

**CHAPTER 56****AIRPORT SAFETY FUND PROGRAM****Authority**

N.J.S.A. 6:1-29, 6:1-44, 27:1A-5, and 27:1A-6; and "Airport Safety Act of 1983" P.L. 1983, c. 264, effective July 11, 1983 (N.J.S.A. 6:1-89 et seq.).

**Source and Effective Date**

R.2006 d.306, effective September 5, 2006.  
See: 38 N.J.R. 1168(a), 38 N.J.R. 3627(c)

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 56, Airport Safety Fund Program, expires on September 5, 2013. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 56, Aircraft Registration, was adopted prior to September 1, 1969.

Subchapter 3, Aircraft Registry Log, was repealed by R.1981 d.341, effective September 10, 1983. See: 13 N.J.R. 457(b), 13 N.J.R. 616(b).

Chapter 56, Aircraft Registration, was repealed by R.1983 d.476, effective June 4, 1984.

Chapter 56, Airport Safety Improvement Aid, was adopted as new rules by R.1984 d.207, effective June 4, 1984. See: 16 N.J.R. 694(a), 16 N.J.R. 1372(a). Pursuant to Executive Order No. 66(1978), Chapter 56 expired on June 4, 1989.

Chapter 56, Airport Safety Improvement Aid, was adopted as new rules by R.1989 d.413, effective August 7, 1989. See: 21 N.J.R. 1502(a), 21 N.J.R. 2299(b).

Pursuant to Executive Order No. 66(1978), Chapter 56, Airport Safety Improvement Aid, was readopted as R.1994 d.372, effective June 22, 1994. See: 26 N.J.R. 1607(a), 26 N.J.R. 2916(a).

Pursuant to Executive Order No. 66(1978), Chapter 56, Airport Safety Improvement Aid, was readopted as R.1999 d.207, effective June 10, 1999. See: 31 N.J.R. 928(a), 31 N.J.R. 1820(a).

Chapter 56, Airport Safety Improvement Aid, was readopted as R.2004 d.412, effective October 7, 2004. See: 36 N.J.R. 3340(a), 36 N.J.R. 4952(b).

Chapter 56, Airport Safety Improvement Aid, was repealed and Chapter 56, Airport Safety Fund Program, was adopted as new rules by R.2006 d.306, effective September 5, 2006. See: Source and Effective Date.

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**SUBCHAPTER 1. PURPOSE AND DEFINITIONS****16:56-1.1 Purpose**

These rules govern disbursements from the Airport Safety Fund Program to promote aviation safety, education, and aeronautics, and to preserve and rehabilitate the State general aviation airport system.

**16:56-1.2 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Airport" means any facility, or area of land, water, or both, either publicly or privately owned, which is licensed for the landing or takeoff of aircraft, and open to the public for aeronautical operations, that does not have a restrictive covenant on operational use by the general public for reasons other than safety, and is not an international airport.

"Airport Safety Fund Program" means a program established pursuant to the Airport Safety Act of 1983, N.J.S.A. 6:1-89 et seq.

"Aviation enterprise" means any business or enterprise that is principally located within a New Jersey unrestricted public use general aviation airport where the Commissioner has determined such business or enterprise has a direct economic or operational benefit to the airport.

"Commissioner" means the Commissioner of the New Jersey Department of Transportation.

“Department” means the New Jersey Department of Transportation.

“Division” means the Division of Aeronautics in the New Jersey Department of Transportation.

“Director” means the Director of the Division of Aeronautics.

“International airport” means the official name of an airport contains the words “international airport”, the airport is served by scheduled or charter international airline service, and U.S. Customs Service and Border Patrol service is available for arriving flights.

“State” means the State of New Jersey or a department of the State of New Jersey as the context may indicate or require.

## SUBCHAPTER 2. GRANTS AND LOANS

### 16:56-2.1 Airport improvement grants

(a) An airport may apply for an improvement grant to obtain financial assistance for airport improvement projects, consistent with the purposes of this chapter.

(b) Projects eligible for grants under this chapter may include, but are not limited to, the following:

1. Runway, taxiway and aircraft parking apron construction, reconstruction, overlay, rehabilitation, preventive maintenance, lighting and marking;
2. Development, redevelopment, rehabilitation, improvement, lighting and marking of turf and natural surface runways, taxiways and aircraft parking aprons;
3. Airport beacons, approach lighting, and electronic and visual navigation aids;
4. Airport security equipment and security projects;
5. Permanently installed above ground aircraft fueling equipment;
6. Airport and runway obstruction removal, mitigation and marking; and
7. Airport equipment dedicated to aircraft crash, fire and rescue purposes.

(c) Financial assistance for airport improvement grants shall not exceed 95 percent of the total project cost, and the recipient's share shall not be less than five percent of the total project cost.

### 16:56-2.2 Matching grants

(a) An airport may apply for a matching grant to obtain financial assistance from Federal sources of funding for air-

port improvement projects consistent with the purposes of this chapter.

(b) Matching grants may not exceed five percent of an airport's total project cost.

(c) In an emergency, a matching grant may be up to 100 percent of the airport's required match.

(d) The Department may enter into individual matching grant agreements for individual projects. The Department may also enter into multi-year matching grant agreements of up to seven years for multiple eligible projects requiring matching funds, when receiving Federal assistance during the term of the agreement.

(e) Matching grants will be paid in a single lump sum at the completion of the project.

Petition for Rulemaking.  
See: 44 N.J.R. 2074(b), 2254(d).

### 16:56-2.3 Airport acquisition grants

(a) Publicly owned airports, counties and municipalities may apply for an airport acquisition grant to obtain financial assistance for the acquisition of airports or lands, rights in land and easements, including aviation easements necessary for clear zones or clear areas.

(b) The airport to be acquired or for which the proposed acquisition will be made must be owned, controlled or operated, or to be owned, controlled or operated by a municipality, county or other political subdivision of the State.

(c) The acquired property or interest in property shall not be sold or used for any non-aviation purpose without the prior written approval of the Commissioner, and may be subject to contractual limitations or conditions established within the acquisition grant agreement.

(d) Financial assistance for airport acquisition grants shall not exceed 95 percent of the total project cost, and the recipient's share shall not be less than five percent of the total project cost.

### 16:56-2.4 Aviation studies grants

(a) An airport, the State, or any political subdivision of the State, may apply for financial assistance to conduct a study associated with a safety project, including, but not limited to, feasibility, system plan, master plan, airport layout plan, facility siting, engineering, environmental or aviation economic study.

(b) Financial assistance, for aviation studies grants, shall not exceed 95 percent of the total project cost, and the recipient's share shall not be less than five percent of the total project cost.