

Questions and Answers Relating to the Public Notice of Proposed Changes to Rural Airport Regulations

References: [Online Public Notice System](#) notice and the Alaska Administrative Code, Title 17, Chapter 45

Questions and answers updated as of September 9, 2015:

1. Why do you need the changes?

The regulations are now over ten years old and during the course of ongoing business operations statewide, the Department of Transportation and Public Facilities has identified in several instances the need or desirability of updating the regulations. Some purely administrative reasons exist for updates such as correcting obvious mistakes and improving existing language. In a few instances, substantive changes were made, such as modifying user categories for consistency with FAA guidance, and to add special event permits. A number of other modifications are proposed, as set forth in the public notice dated August 28, 2015.

2. Is there any particular issue you are dealing with?

The proposed changes are not directed to any particular issue now facing rural airports.

3. What are you changing?

DOT&PF proposes a variety of changes. The following overview is provided solely as a convenience for quick reference to the changes and does not represent the actual changes being proposed by DOT&PF. Despite our best efforts, the overview may be incomplete, inaccurate or misleading in one or more respects. Please reference the [Online Public Notice System](#) for a general summary of the changes and the actual change proposals. Readers are cautioned and advised to review the actual proposed 17 AAC 45 changes.

Below is a shorthand summary of the proposed changes:

- 17 AAC 45.010(e), 17 AAC 45.120(e)(1) and (e)(2) amendments update references to federal regulations.
- 17 AAC 45.010(j) amendment changes the number of days for an applicant to return a signed application for a lease, permit, or concession to the department or airport manager.
- 17 AAC 45.010(j)(1) amendment changes the number of days allowed for returning a signed permit, lease, or concession.
- 17 AAC 45.020(e) amendment adds concessions to those that may be authorized by the department to dump snow on an airport.
- 17 AAC 45.020(n) amendment removes an exception for placing, maintaining, or displaying on an airport a sign, signal, marking, light, or other device that purports to be or resembles a control device or that attempts to direct the movement of aircraft, pedestrian, or vehicle traffic, conceals or interferes with the effectiveness of a control device, or dazzles, blinds, or otherwise interferes with the vision of a pilot, pedestrian, or driver.
- 17 AAC 45.060(b) amendment clarifies the prohibition of persons entering a restricted area on an airport.
- 17 AAC 45.060(g) amendment changes a payment for processing an airport identification badge application.

- 17 AAC 45.060(k)(1) amendment increases the badge issuance fee and adds fees for reissue and renewal.
- 17 AAC 45.060(k)(2) amendment increases the fee for replacement of a lost badge.
- 17 AAC 45.060(k)(3) amendment increases the fee for failure to surrender a badge.
- 17 AAC 45.060(k)(4) amendment establishes a fee for replacement of a damaged badge.
- 17 AAC 45.060(k)(5) repeal removes the no fee provision for an administrative or government-mandated badge reissue.
- 17 AAC 45.060(k)(6) repeal removes the no fee provision for renewing an expired badge.
- 17 AAC 45.060(k)(7) repeal removes the no fee provision for reissuing a badge if reissuance is necessary only due to an airport audit.
- 17 AAC 45.11 and 112 amendments add sections that provide for the regulation of special event permits.
- 17 AAC 45.115 section heading amendment more accurately describes the contents of the section.
- 17 AAC 45.127(a)(1), (2), (3), (4), and 17 AAC 45.127(b)(1), (2), (3), (4) and 17 AAC 45.127(c)(1), (2), (3), (4) repeals remove outdated rental rates.
- 17 AAC 45.127(a)(5), 17 AAC 45.127(c)(5)(A), (B), (C), (D), 17 AAC 45.127(b)(5), 17 AAC 45.127(d)(5), 17 AAC 45.127(i), (t), 17 AAC 45.130(5)(C), 17 AAC 45.210(e)(1), (2), (3), 17 AAC 45.220(b), 17 AAC 45.275(b)(9)(B), 17 AAC 45.295(e), 17 AAC 45.300(e), 17 AAC 45.900(c)(9)(B), and 17 AAC 45.990(35) amendments change land use terminology to aeronautical or non-aeronautical.
- 17 AAC 45.127(g) amendment removes the appraisal method for determining fair market rent for the use of land, tideland, dock frontage, and float space at department-owned seaplane floats and turnaround facilities.
- 17 AAC 45.130(4) and (7) amendments add to the list of conditions for potential waiver or reduction of rents or fees.
- 17 AAC 45.240(c) amendment increases the time required for a lessee, permittee or concessionaire to submit written documentation of completion, following construction or remediation.
- 17 AAC 45.265(f) amendment adds a required statement to be included in each assignment for security purposes.
- 17 AAC 45.275(d) amendment clarifies those that may protest a denial of an assignment, assignment for security purposes, or sublease.
- 17 AAC 45.297(b) amendment increases the time limit for when a rental rate adjustment must be received by the department.
- 17 AAC 45.400(a)(1) and 17 AAC 45.400(b)(3) amendments remove the requirement to post certain notices on the department's official internet site.
- 17 AAC 45.590(3) amendment clarifies the definition of "short term."
- 17 AAC 45.710(b)(2) amendment corrects a paragraph reference.
- 17 AAC 45.990(20), (22) and (71) repeals remove the terms "aviation use", "auxiliary use", and "nonaviation use."
- 17 AAC 45.990 (108), (109), and (110) amendments add the terms "aeronautical use", non-aeronautical use" and "special event" to the list of definitions.
- 17 AAC 45.990(30)(B)(iv) and 17 AAC 45.990(86) amendments correct grammar.

4. Did you consider conducting the public notice of regulatory change during periods of reduced activity for air carriers, such as fall/winter? Will you extend the comment period to November 16, 2015?

DOT&PF added nearly three weeks to the minimum public comment period. As to the substance of the changes, DOT&PF does not believe the changes to be so complex or difficult to understand that

substantial additional time is appropriate or that substantial additional time will yield significant additional input. At the time of posting this answer, DOT&PF has received only one comment related to the nearly 7 week response time.