wind direction indicator. The wind direction indicator must be installed in a highly visible area easily observed from the air and the ground. It must be located in an open area free from **eO**bstacles to insure accurate wind direction and approximate wind velocity. Night operations require that the wind indicator be lighted.

F. Airport Lighting: Runway lights are required for all **aA**irports that conduct night operations.

1. Minimum Lighting Requirements:

- i. The location, spacing, light intensity and lens color of runway, threshold and taxiway lights shall conform to the standards specified in the current FAA AC 150/5340-30, Design and Installation Details for Airport Visual Aids, as amended or superseded.
- ii. All runway, threshold and taxiway lighting shall be maintained in an operational condition and shall not be obscured by natural growth such as grass or weeds.

2. Airport Beacon: All **aA**irports with runway lights for night operations shall have an operational airport location beacon. The beacon shall have appropriately colored lenses to identify the type airport. The beacon shall be located at a site on or near the **aA**irport at an elevation that will ensure that it is not obstructed by natural growth or manmade structures and is clearly visible from the air.

G. Runway, Taxiway and Apron Minimum Conditions:

1. Runway and Taxiway Requirements:

- i. The runway and taxiway surface must be maintained smooth and free of any defect or **eO**bstacle that could damage **aA**ircraft during operations. This requirement includes any pavement pot holes, depressions or humps.
- ii. The lip of paved runways or taxiways must not exceed 1.5 inches in elevation from the top of the pavement to the runway shoulder. The drop should be only enough to allow adequate drainage from the runway and not pose a control problem for **aA**ircraft.
- iii. Turf runways must be graded smooth and grassed. The grass must be maintained, mowed to a height of less than 12 inches above the graded surface on the marked portions of the runway.

iv. The runway and taxiway ~~length and~~ width requirements shall conform to the current FAA AC 150/5300-13, Airport Design, as amended or superseded.

v. Seaplane Bases shall conform to the standards established by the controlling jurisdictions rules and regulations for operations on the body of water. If no specific standards have been established, the Seaplane Base shall conform to standard design guidance of FAA AC 150/5395-1, Seaplane Bases, as amended or superseded.

vi. Heliport landing areas and hover lanes/taxiways shall conform to the standards contained in FAA AC 150/5390-2, Heliport Design, as amended or superseded.

2. Apron Requirements:

i. The ~~a~~Aircraft apron (parking area) is for the operation, servicing and parking of ~~a~~Aircraft only.

ii. The apron surface should be smooth and free of ~~e~~Ostructions or defects that could cause damage to ~~a~~Aircraft during operation.

iii. The apron length, width, taxilane and tiedown requirements shall conform to the current FAA AC 150/5300-13, Airport Design, as amended or superseded.

H. Fueling Area Requirements:

1. Sign(s) must be posted to prohibit open flames or smoking in the ~~a~~Airport fueling area.

2. Grounding cables must be present and in working order.

3. A fire extinguisher approved for the purpose of extinguishing petroleum product fires must be available during all fueling operations.

I. Geometric Layout: The most recent version of the Federal Aviation Administration's Advisory Circular 150/5300-13 Airport Design, as may be amended or superseded, is adopted in its entirety as it pertains to ~~a~~Airport construction design standards for the licensing of ~~a~~Airports within the State of Georgia. No License shall be denied to the owner or operator of an Airport in existence on July 1, 1978, because of the failure to meet minimum standards prescribed with regard to Geometric Layout and separation between Airport runway, taxiway and Aircraft parking areas.

Authority: O.C.G.A. Secs. 32-2-2(b), 32-9-8, 50-13-4.

672-9-.04. Airport License Issuance/Renewal/Revocation; Cease and Desist Order

A. An issued aAirport license shall be renewed on a biennial basis and a biennial inspection will determine if the facility meets licensing requirements.

B. An issued aAirport license is not transferable with an aAirport change of ownership.

C. Grandfathered licensing provisions will not be transferred with an aAirport change of ownership.

D. New aAirport ownership will contact the Department by written notification 30 days prior to ownership transfer.

E. On or after July 1, 2010, the Airport license fee for an original license and each renewal thereafter will be one hundred dollars (\$100.00) per runway up to a maximum of four hundred dollars (\$400.00) per aAirport for the biennial period.

F. The owner of a licensed aAirport shall prominently display the license at the Aairport, or if there are no buildings at the aAirport, at the place of business of the licensee.

G. The aAirport owner shall maintain a current listing of all based aAircraft and each aAircraft shall be listed by type and federal aAircraft registration number (the N-number). A copy of the aAircraft listing shall be provided to the Department upon request.

