

**CHAPTER 76****RULES OF OPERATION FOR ATLANTIC CITY INTERNATIONAL AIRPORT****Authority**

N.J.S.A. 27:25A-7(q), 27:25A-21 and 27:25A-24.

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**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 76, Rules of Operation for Atlantic City International Airport, expires on May 18, 2007.  
See: 38 N.J.R. 4849(a).

**Chapter Historical Note**

Chapter 76, Rules of Operation for Atlantic City International Airport, was adopted as R.2001 d.413, effective November 19, 2001. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS****19:76-1.1 Purpose and scope**

The purpose of these rules is to provide the Authority with rules governing the everyday operations of the Airport to ensure safe and efficient air travel. The rules cover the entire

gamut of everyday operations, but are not intended to supersede or abrogate the regulations of the Federal Aviation Administration.

### 19:76-1.2 Definitions

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

“Accident” means a collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing which results in property damage, bodily injury or death; or an entry onto or emerging from an aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or which results in property damage.

“Advertising” means the action of calling something, such as a commodity for sale or a service offered or desired, to the attention of the public by means of posting, voicing, distributing or displaying signs, literature, circulars, pictures, sketches or other forms of printed or written material.

“Aeronautical activities” means any aviation related commercial activities generally provided to the public at the Airport either by the tenants or invitees, with or without compensation.

“Air cargo operator” means an airline, or other person(s), who engage in the commercial shipping of freight and mail.

“Air Operations Area” means all space at the Airport where general public users are restricted by fence or posting, or such areas where aircraft are parked or operated, or where operations not open to the general public are conducted; and includes, but is not limited to, the aircraft ramps, aprons, taxiways, runways and the Federal Aviation Administration facilities.

“Aircraft” means any and all contrivances used or designed for navigation of or flight in the air, including, but not limited to, airplanes, airships, dirigibles, helicopters, gliders, amphibians and seaplanes.

“Aircraft movement area” means the runways, taxiways, and other areas of the Airport utilized for taxiing, take-off and landing of aircraft exclusive of aircraft loading ramps and parking areas over which the control tower, pursuant to the Federal Aviation Act of 1958, Pub. L. 85-726, as amended, has authority to approve or disapprove the movement of aircraft, vehicles, equipment or personnel.

“Airport” means the Atlantic City International Airport and all its lands and improvements thereon, including all buildings and appurtenances.

“Airport Director” means the official appointed by the Authority to manage the Airport or his or her duly authorized designees.

“Airport Manager” means that person appointed in accordance with an agreement between the Authority and the Contract Manager as the on-site supervisor of the Authority owned and/or controlled property at the Airport, or a duly authorized designee.

“Airport service vehicles” means vehicles operated by the Contract Manager or Authority and routinely used for construction, service and maintenance of the Airport.

“Airport personnel” means the authorized Airport employees of the Authority, Contract Manager, Federal Aviation Administration Technical Center and other persons connected with the operation, maintenance and servicing of the Airport.

“Airport Operations Officers” mean the duly designated personnel of the Contract Manager responsible for the operation, supervision and protection of the Airport.

“Apron or ramp” means those areas of the Airport within the Air Operations Area designated for the loading, unloading, servicing or parking of aircraft.

“Assistant Airport Manager” means the person designated by the Airport Manager to be responsible for the daily operating functions of the terminal.

“Authority” means the South Jersey Transportation Authority.

“Baggage handling operators” means the employees of the airline, or other person(s), whose function is to take and deliver the baggage of Airport customers.

“Based aircraft” means any aircraft whose operator leases or subleases tie-down or hangar space at the Airport on a month-to-month or longer term basis.

“Commercial activity” means the exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind, or any revenue producing activity at the Airport.

“Commercial vehicle” means any vehicle designed, maintained or used primarily for the transportation of property or persons for a commercial enterprise regardless of whether the charge for services is paid directly or indirectly by the customer being served. Examples of commercial vehicles include but are not limited to, on duty taxicabs, limousines, courtesy vehicles, delivery and chartered/scheduled buses.

“Concessionaire” means persons conducting commercial activity at the Airport by virtue of an agreement with the Authority.

"Contract Manager" means the person authorized by agreement with the Authority to administer, operate, supervise and protect the Airport and the general public at the Airport, as required by the provisions of the agreement and this chapter.

"Control tower" means the Airport traffic control facility located at the Airport and operated by the Federal Aviation Administration, which has exclusive jurisdiction over activity on the aircraft movement areas.

"Courtesy vehicle" means any vehicle, other than a taxicab, bus motorbus service, or limousine, which is operated at no expense to the customer for the transportation of customers and/or baggage between the Airport and designated motel, hotel, auto rental office or non Airport-operated parking lot location.

"Crosswalk" means that portion of a roadway included within the prolongation or connection of the lateral lines of sidewalks, intersection, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Dope" means cellulose nitrate or cellulose acetate dissolved in volatile flammable solvents.

"Doping" means the application of dope to strengthen and tighten aircraft fabric.

"Driver" means any person who drives, operates or is in actual physical control of a vehicle or motor vehicle.

"Environmental laws" mean all laws relating to environmental matters, including, without limitation, those relating to fines, orders, injunctions, penalties, damages, contributions, cost recovery compensation, losses, or injuries resulting from the release or threatened release of Hazardous Materials and to the generation, use, storage, transportation, or disposal of Hazardous Material, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§ 9601 et seq.), the Hazardous Material Transportation Act (49 U.S.C. §§ 1801 et seq.), the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §§ 6901 et seq.), the Clean Water Act (33 U.S.C. §§ 1251 et seq.), the Safe Drinking Water Act (42 U.S.C. §§ 300f-300h-11 et seq.), the Occupational Safety and Health Act of 1970 (29 U.S.C. §§ 651 et seq.), the Emergency Planning and Community Right-To-Know Act (42 U.S.C. §§ 11001 et seq.), each as heretofore and hereafter amended or supplemented, and any analogous future or present local, State or Federal statutes, rules and regulations promulgated thereunder or pursuant thereto, and any other present or future law, ordinance, rule, regulation, permit or permit condition, order or directive regulating to or imposing liability standards of conduct concerning any Hazardous Material by the Federal Government, any state or any political subdivision thereof, exercising executive, legislative, judicial, regulatory or administrative functions.

"Federal Aviation Regulations (FAR)" means the regulations contained in Title 14 of the Code of Federal Regulations.

"Fixed-base operator" means any person authorized and required by contract with the Authority, procured pursuant to N.J.S.A. 27:25A-1 et seq., to provide aeronautical activities at the Airport.

"Flammable liquids" means any liquid which emits a flammable vapor at or below a temperature of 100 degrees Fahrenheit, as determined by flash point from a Tagliabue Open Cup Tester, and shall include any other combustible liquids currently used for aircraft fuels.

"General aviation" means all phases of aviation other than aircraft manufacturing, military aviation, scheduled, nonscheduled, and regulated air carrier operations.

"Ground transportation services" means the transportation of property or persons to and from the Airport by a commercial vehicle.

"Hazardous materials" means a substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property, when stored, transported, or used in commerce as defined by the U.S. Department of Transportation.

"Limousine" means any two axle, four tire motor vehicle which has livery or omnibus registration plates and:

1. Has a wheel base of 16 feet or greater; or
2. Measures 16.5 feet or greater from the second axle to the front bumper and vehicle height is less than 65 inches.

"Loading area" means a designated space for the loading and unloading of aircraft.

