

CHAPTER 59

AIR RACES, MEETS, AND EXHIBITIONS

Authority

N.J.S.A. 6:1-20, 6:1-29, 6:1-30, 6:1-42, 27:1A-5, and 27:1A-6.

Source and Effective Date

R.2006 d.418, effective October 31, 2006.
See: 38 N.J.R. 3145(a), 38 N.J.R. 5175(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 59, Air Races, Meets, and Exhibitions, expires on April 29, 2014. See: 44 N.J.R. 2164(a).

Chapter Historical Note

Chapter 59, Air Races, Meets, and Exhibitions, was adopted and became effective prior to September 1, 1969.

Chapter 59, Air Races, Meets, and Exhibitions, was readopted as R.2006 d.418, effective October 31, 2006. See: Source and Effective Date. See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 59, Air Races, Meets, and Exhibitions, was scheduled to expire on October 31, 2013. See: 43 N.J.R. 1203(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 16:59-1.1 Purpose and scope
- 16:59-1.2 Definitions

SUBCHAPTER 2. LICENSE

- 16:59-2.1 Requirements for license
- 16:59-2.2 Sanction

SUBCHAPTER 1. GENERAL PROVISIONS

16:59-1.1 Purpose and scope

(a) This chapter provides minimum standards for the conduct and operation of air races, air meets, and aerial exhibitions.

(b) No air meet, air race or aerial exhibition shall be conducted or operated in this State without the person responsible for the conduct and operation of the event first obtaining a license from the Commissioner of the Department of Transportation.

(c) Closed-course air races are prohibited within the airspaces over New Jersey.

(d) Aerial exhibitions and air meets may be held at other than a licensed aviation facility provided the facility is suitable for such a demonstration.

Repeal and New Rule, R.2006 d.418, effective December 4, 2006.
See: 38 N.J.R. 3145(a), 38 N.J.R. 5175(a).
Section was "Policy".

16:59-1.2 Definitions

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

"Aerial exhibition" means a demonstration other than an air race or air meet, in which aircraft are utilized for public exhibition, including, but not limited to, air shows and balloon festivals.

"Air meet" means a public demonstration or competition involving one or more aircraft engaged in activities such as, but not limited to, aerial acrobatics, spot landing, paper cutting, simulated bomb dropping or other non-standard maneuvers or activities.

"Air race" means any competition inviting, directly or indirectly, public attention, involving the flight of two or more aircraft for the purpose of exhibiting relative speed or performance capabilities.

"Applicant" means a person who submits an application for a license to conduct an air meet, air race, or aerial exhibition.

"Department" means the New Jersey Department of Transportation.

"Event" means an aerial exhibition, an air meet, or an air race.

"Local" means a county, municipality, or other political subdivision of the State, or any agency, authority, or other entity of the political subdivision, which is not a State board, commission, committee, authority or agency.

"Person" means any individual, corporation, partnership or other association of individuals.

"State" means the State of New Jersey and any office, department, division, bureau, board, commission, agency and instrumentality of the State, except political subdivisions and their agencies and instrumentalities.

Amended by R.2006 d.418, effective December 4, 2006.
See: 38 N.J.R. 3145(a), 38 N.J.R. 5175(a).

In introductory paragraph, substituted "chapter" for "Chapter"; re-wrote definitions "Aerial exhibition", "Air meet" and "Air race"; and added definitions "Applicant", "Department", "Event", "Local", "Person" and "State".

SUBCHAPTER 2. LICENSE

16:59-2.1 Requirements for license

(a) The application for a license to conduct an air meet, air race, or aerial exhibition shall be made on New Jersey Department of Transportation Form DA-27, "Application for Air Meets, Air Races, Aerial Exhibitions". This form must be submitted to the Division of Aeronautics at least 15 days in advance of the proposed event. The application form (DA-27) may be obtained from the Division of Aeronautics at:

Division of Aeronautics
New Jersey Department of Transportation
P.O. Box 610
Trenton, NJ 08625-0610
or
<http://www.state.nj.us/transportation/commuter/aviation/forms.shtm>.

(b) A map or diagram (to scale 1 inch = 400 feet) of the operations area shall be attached to the application. All distances must be shown. It shall depict the maneuver area and all obstructions, roads, spectator areas, congested areas, parking areas, dead-lines, police stations, ambulance stations, fire trucks, crash truck and control stations for both air and ground traffic.

(c) Certification that the ground areas to be utilized are under the control of the applicant or are being used with the permission of the landowner, shall be attached to the application.

(d) Where the event is subject to the provisions of any Federal, State or local regulation permission shall be obtained by the applicant and a copy of the authorization or permission shall be attached to the application.

(e) Restrictions or limitations contained in any written authorization from the Department shall be made part of the license.

(f) The applicant shall ensure that the event will be performed without undue hazard to persons or property on the ground and reasonable safeguards will be established to assure maximum margins of safety during the event. These

safeguards shall be submitted with the application for review before a license may be issued. Safeguards shall include, but are not limited to:

1. Positive control over participants and spectators will be established and maintained;
2. The flight course will be located and spaced to provide a maximum of protection to persons and property on the ground.

(g) An application fee of \$25.00 shall be submitted with the application.

(h) The application shall contain:

1. The applicant's name and address;
2. The sponsor's name and address;
3. The location, time and date of the event;
4. Identification of emergency facilities;
5. The schedule of activities; and
6. The pilots participating in the activities.

(i) Signatures of the applicant and of an authorized representative of the governing authority as to compliance with local ordinances, shall be affixed to the application.

Amended by R.2006 d.418, effective December 4, 2006.

See: 38 N.J.R. 3145(a), 38 N.J.R. 5175(a).

In (a), inserted the last sentence and added the address; in (b), substituted "map or diagram" for "sketch" and "shall" for "must" two times; deleted former (c); added new (c); rewrote (d); deleted former (e) and (f); and added new (e) through (i).

16:59-2.2 Sanction

Any person who knowingly or willfully makes a misrepresentation or false statement in the application or violates the provisions of this chapter shall be subject to the fines and penalties as provided by N.J.S.A. 6:1-1 et seq.

Amended by R.2006 d.418, effective December 4, 2006.

See: 38 N.J.R. 3145(a), 38 N.J.R. 5175(a).

Substituted "chapter" for "Chapter or Title 6 of the New Jersey Statutes Annotated," and "N.J.S.A. 6:1-1 et seq." for "Title 6 of the New Jersey Statutes Annotated."