H. The aAirport owner is responsible for maintaining the facility in compliance with stateDepartment licensing standards throughout the biennial period. The runway, taxiway and aAircraft parking areas must conform to the minimum standards for licensing as established in paragraph 3 aboveRule 672-9-.03G.

I. The aAirport owner shall be notified by letter of any violations of the minimum standards set forth herein discovered during an aAirport inspection. The noted violation(s) may result in the immediate suspension/revocation of the current operating license if the Department determines that the nature of the violation(s) causes a serious safety hazard for aAircraft operating to and from the aAirport. If noted violations are considered to be of no immediate serious hazard, a period of 120 days will be authorized for corrective action. Failure to correct the noted violations within the authorized period may result in the revocation of the aAirport license. ~~Upon notification by the Airport Owner to the Department that the necessary corrective action has been taken and subsequently verified by the Department, the license will be reissued in full effect~~If revoked, an Airport License may be reinstated if the Airport owner reapplies for and meets all qualifications for licensure, which shall include, but is not limited to, demonstrating to the Department's satisfaction that any previously unaddressed violations have been fully corrected.

J. Airport Inspections and Enforcement:

1. Inspections. --An applicant for, or a holder of, an aAirport license shall offer full cooperation to any representative of the Department inspecting the aAirport or proposed Aairport site.

2. Enforcement. --Applications for an n Airport license or a-its renewal ~~thereof~~ may be denied, or a license may be revoked, by the Department after notice and opportunity for “Right of Review” a hearing is given to the licensee, ~~whenafter~~ the Department ~~shall~~ reasonably determines that:

i. ~~That t~~The licensee has failed to comply with the conditions of the license or renewal thereof.

ii. ~~That t~~The licensee has failed to comply with the minimum standards for the issuance of an Aairport license as prescribed in these Department’s Rules and Regulations.

iii. ~~That b~~Because of changed physical or legal conditions or circumstances, the aAirport has become either unsafe or unusable for the purposes for which the license or renewal was issued.

~~iv. An unlicensed airport that has completed the “Right of Review” process and elects to continue to remain operational and open to the public shall be subject to a fine of one hundred dollars (\$100.00).~~

3. Licensee’s Right of Administrative Review. --The decisions of the Department to deny or revoke any license or renewal thereof shall be subject to review in the manner prescribed for the review of contested cases as prescribed by Chapter 13 of Title 50, the “Georgia Administrative Procedures Act.”

4. Unlicensed Airport Ownership or Operation. It shall be unlawful for any Person to own or operate an Airport without first obtaining and thereafter maintaining a License as required by O.C.G.A. § 32-9-8.

i. Any Person owning or operating an Airport without a valid License shall be subject to the issuance of a cease and desist order by the Department in accordance with O.C.G.A. § 32-9-8(i).

ii. Any Person violating the terms of a final cease and desist order shall be liable to the Department for a civil penalty not to exceed \$1,000.00 per violation per day. In assessing a maximum per-day civil penalty pursuant to these rules, the Department shall take into consideration the gravity of the violation, the history of any previous violations by such Person, and any other such contributing factors or circumstances in mitigation or aggravation thereof.

iii. Nothing set forth herein shall prevent the Department, in its discretion, from compromising or modifying any civil penalty imposed pursuant to O.C.G.A. § 32-9-8 or these rules.

iv. Any Person assessed a civil penalty for violating the terms of a final cease and desist order shall have the right to request a hearing as provided for in Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." Any such request for a hearing shall be made within ten days after written notification of the penalty's assessment has been served on the Person. If a hearing is not requested in a timely manner, the civil penalty assessed shall be final and subject to collection by the Department.

v. All civil penalties assessed pursuant to O.C.G.A. § 32-9-8 and these rules shall be paid in full to the Department by certified check or money order within 30 days of their becoming final. All costs of collection including, but not limited to, interest, court costs, and attorney's fees, shall be recoverable by the Department against any Person whom the civil penalties have been assessed and are final but have not been timely paid.

Authority: O.C.G.A. Secs. 32-2-2(b), 32-9-8, 50-13-4.

PROPOSED

672-9-.05. Airport Licensing and Inspection Exemptions

~~Airports owned by the federal government, except for some joint use airports, FAA Certificated Airports and Privately Owned Restricted Use Airports, are not required to be licensed or inspected by the Department Repealed.~~

Authority: O.C.G.A. Secs. 32-2-2(b), 32-9-8, 50-13-4.

PROPOSED