"Loading bridges" means a device which is attached to an aircraft to facilitate the loading and/or unloading of the aircraft.

"Loading gate" means that space reserved for the loading of passengers onto commercial vehicles.

"Local aircraft operations" means:

1. Aircraft operating in the local traffic pattern or within sight of the control tower;
2. Aircraft that are known to be departing for, or arriving from flight in local practice areas located within a 20-mile radius of the control tower; and
3. Aircraft making simulated instrument approaches or low passes at the Airport.

"Marshaller" means a ramp attendant who guides aircraft during ground handling operations.

"Motorbus service" means subscription, tour, charter and other special motorbus services.

"Motor vehicle" means any self-propelled, wheeled, tracked vehicle, or trailer hitched onto a vehicle, upon which a person or property may be transported, carried or otherwise moved from point to point, or used for the service and maintenance of equipment or property.

"NFPA" means the National Fire Protection Association located at 1 Batterymarch Park, Quincy, MA 02269, which has established recognized standards of fire protection.

"Operator" means the owner of an aircraft or vehicle or any person who has rented or has possession of an aircraft or vehicle for the purpose of operation by self or agents.

"Operations Office" means the office of the persons responsible for the day-to-day operating functions of the terminal and Airport.

"Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and including any trustee, receiver, committee, assignee, or other representative or employee thereof; or the United States of America or any foreign government or any state or political subdivision thereof or the United Nations.

"Pre-arranged" means services obtained prior to passenger entry at the Airport and which are not recurring in nature.

"Private vehicle" means a vehicle transporting persons or property, for which no charge, except parking fee, is paid directly or indirectly by the passenger or by any other entity, excepting and excluding any vehicle that is a courtesy vehicle as defined herein.

"Public vehicle parking areas" means those portions of the Airport designated by the Authority or Contract Manager and made temporarily or permanently available to the public for the parking of vehicles.

"Refueling service vehicle" means any vehicle other than cargo tank vehicles, either self-propelled or without motive power, equipped with hose and other necessary devices for transferring fuel into or out of an aircraft, vehicles or equipment.

"Restricted areas" means areas closed to the general public pursuant to Federal Aviation Regulations, or Airport Directives excluding Airport access roads to private facilities. These areas are defined as areas which are used to perform the everyday activities and operations of the Airport. These areas include, but are not limited to, Security Identification Display Areas (SIDA), runways, aprons, taxiways, airfield areas, and Airport access roads. These areas are restricted to use by authorized Airport personnel while engaged in their duties.

"Runway" means an improved surface area reserved exclusively for the landing and taking off of aircraft.

"Security Identification Display Area" ("SIDA") means any area identified in the Airport security program as requiring each person to continuously display on their outermost garment, an airport-approved identification medium unless under airport approved escort.

"Solicitation or to solicit" means to directly or indirectly, actively or passively, openly or subtly, ask (or endeavor to obtain by asking), request, implore, plead for, importune, seek or try to obtain.

"Stop, stopping or standing" means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, Authority or Contract Manager's personnel, or traffic control signal, sign or device.

"Taxicab" means and includes any motor vehicle engaged in the business of carrying passengers for hire in accordance with the ordinances of Egg Harbor Township, New Jersey.

"Taxicab stand" means an area adjacent to the curb reserved for the exclusive use of taxicabs awaiting passengers.

"Taxiway" means an improved surfaced area used primarily by aircraft to proceed to and from ramp and runway areas.

"Technical Center" means the office of the Federal agency located adjacent to the Airport.

"Tenant" means any person leasing space in the terminal or at the Airport pursuant to agreement with the Authority.

"Terminal" means the building(s) designed to accommodate the enplaning and deplaning activities of air carrier passengers.

"Tour operator" means those persons operating a commercial activity who through prior arrangement, are to meet, transport or arrange for the transportation of a designated group of passengers and their baggage arriving or departing via the Airport.

"Ultralight vehicles" means a vehicle that is used only for aviation recreation or sport aviation purposes, and satisfies all criteria and requirements of FAR, Part 103, including subsequent amendments.

"Vehicle" means any device in, upon or by which any person or property is or may be transported, carried or drawn upon land, regardless of the means of propulsion, except any devices moved upon stationary rails or tracks.

**19:76-1.3 Use of airport**

(a) Permission granted by the Authority, or Airport Operator as an authorized agent thereof, expressly or by implication, to enter upon or use the Airport or any part thereof, including permission to aircraft owners, operators, pilots, crew members, servicemen, and passengers, spectators, sightseers, officers and employees of flight operators, lessees, concessionaires, and other persons occupying space at the Airport, persons doing business with the Airport, its lessees, subleases and permittees and all other persons whatsoever, shall be conditioned upon compliance with this chapter.

(b) No person shall do business at the Airport or use the Airport premises for any commercial activity without an agreement with the Authority or written permission from the Authority.

(c) These rules set forth limitations on the times, places and manner of noncommercial expression at the Airport to ensure that the orderly and safe flow of persons is not obstructed and that normal operations of the Airport are not unduly disrupted. These limitations are not intended to apply, nor do they apply, to talking, reading, wearing political buttons or other similar private forms of expression, all of which are permitted throughout the public areas of the Airport.

(d) The Authority is not responsible for the views and ideas expressed in the conduct of noncommercial expression by any organization(s) or person(s). The Authority, or its designee, may, through signs, public announcements and/or personal communications, advise the public of the presence of an organization or person and may disclaim responsibility for, and/or sponsorship of, that persons' or organization's cause.

**19:76-1.4 Certificate of Registration for noncommercial expression**

(a) The Authority, or its designee, shall issue Certificates of Registration (Certificates), on a first-come, first-serve basis, to conduct noncommercial expression in specified areas (as designated on the map attached to the Certificate). The Certificates shall be issued without charge, when fully completed and consistent with these rules subject to availability and limitations of space.

(b) Applications for Certificates may be obtained at the Operations Office during business hours. If the application is being made on behalf of an organization, the application shall state the number of persons requesting a Certificate. The application shall also include:

1. The applicant's name;
2. If applicable, the name of the organization which the applicant represents;

3. If more than one Certificate is requested, the names and titles of the persons who will have supervision of and responsibility for the expressive conduct;

4. If applicable, a statement that the proposed solicitation or sale of printed matter is for a noncommercial purpose, that is, for contributions which will be used by a religious group, political organization, tax exempt organization or an organization duly registered with the State as a charitable organization in accordance with N.J.S.A. 45:17A-1 et seq.; and

5. The applicant's address and/or telephone number at the option of the applicant.

(c) The Certificates shall be issued or denied as soon as possible upon application in person and within one day of receipt of a completed application by mail.

(d) A denial of a Certificate may be appealed in accordance with N.J.A.C. 19:76-6.6.

**19:76-1.5 Validity of Certificates of Registration**

(a) A Certificate of Registration is valid for five days and expires at 12:00 A.M. midnight on the fifth day.

(b) Each Certificate shall be valid only for the person or organization stated on the Certificate.

(c) Certificates shall not be transferred or assigned to another person or organization.

(d) The Authority may limit the number of valid continuous Certificates to the maximum number of persons designated on the map attached to the Certificate. If the number of persons covered by an organization application exceeds the maximum number of Certificate holders indicated on the map, the Authority shall distribute the maximum number of Certificates on a first-come, first-served basis.

(e) Certificates are only valid for the specific location indicated on the map attached to the Certificate.

(f) The Authority may temporarily defer or modify the Certificate for reasons of public health, safety or welfare.

(g) The Authority may temporarily grant or restrict public access to the Airport, or any portion thereof, at its discretion for emergent public health, safety or welfare reasons without prior notice.

(h) Holders of a Certificate of Registration shall not make outcries, use devices for voice and/or sound amplification, or other devices that substantially disrupt Airport related activities.

(i) Only placards made of cloth, heavy paper, cardboard, or similar lightweight materials shall be used by Certificate holders. Such placards shall be no larger than 48 inches by 24 inches. Placards shall be exhibited no higher than nine

feet from the floor and shall not be affixed to any wall, door, window, canopy or any other interior or exterior portion of the Airport.

(j) No Certificate of Registration holder shall use a table, unless the map attached to the Certificate expressly provides for this use in the designated expressive area.

(k) Certificate of Registration holders shall not leave materials unattended and shall remove the same at the end of each daily session. Certificate of Registration holders shall at all times keep the area in a reasonably clean, neat, and uncluttered condition.

(l) A Certificate of Registration holder who is exercising noncommercial expression at the Airport shall have a valid Certificate of Registration available at all times, on his or her person, for inspection by the Authority, or its designee, or local official.

(m) Certificate of Registration holders assume all liability for any and all damage or injury arising out of the Certificate holder's noncommercial expressive activity, on or about the Airport, and by accepting the Certificate of Registration, agree to release the Authority and any of its servants, employees or agents from any liability or damages resulting from the Certificate holder's use or occupancy of the Airport in connection with the Certificate of Registration.

#### 19:76-1.6 Registration of aircraft

All general aviation aircraft based at the Airport shall be registered with a fixed-base operator. The registration shall include type and make of aircraft, aircraft registration number, and the owner's name, address and telephone number.

#### 19:76-1.7 Conditions governing commercial activity

(a) No concessionaire or other person shall use the Airport, or any portion thereof, for any commercial activity except by agreement with the Authority in accordance with the provisions of N.J.S.A. 27:25A-1 et seq.

(b) No concessionaire or other person shall use the Airport, its facilities and services, for the purpose of utilizing professional skills or the professional skills of employees for profit, except by agreement with the Authority in accordance with the provisions of N.J.S.A. 27:25A-1 et seq.

#### 19:76-1.8 Baggage handling

(a) All baggage-handling operators and their employees shall comply with the following procedures:

1. Each baggage-handling operator employee shall display an identification card bearing the employee's picture issued by the Contract Manager. The identification card shall be displayed on the outermost garment while the employee is in the Air Operations Area.

2. All interline baggage carts which have operating side curtains shall be closed or secured when the cart contains baggage in transit or is being stored during inactive periods.

3. Baggage shall not be placed in the cab of tow vehicles (or any vehicle) under any circumstances.

4. Employees engaged in handling baggage shall be prohibited from carrying personal belongings, including, but not limited to, handbags, tote bags, lunch bags, radios or cameras, while on the Public Ramp, Apron Area or Air Operations Area.

5. Baggage shall be delivered to the various receiving centers only when the centers are in use and baggage can be properly received.

6. Baggage shall not, under any circumstances, be left at a receiving center unless proper arrangements have been made to receive it.

#### 19:76-1.9 Personal baggage carts

(a) Use of personal baggage carts shall be restricted to persons who have rented the units for transportation of baggage, packages or similar items. No person shall use personal baggage carts without paying the fees established by the concessionaire.

(b) Personal baggage carts shall not be used to assist other passengers in competition with, or hindrance of, the services provided by Airport Skycaps transport.

(c) Personal baggage carts shall not be used on escalators.

(d) Personal baggage carts shall not be operated by children.

(e) Airport employees and tenants shall not keep personal baggage carts for personal use.

(f) No person other than a concessionaire shall dispense or sell personal baggage carts.

(g) The personal baggage cart concessionaire shall collect personal baggage carts not returned by the original user.

(h) No person shall come to the Airport for the primary purpose of returning or otherwise using personal baggage carts for financial benefit.

#### 19:76-1.10 Air cargo procedures

(a) Each air cargo operator shall designate either a security officer or another management official to handle cargo security responsibilities, and each such operator shall notify the Airport Director of such designation.

(b) The Airport Director reserves the right to designate a particular portion of the Air Operations Area as an Air Cargo Handling Area. Upon such designation, all references in this section to the Air Operations Area shall be understood to refer to the Air Cargo Handling Area.

(c) Each air cargo operator shall issue to each of its employees an identification badge in accordance with N.J.A.C. 19:76-1.23.

(d) Each air cargo operator shall issue to each employee working on an apron or ramp a reflective vest-type garment. The garment shall be color-coded as designated by the Airport Director to distinguish the individual air cargo operator, and shall show the air cargo operator's name or logo in three-inch block lettering on the front and rear of the garment. It shall also provide for the secure attachment of an identification card that will be used to hold the numbered Airport identification card and appropriate company identification cards or documents. This garment shall be worn externally by all employees engaged in cargo movement activity whether on a ramp or within the confines of a secure area of the cargo facility.

(e) The Air Operations Area shall be restricted to air cargo operator employees and those who shall be escorted by an air cargo operator authorized employee. The air cargo operator shall establish a barrier or paint a yellow line in the Air Operations Area, which shall be readily distinguishable from a taxiway line, beyond which no one shall be permitted, unless escorted by an air cargo operator's authorized employee.

(f) Vehicles of air cargo operator's employees and other private vehicles shall not be permitted in the Air Operations Area. Air cargo operators shall designate other areas in which such vehicles may park and shall notify the Airport Director of such designation. Trucks shall not be parked in parking areas designated for employee or other private vehicle parking. The designation of parking areas shall not be required if the air cargo operator obtains the written permission of the Airport Director.

(g) This air cargo procedure rule shall be conspicuously posted within the Air Operations Area by the air cargo operator.

(h) Any missing item of cargo valued by the air cargo operator at \$100.00 or more, which after the air cargo operator's investigation is determined to be lost or stolen, shall be reported by the air cargo operator to the Contract Manager. Any loss or theft of high value cargo or sensitive cargo shall be reported to the Contract Manager immediately. Cargo valued at \$25,000 or more shall be considered high value cargo.

(i) Air cargo operators by 24-hour notice shall request an escort at the Operations Office for ground transportation between points on the air terminal for high value cargo.

(j) Air cargo operators are encouraged to request an escort for sensitive cargo valued at less than \$25,000. Air cargo operators need not request an escort for high value cargo transported via armored vehicle.

(k) Each air cargo operator shall designate its normal hours of operation and shall notify the Airport Manager of such designation.

(l) Each air cargo operator shall designate a high value cargo storage area with limited access, and shall notify the Airport Manager of such designation. Such designation shall not be required if the air cargo operator obtains the written permission of the Airport Manager. A log shall be maintained by the air cargo operator for this area, to record by date and time whenever a high value cargo item is stored or removed from the area, and the person storing or removing the same. The log shall include airway bill numbers of the items entered into the high value cargo area. Where an item is not identifiable by an airway bill number, a description of the item and the designee's address shall be noted. The log shall record the number of pieces, the date, the time in and out, and signatures of persons entering the high value cargo storage area.

(m) Ground handling equipment and trucks containing cargo, if capable of being closed and locked, shall be closed and locked by the air cargo operator when unattended. If not capable of being closed and locked, the cargo shall be covered and secured.

#### 19:76-1.11 Loading bridge operations

(a) No person shall be on the exterior maintenance stairs when a loading bridge is in the process of moving.

(b) All loading bridges shall maneuver in the areas provided and marked on the ground.

(c) Only a tug which is in the process of moving an aircraft in or out of an aircraft slot may cross into the maneuvering area of a loading bridge.

(d) No vehicle shall be driven under a loading bridge.

(e) Loading bridges may only be operated by personnel who have completed an Authority approved training program and are employed by an operator, fixed-base operator, the Contract Manager or the Authority.

(f) Loading bridges shall be operated with a minimum of two qualified people at all times, one person to operate the loading bridge and the second (located on the ground) to assure clearance of any obstructions at ground level. Personnel shall communicate via radio or hand held signals during the operation and movement of the bridge.

(g) Only the person operating the loading bridge is permitted in the bridge while it is in operation.

(h) When not in use, the loading bridge shall be stored in a default position or as requested by the Authority or Contract Manager.

(i) All operators and fixed-base operators operating loading bridges shall provide evidence of insurance to the Authority.

(j) Airport personnel shall obey all warning devices and remain clear of loading bridges when in operation.

(k) All mechanical problems and/or damage to a loading bridge shall be reported immediately to the Contract Manager.

(l) Each operator or fixed-base operator may only operate the bridge to and from their own aircraft.

#### 19:76-1.12 Discrimination prohibited

No concessionaire or other person engaged in commercial activity at the Airport shall discriminate against any person or group of persons in any manner prohibited by FAR Part 2, or any other applicable Federal, State or local regulation or law.

#### 19:76-1.13 Advertising and display

No concessionaire or other person shall post, distribute, or display advertisements, or distribute beverages, food products or any other commercial enticements at the Airport, without the prior written permission of the Airport Director, in accordance with the provisions of a lease, contract or permit executed with the Authority.

#### 19:76-1.14 Commercial photography

(a) To avoid disruption of the orderly flow of pedestrian, vehicular, and aircraft traffic, no person shall take for commercial purposes still, motion, or sound motion, photos or film or recordings of voices or other sounds at the Airport except by written permission of the Contract Manager in accordance with N.J.A.C. 19:76-6.5.

(b) Subsection (a) above does not apply to bonafide coverage of the news media conducting business in authorized areas after notification to the Contract Manager and the Authority. Representatives of the working press who desire access to Air Operations areas shall first contact the Contract Manager for an escort.

#### 19:76-1.15 (Reserved)

#### 19:76-1.16 Animals; general

(a) No person shall enter any part of the Airport with an animal, domestic or otherwise, unless such animal is kept restrained by a leash or is confined so as to be completely under control, other than a blind person with a seeing-eye dog and guard and search dogs under the control of authorized handlers and present at the Airport as authorized and approved by the Contract Manager.

(b) Except for animals that are to be or have been transported by air and are properly confined for air travel, no person shall permit any non-domestic animal under his or her control or custody to enter the Airport.

(c) No person shall hunt, pursue, trap, catch, injure or kill any animal at the Airport except pursuant to an official act authorized by the Authority or Contract Manager.

(d) No person shall feed or do any other act to encourage the congregation of birds or other animals at the Airport.

(e) Animals may urinate or defecate in outside areas designated by the Contract Manager. Persons in control of animals are responsible for cleanup.

(f) Any person bringing an animal to the Airport agrees to fully indemnify, defend, save and hold harmless the Authority, Contract Manager and their officers, agents and employees from and against all losses, damages, claims, liabilities and causes of action of every kind or character and nature, as well as costs and fees, including reasonable attorney's fees connected therewith and expenses of the investigation thereof, based upon or arising out of damages or injuries to third persons or property caused by the negligence of the person. The Authority or Contract Manager shall give to the person prompt and reasonable written notice of any claims or action and the person shall have the right to investigate, compromise and defend same to the extent of the person's interest.

#### 19:76-1.17 Animals in the terminal

(a) No person shall enter the terminal with a domestic animal, unless such animal is to be or has been transported by air and is confined so as to be completely under control other than:

1. A blind person with a seeing-eye dog; or
2. Guard and search dogs under the control of authorized handlers and present at the Airport as authorized and approved by the Contract Manager.

(b) No person shall, either willfully or through failure to exercise due care or control, permit any animal to urinate or defecate in the terminal or any other building used by the public. Persons in control and/or owners of animals shall be responsible for cleanup costs, as assessed by the Contract Manager.

#### 19:76-1.18 Solicitation

No person shall solicit funds, credit, property, financial assistance or other things of value at the Airport for any purpose without a Certificate of Registration as provided in N.J.A.C. 19:76-1.4.

**19:76-1.19 Picketing, and other demonstrations**

(a) No person shall walk in a picket line as a picket or take part in a labor or other form of demonstration including, but not limited to, parades, marches, patrols, sit-ins, and public assemblies at the Airport, without a Certificate of Registration as provided in N.J.A.C. 19:76-1.4.

(b) All such picketing and other demonstrations shall be conducted:

1. In a peaceful and orderly manner without physical harm, molestation, threat or harassment of persons, obscenities, violence, breach of the peace or other unlawful conduct;
2. Without obstruction of the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly, and efficient operations of the Airport and the activities conducted thereon; and
3. In strict accordance with the operating procedures which govern such activities at the Airport.

**19:76-1.20 Sale or distribution of written material**

No person shall sell or distribute flyers, brochures, pamphlets, books or any other printed or written material without a Certificate of Registration as provided in N.J.A.C. 19:76-1.4.

**19:76-1.21 Lost and found**

(a) All persons finding lost articles at the Airport shall deliver them to the Security Office. An individual on duty at the Security Office shall complete a lost and found report. This report shall include:

1. The date, time and place the article was found;
2. A description of the article which includes condition;
3. The name, address and telephone number of the person who found the article;
4. Whether the owner of the article was contacted and a summary of the conversation;
5. Special remarks or comments; and
6. The signature of the individual completing the report.

(b) Lost and found reports shall be documented in a lost and found log. This log shall indicate:

1. The date the article was found or turned into the Security Office;
2. The name of the individual who received the article; and
3. A description of the article.

(c) All completed lost and found reports and the lost and found log shall be kept in a binder located in the Security Office.

(d) Cash and other articles of high value shall be stored in a safe.

(e) Articles may be claimed at the Security Office upon presentation of identification deemed acceptable by the Security Supervisor. Return of the article shall be acknowledged on the lost and found report and documented in the lost and found log.

(f) All articles, including cash, which are not claimed in 30 days shall be offered to the finder.

(g) If the finder refuses an unclaimed article, it shall, at the discretion of the Security Supervisor, be discarded or donated to the local Salvation Army or Goodwill store.

(h) All lost and found articles and logs shall be retained in the Security Office for one year.

(i) No person shall willfully abandon any personal property at the Airport.

**19:76-1.22 Tenant construction/alteration**

(a) Tenants which desire to construct, enlarge, alter, repair, move, demolish, or change the occupancy of property, or install or erect a sign of any description, shall file with the Airport Manager a memorandum and construction/alteration application, which is available at the Operations Office.

(b) The submitted memorandum shall describe in detail the conceptual nature of the proposed construction/alteration.

(c) The application shall include:

1. The location of the proposed construction/alteration;
2. The name(s) and address(es) of those performing the work;
3. A brief description of the work and the reason(s) for same;
4. A cost estimate;
5. Start and completion dates; and
6. The name(s) and address(es) of any professionals.

(d) The tenant shall submit six sets of drawings.

(e) The application shall be reviewed for operational safety considerations, security requirements and applicable environmental issues. Upon completion of the construction/alteration, the Authority shall conduct a final inspection to ensure compliance with building codes and conformance with the submitted application.

(f) The tenant shall be responsible for, and shall provide evidence of, any necessary municipal, county, State, or Federal approvals.

(g) Title to all improvements shall vest in the Authority.

#### 19:76-1.23 Use of paging system

(a) All tenants shall limit the use of the paging system to those public announcements which are essential to maintain proper service for the traveling public and visitors in the terminal.

(b) No public address comment which is deemed advertising in nature shall be permitted.

(c) Announcements of flight cancellations and gate changes shall be topics considered to be acceptable and appropriate for the paging system.

(d) All requests for paging service shall be reduced to a brief, clear and concise statement. Brevity shall frame every request for paging service.

#### 19:76-1.24 Electric carts

(a) No person shall operate an electric cart in the terminal without written permission from the Airport Manager obtained in accordance with N.J.A.C. 19:76-6.5.

(b) Applications for permission to operate electric carts shall be available at the Operations Office.

(c) Electric carts shall, prior to operation and use, undergo an inspection by the Contract Manager. Thereafter, the carts may be inspected at such other times as deemed desirable by the Contract Manager, but not less frequently than once a year.

(d) No person shall operate an electric cart except in accordance with the operation procedures provided by the Contract Manager.

(e) Any person involved in an accident shall make a prompt report to the Operations Office and to their employer.

#### 19:76-1.25 Firearms and weapons

(a) No person, except those authorized by law, shall carry or transport any firearm or weapon at the Airport except when such firearm or weapon is properly encased for shipment and not in the person's manual possession.

(b) The Authority shall reserve the right to restrict the carrying of firearms and weapons by watchmen and guards at the Airport.

(c) For the purposes of this section, a firearm means:

1. Any weapon, including a starter gun, which will, or is designed to or may readily be converted to, expel a projectile by the action of an explosive;
2. The frame silencer; or
3. Any destructive device.

(d) For the purposes of this section, a weapon means any dirk, metallic knuckles, slingshot, billie, tear gas gun, or chemical weapon or device.

(e) No person shall use any firearm or weapon at the Airport except in the performance of official duties.

(f) The carrying of a firearm or weapon in the terminal shall be in conformity with all applicable governmental regulations.

#### 19:76-1.26 Tour operators

(a) Tour operator representatives shall obtain an identification badge from the Contract Manager.

(b) Tour operator representatives shall display their identification badge at all times.

(c) Tour operators shall conduct activities in areas designated by the Contract Manager.

(d) Tour operators shall provide a greeter/coordinator for each flight.

#### 19:76-1.27 Identification and badging

(a) All persons employed at the Airport shall wear an employee identification badge. Only those employees, and other persons, who require unescorted access to restricted areas are subject to the requirements of (b) through (l) below.

(b) All persons entering restricted areas shall display the appropriate airport identification badge at all times, except uniformed flight crews of air carriers and tenant airlines in the immediate vicinity of their aircraft or in route to, from, or through leased areas and who have in their possession and display valid company identification.

(c) Airport identification badges shall be issued by the Contract Manager under the auspices of the Assistant Airport Manager. Badges shall be and remain the property of the Authority.

(d) Applicants for an airport identification badge for unescorted access in restricted areas shall undergo an employment background investigation and satisfy all the badging issuance requirements of the Federal Aviation Administration Regulations.

(e) Applicants for an Airport identification badge shall have on record with the Airport Manager an authorized signature card.

(f) The Airport Manager reserves the right to deny or revoke an identification badge for any past offense which, in his or her opinion, would render the applicant a risk to the security of the Airport.

(g) Applicants who are denied issuance of an airport identification badge may appeal within 30 days by filing a written notice of appeal with the Airport Manager. The Airport Manager shall review the appeal and render a decision within seven days. Applicants may appeal the decision of the Airport Manager to the Airport Director who shall make the final determination. The final appeal shall be made in writing and filed with the office of the Airport Director within 10 days of the Airport Manager's decision.

(h) Employers who authorize and sponsor persons for badging are responsible for the return of the badge upon termination of the employee or completion of a particular project.

(i) A reasonable cost shall be imposed to cover the administrative cost of producing each badge, including replacements for lost badges.

(j) The airport identification badge shall be worn on the outer garment, above waist level, at all times and shall be visible and not covered by other identification.

(k) All persons issued an airport identification badge shall comply with all applicable Federal regulations which relate to Airport badging, including, but not limited to, FAR Part 107.

(l) Any penalties or fines imposed on the Authority or Contract Manager by the Federal Government as a result of violations of Federal Aviation Regulations by sponsored persons shall become the obligation and responsibility of the sponsor.

#### 19:76-1.28 Personal conduct

(a) The following conduct shall be prohibited:

1. The intentional touching of any person without his or her consent;

2. The performance of any ceremony, speech, song, carrying of any sign or placard, or other such activity which constitutes a danger to persons or property, or which interferes with the orderly formation and progression of waiting lines, or which interferes with any of the following:

- i. Pedestrian and/or vehicular travel;
- ii. The issuance of tickets or boarding passes or equivalent documents for air or ground transportation;
- iii. Luggage or cargo movement or handling;
- iv. The entry to and exit from vehicles;
- v. Security procedures;

- vi. Government inspection procedures; or
- vii. Cleaning maintenance, repair or construction operations;

3. The intentional leaving of any item intended for distribution unattended;

4. The attachment of any placard, sign, circular or other written material, on any wall, post, counter, billboard or any other surface;

5. The erection of any table, chair, or other mechanical device;

6. The abandonment of any property;

7. Spitting, urinating or defecating on any part of the Airport except in a urinal or toilet intended for such purposes;

8. Bathing, showering, laundering or changing clothes, or remaining undressed, in or at any public sink, wash-room or restroom, or any other areas at the Airport;

9. Drinking, or carrying an open container of, any alcoholic beverage other than in an area, in which alcoholic beverages are served for on-premises consumption;

10. Sleeping in the terminal or parking lots:

i. No person on or in the Airport shall sleep, doze, lie, or sit down on the floors, hallways, stairs, landings, vehicles or other places where such activity may be hazardous to such person or to others, or may interfere with the operation of the Airport;

11. Skating, roller-skating, or bicycle riding:

i. No person shall skateboard, roller-skate or ride a bicycle, scooter or any other self-propelled vehicle or device on or through any part of the Airport;

12. Fire:

i. No person shall cook, light a fire or otherwise create fire in any part of the Airport;

13. Storage:

i. No person shall store bundles, paper, cloth, cardboard or any other material in solid, liquid or gas form that could in any way pose a fire or life safety hazard or obstruct or hinder passage without the approval of the Airport Manager; and

14. Interfering with or use of Airport equipment:

i. No person shall do or permit to be done anything which may interfere with the effectiveness or accessibility of the fire protection system, sprinkler system, drainage system, alarm system, plumbing system, air-conditioning system, ventilation system, fire hydrants, hoses, fire extinguishers, parking lot gates, buses, bus stops, revenue control system, Authority equipment or other mechanical system, facility or equipment installed or located at the Airport including closed circuit television

cameras and monitors, signs and notices; nor shall any person operate, adjust or otherwise handle or manipulate, without permission, any of the aforesaid systems or portions thereof, or any machinery, equipment or other devices installed or located at the Airport.

ii. Tags showing date of last inspections attached to units of fire extinguishing and fire fighting equipment shall not be removed therefrom.

iii. No person shall plug a TV, radio, or other electrical device into any outlet or connect any device to any utility at or in the Airport.

#### 19:76-1.29 Compliance with signs

The public shall observe and obey all posted signs, fences, doors, and barricades prohibiting entry into restricted areas or governing the activities and demeanor of the public while at the Airport.

#### 19:76-1.30 Use and enjoyment of Airport

(a) No person(s) singly or in association with others shall by conduct or by congregation with others prevent any other lawfully entitled person(s) from the use and enjoyment of the Airport, or prevent any other lawfully entitled person(s) from passage from place to place, or through entrances, exits or passageways at the Airport.

(b) It shall be unlawful for any person to remain in or on any public area, place or facility at the Airport, in such a manner as to hinder or impede the orderly passage in or through or the normal and customary use of such area, place or facility by persons or vehicles entitled to passage or use.

#### 19:76-1.31 Preservation of property

(a) No person shall destroy, injure, deface or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other property at the Airport.

(b) No person shall travel upon the Airport other than on roads, walks, or other right-of-way provided for such specific purpose.

(c) No person shall alter, add to, or erect any building or sign at the Airport or excavate at the Airport without prior written approval of the Airport Manager.

(d) Any person who causes or is responsible for any injury, destruction, damage or disturbance shall report it to the Airport Manager and shall be held responsible for the full dollar amount of the damage.

#### 19:76-1.32 Environmental pollution and sanitation

(a) All persons at the Airport shall conduct their activities in full compliance with all applicable environmental laws, rules, regulations and ordinances.

(b) To the maximum extent possible, each person at the Airport shall conduct activities in a manner which does not cause littering or any other form of environmental pollution.

(c) The Authority participates in the Atlantic County recycling program. No person shall dispose of garbage, papers, waste, oil, refuse, debris or other form of trash, including cigarettes, cigars and matches except in receptacles provided by the Authority in compliance with said program.

(d) No person shall dispose of any fill or building materials or any other discarded or waste materials at the Airport except with the written approval of the Airport Manager obtained in accordance with N.J.A.C. 19:76-6.5.

(e) No liquids shall be placed in storm drains or the sanitary sewer system at the Airport which will damage the drains or system or result in water pollution.

(f) No person shall use a comfort station or rest room, toilet or lavatory facility at the Airport other than in a clean and sanitary manner.

(g) Any solid or liquid material which may be spilled at the Airport shall immediately be cleaned up by the person responsible for the spillage and in no case shall any refuse be burned at the Airport except as authorized in writing by the Airport Manager.

(h) No person shall unnecessarily or unreasonably cause any smoke, dust, fumes, gaseous matter or any other matter to be emitted into the atmosphere or carried by the atmosphere except normal emissions from internal combustion engines, jet engines or smoke from cigarettes, cigars or pipes.

#### 19:76-1.33 Tenant security obligations

(a) Each Airport concessionaire or tenant shall be responsible for the internal security of its leased areas as well as the security of its parked aircraft and assigned parking areas. This includes the establishment of suitable means to prevent or deter, to the extent practicable, unauthorized access to restricted areas and the challenging of any unidentified person found in these areas.

(b) Airport tenants who have gates or open areas which permit access to Airport restricted areas must insure that the gates or openings are either kept locked or under constant control, in accordance with the Airport security program implemented pursuant to FAR Part 107.

(c) All doors and gates which provide access between non-restricted and restricted areas are provided with either locks or panic bars with alarms. Doors which allow access from the air carrier departure rooms to the aircraft parking areas shall be controlled as required by the airline concerned, as specified in FAR Part 107, and in the letters of agreement contained in the Airport's Security Program incorporated by reference into tenant lease agreements. All other doors giving access from the air terminal onto the air terminal operation ramp shall be kept locked or panic bar alarms activated when not in actual use and under positive control.

(d) If a violation of Federal Aviation Regulations occurs as the result of a tenant or authorized employer's action or inaction, and such action or inaction results in the imposition of a fine or penalty on the Authority or Contract Manager, the tenant or authorized employer responsible for the violation shall reimburse the Authority or Contract Manager the amount of the fine or penalty together with any legal costs.

#### 19:76-1.34 Operating directives

The Authority shall be empowered to issue written guidance materials to assist compliance with these rules and pertinent Federal regulations. The Authority may consult with the Contract Manager in the formulation of such guidance materials.

#### 19:76-1.35 Emergency actions

(a) When an emergency exists at the Airport, the Authority or Contract Manager shall have discretionary authority to take necessary or desirable action to protect the health, welfare and safety of persons and property and to facilitate the operation of the Airport.

(b) During an emergency, the Authority or Contract Manager may suspend these rules, or any part of them, at its discretion and judgment, and may in addition issue such orders or rules as may be necessary, including an evacuation of the terminal.

(c) The Authority or Contract Manager shall, in situations which may effect health, safety or welfare, have the authority to take such reasonable action as may be necessary for the proper handling of the conduct and management of the public in attendance at the Airport.

## SUBCHAPTER 2. AERONAUTICAL OPERATIONS—GENERAL

#### 19:76-2.1 Compliance with rules and payment of charges

(a) No person shall operate any aircraft to, from or at the Airport, or service, repair or maintain any aircraft, or conduct any aircraft operations on or from the Airport except in conformity with the current Federal Regulations including FAR Parts 121, 129, and 135 and in conformity with all other applicable laws, including the rules contained in this chapter.

(b) It is the responsibility of all persons operating at the Airport to acquaint themselves, their pilots, instructors and students with Federal Aviation Regulations and the rules contained in this chapter.

(c) The Airport Manager shall have the authority to detain any aircraft for non-payment of charges due the Authority.

#### 19:76-2.2 Negligent or careless operation

(a) No person shall operate aircraft at the Airport in a careless manner or in disregard of the rights and safety of others.

(b) Any person using the Airport shall be held responsible for any property damage caused by that person's carelessness or negligence. Any person responsible for property damage shall indemnify fully and save and hold harmless the Authority and the Contract Manager, and their employees and agents, from all claims, liabilities and causes of action of every kind, character, and nature and from all costs and fees, connected therewith, including attorney fees and investigation costs.

#### 19:76-2.3 Liability for property damage

Any person who damages, injures or destroys Airport property, either by accident or otherwise, shall be liable for the satisfactory restoration of the property damaged, injured or destroyed. Anyone who observes the accident or incident shall immediately report it verbally to the responsible person on duty who represents the Contract Manager. Within 24 hours, the Contract Manager shall file a follow-up written report with the Airport Director who may, if appropriate, file a report with the local police.

#### 19:76-2.4 Use of ramp or gate position

(a) The Authority or Contract Manager shall have the right at any time to close the aircraft ramp, in its entirety or any portion thereof, to aircraft traffic or to deny the use of the ramp, or any portion thereof, to any specified class of aircraft or individual or group when such action is considered necessary and desirable to avoid endangering persons or property and is consistent with the safe and proper operation of the Airport.

(b) Except for personnel whose duties and responsibilities require them to be on foot in the Air Operations Area, no airline shall permit an employee or any other person to cross or traverse the ramp to or from restricted areas.

(c) No aircraft shall use a gate position without prior approval of the Authority or Airport Manager and in accordance with the terms of an Agreement with the Authority entered into pursuant to N.J.S.A. 27:25A-1 et seq.

#### 19:76-2.5 Hold harmless

The aircraft owner, pilot, agent, or duly authorized representative shall agree to indemnify fully and to save and hold harmless the Authority and the Contract Manager and their employees and agents from all claims, liabilities and causes of action of every kind, character and nature for any damage which may be suffered to any aircraft and equipment, and for bodily injury or death including legal and investigation costs, except where such damage, injury, or death is due solely to the negligence of the Authority or Contract Manager.

**19:76-2.6 Operator accident report**

(a) The operator of any aircraft involved in an accident at the Airport which causes bodily injury or property damage shall, in addition to all other reports required by other agencies, file, at the Operations Office, a written report concerning the accident on the form available at the Operations Office.

(b) A copy of the report required by the Federal Aviation Regulations may be submitted in lieu of the report required by (a) above.

(c) The report required by (a) and (b) above shall be filed in the Operations Office within 24 hours after the accident.

**19:76-2.7 Disabled aircraft**

(a) Subject to compliance with appropriate Federal regulations, the aircraft owner shall be responsible for the prompt removal of all disabled aircraft, and parts of the disabled aircraft, from the Airport, as reasonably directed by the Airport Manager or authorized representative.

(b) If the aircraft owner or operator is able to direct removal operations, removal shall begin immediately upon release by the National Transportation Safety Board or the FAA, whichever is the appropriate agency.

(c) If the aircraft owner or operator is unable to direct removal operations, the fixed-base operator shall make every reasonable effort to secure permission from the appropriate party.

(d) In the event of failure or refusal by the aircraft owner or operator to remove the disabled aircraft or parts of the disabled aircraft, removal may be done by the Airport Manager at the owner's expense and the owner shall indemnify and hold harmless the Authority, Contract Manager, Airport Manager and their employees for any damage which may occur as a result of the removal.

**19:76-2.8 Tampering with aircraft**

No person shall interfere, tamper with or put in motion any aircraft, or use or remove any aircraft, aircraft parts, instruments, or tools, without written permission from the aircraft owner.

**19:76-2.9 Cleaning, maintenance and repair of aircraft**

(a) No person shall clean, paint, wash, polish, or otherwise maintain an aircraft at the Airport, except in areas approved and in the manner designated by the Airport Manager.

(b) Best management practices shall be used to minimize the excessive use of any de-icing or anti-icing fluid. Proper technique shall be used when de-icing aircraft to ensure that only the amount of chemical needed to complete the job is applied. To the extent possible, other de-icing and anti-icing techniques as set forth in FAA Advisory Circular number 20-117, incorporated herein by reference, available from the United States Department of Transportation's Subsequent Distribution Office, Ardmore East Business Center, 3341Q, 75th Avenue, Landover, Maryland 20785, shall be used to minimize the use of ethylene glycol.

**19:76-2.10 Radio communications**

No person shall operate an aircraft at the Airport unless the aircraft is equipped with a properly functioning two-way radio capable of communicating with the control tower.

**19:76-2.11 Certification of aircraft**

All aircraft operating at the Airport shall, in accordance with Federal, State and local laws and regulations, be certified or registered with the FAA, State, and local authorities.

**19:76-2.12 Licensing of pilots**

(a) No person shall operate, or permit to be operated, any civil aircraft to, upon or from the Airport unless the pilot shall possess, at a minimum, a current, valid FAA airman's certificate with type rating appropriate to the aircraft operated and the conditions of the particular flight, and a current valid FAA medical certificate.

(b) The requirements of (a) above shall not apply to the ground operation of aircraft by aircraft maintenance personnel, nor in the event of an in-flight emergency.

**19:76-2.13 Derelict aircraft**

(a) No person shall park or store any aircraft in non-flyable condition on Airport property, including leased premises, for a period in excess of 90 days, without a written permission from the Airport Manager obtained in accordance with N.J.A.C. 19:76-6.5.

(b) No person shall store or retain aircraft parts or components being held as inventory anywhere on the Airport, other than in an enclosed authorized facility, without written permission from the Airport Manager obtained in accordance with N.J.A.C. 19:76-6.5.

(c) Whenever an aircraft is parked, stored or left in non-flyable condition on the Airport in violation of (a) above, the Airport Manager shall notify the owner or operator, by certified or registered mail, to remove the aircraft within 15 days of receipt of notice.

(d) If the owner or operator of a parked, stored or non-flyable aircraft is unknown or cannot be located, the Airport Manager shall conspicuously post and affix notice to the aircraft and the aircraft shall be removed within 15 days from date the notice is posted.

(e) Upon failure of the owner or operator to comply with (c) or (d) above, the Airport Manager shall remove the aircraft from the Airport. The Airport Manager may hire any person(s) to effectuate the removal and all costs incurred by the Airport Manager shall become the responsibility and obligation of the aircraft owner or operator. In addition, the owner and operator shall indemnify the Authority, Airport Operator, Airport Manager and their employees for any damage which may occur as a result of the removal.

#### 19:76-2.14 Helicopter operations

(a) The taxiing, towing, or otherwise moving of helicopters with rotors turning shall be prohibited unless there is at all times a clear area of at least 50 feet in all directions from the outer tips of the rotors.

(b) The operation of helicopters within 200 feet of areas of the Airport where unsecured light aircraft are parked is prohibited.

#### 19:76-2.15 Taxiing, towing and parking

(a) No person shall taxi or tow an aircraft at the Airport unless there is no danger of collision with persons or objects. All air carrier aircraft taxing into a parking position shall be under the guidance of a marshaller and sufficient personnel to ensure adequate wing tip clearance.

(b) All aircraft shall be taxied or towed at a safe and reasonable speed by qualified personnel capable of operating the brake systems.

(c) All aircraft operating on the Airport shall be equipped with wheel brakes in proper working order.

(d) The taxiing, towing or pushing of aircraft shall be prohibited on any runway or taxiway without specific authorization from the Control Tower.

(e) Taxiing aircraft which are converging shall pass each other bearing to the right, unless otherwise directed by the Control Tower.

(f) No aircraft shall taxi between an airside terminal gate and an aircraft engaged in push-back operation.

(g) Power-back or power-out operations shall not be permitted on the ramp area, except as authorized verbally by the Airport Manager on a case by case basis.

(h) No aircraft shall be taxied under its own power into or out of any hangar.

(i) Aircraft being taxied, towed, or otherwise moved on the Air Operations Area shall:

1. Have recognition lights on for visibility during the hours between sunset and sunrise; and

2. Have a person attending the controls of the aircraft who shall monitor by radio the transmitting frequency in use by the Control Tower or who, if necessary, will cause that frequency to be monitored by another person in the aircraft.

(j) Aircraft operations shall be confined to hard surfaced runways, taxiways and aprons.

(k) No person shall park an aircraft except in the areas designated by the Airport Manager. Any aircraft parked in unauthorized areas shall be subject to removal by or at the direction of the Airport Manager at the risk and expense of the owner/operator thereof.

(l) All aircraft loading and unloading at gate positions shall be parked in the designated parking areas. Aircraft in public storage areas shall use provided tie-down fittings. Aircraft with a seating capacity of greater than 14 shall use the terminal for loading and unloading unless approval is obtained from the Authority to load or unload elsewhere.

(m) Upon direction from the Airport Manager, the operator/owner of any aircraft parked or stored at the Airport shall move it to any other designated place. If the operator/owner refuses to comply with such direction, the Authority may tow the aircraft to such designated place at the operator/owner's expense, and without liability for damage which may result in the course of such moving.

(n) No person shall maneuver an aircraft, park, or leave the same standing on a ramp or apron area in such a way that any portion of the aircraft will protrude beyond the ramp or apron limits, without prior approval of the Airport Manager.

(o) Unless otherwise directed by the Authority or Contract Manager, general aviation aircraft shall use the apron adjacent to the fixed base operator facilities.

(p) Requests for utilization of the non-leased ramp areas shall be submitted to the Operations Office.

(q) Security of aircraft and support equipment shall be the responsibility of the agency, entity, or person in control of the property.

(r) Vehicles shall maintain a 10 miles per hour speed limit within the Air Operations Area unless otherwise posted.

#### 19:76-2.16 Operation of aircraft engines

(a) No aircraft engine shall be operated on the ramp unless a pilot or certified airframe and power plant mechan-

ic qualified to run the engines of that particular type of aircraft is at the controls and either chocks have been placed in front of the wheels or the aircraft has set adequate parking brakes.

(b) No person shall operate the engine of an aircraft parked on the ramp in a manner that may cause injury to persons, damage to property or endanger the safety of the Airport operations conducted on the ramp area.

(c) Aircraft engines shall be started or operated only in places designated by the Authority or Airport Manager. At no time shall engines be operated for test or maintenance purposes on the ramp or gate area without prior approval of the Authority or Airport Manager obtained pursuant to N.J.A.C. 19:76-6.5.

(d) Noise emanating from aircraft engines during ground operation shall be maintained within the applicable aircraft engine noise limits promulgated in FAR, Parts 36 and 91.

(e) Operators of aircraft shall abide by the requirements of the Airport Noise Compatibility Planning Regulations, 14 CFR Part 150.

#### 19:76-2.17 Notices to Airmen (NOTAMS)

The Operations Office has primary responsibility for issuing Notices to Airmen (NOTAMS) in accordance with FAR, Part 139, advising conditions affecting the safe and efficient operation of the Airport. NOTAMS shall be coordinated with the Control Tower and distributed to tenants by the Contract Manager.

### SUBCHAPTER 3. VEHICLE OPERATION PROCEDURES

#### 19:76-3.1 General requirements

(a) Persons operating motorized equipment and vehicles at the Airport shall conform to New Jersey Revised Statutes, particularly Title 39 and N.J.S.A. 27:25A-21.

(b) No person shall stop or park a vehicle:

1. In front of a driveway or in a drive lane;
2. Within a bus stop safety zone or taxicab zone, except vehicles authorized to use each zone;
3. In other than authorized areas for the purpose of washing, greasing or repairing a vehicle, except repairs necessitated by an emergency;
4. On the roadway side of any stopped or parked vehicle (double parking);
5. Within 15 feet of a fire hydrant;

6. Other than in accordance with restrictions posted on authorized signs;

7. Within 10 feet of the Air Operations Area perimeter security fence unless authorized by the Airport Manager; or

8. Unless the vehicle displays proper license plates and inspection stickers.

(c) All vehicles parked in violation of (b) above shall be subject to towing by the Authority at the expense of the owner.

(d) No person under the influence of alcohol or a controlled substance shall operate a motor vehicle or motorized equipment at the Airport.

(e) All vehicles that routinely operate on the non Aircraft Movement Areas, equipped with or without a ground control radio, shall display on both sides of the vehicle a large decal or sign that identifies the owner.

(f) Contractors shall be provided access to and use of the Airport provided that:

1. No person shall gain access to and egress from a construction site in a vehicle or crane belonging to or under the supervision of a contractor doing business at the Airport except by the routes and gates designated by the Contract Manager during particular periods of time;

2. Contractors shall park vehicles or cranes only in locations approved in advance by the Airport Manager;

3. No person responsible for a vehicle or crane which belongs to or is under the supervision of a contractor doing business at the Airport shall allow the vehicle or crane to be parked in a position or location which constitutes an actual or potential hazard to aircraft or other vehicles;

4. When a contractor leaves a vehicle or crane in an approved overnight location, the vehicle or crane shall be suitably marked and lighted and cranes shall be lowered to lowest height; and

5. All contractors shall adhere to the vehicle marking requirements of FAA Advisory Circular 150/5210-5B, incorporated herein by reference.

(g) When a vehicle, except those which routinely operate on the aircraft movement areas, is required to travel over any portion of the aircraft movement or non-aircraft movement areas, it shall be escorted by a vehicle identified and authorized by the Airport Manager to operate in that area.

(h) All service and support vehicles shall display lights from sunset to sunrise and at other times when there is insufficient light to render clearly discernible persons and vehicles at a distance of 500 feet, except when such vehicles are parked in areas designated by the Airport Manager.

(i) Any violation of this subchapter, including but not limited to, operation in an unauthorized area, switching short term vehicle passes to a non-authorized vehicle, or having vehicles not properly identified, shall subject the violator to revocation of the authorization to operate a vehicle at the Airport.

### 19:76-3.2 Public parking

(a) The public shall park vehicles in the areas designated for general public vehicle parking.

(b) All vehicles shall be parked at the sole risk of the owner.

(c) Overnight parking shall be limited to designated areas.

(d) A vehicle parked in the wrong area shall be subject to relocation and the costs of such relocation shall be borne by the vehicle owner.

(e) In an emergency, the Contract Manager may relocate any parked vehicle.

(f) In the event a vehicle owner fails to remove a disabled vehicle, after reasonable notification efforts, removal of the vehicle may be done at the owner's expense.

### 19:76-3.3 Operation in restricted areas

(a) This section shall apply to the operation of vehicles on restricted areas. In case of conflict with the general requirements of N.J.A.C. 19:76-3.1, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-3.1 shall be satisfied.

(b) No person shall park or operate, or cause to be operated, any vehicle on restricted areas unless such operation is directly related to an aviation activity at the Airport, to the business of the Authority, Contract Manager, a tenant, or authorized sub-tenant engaged in a business activity authorized by the Authority or Contract Manager, and such vehicle is registered and permitted in accordance with (k), (l), (m) and (n) below.

(c) Persons operating vehicles on the restricted areas shall obey all instructions given by Ground Control and operate the vehicles in accordance with these rules.

(d) No person, other than the operator of an authorized aircraft servicing vehicle, shall operate a vehicle on the restricted areas so as to pass within 20 feet of a parked aircraft, or, in the case of an aircraft being loaded or unloaded at ground level, between such aircraft and the terminal while passengers are enplaning or deplaning.

(e) Persons operating any vehicle on restricted areas shall yield the right-of-way to aircraft in motion.

(f) No person shall operate any vehicle on aircraft loading and parking ramps at a speed in excess of five miles per hour.

(g) No person shall move or back up a vehicle on restricted areas if vision is restricted to the sides or rear of the vehicle without the placement of cones or the assistance of a second person to act as a spotter.

(h) Any person operating a vehicle on restricted areas who is involved in an accident shall comply with all requirements of the motor vehicle laws of the State of New Jersey and shall, in addition, provide written notification to the Contract Manager as soon after the accident as possible, but in no event later than 24 hours after the accident.

(i) Tugs and trailers may operate at the Airport provided that:

1. No person shall operate a trailer or tug on the restricted areas unless it is equipped with proper brakes such that neither propeller slipstream, jet blast, nor wind will cause it to become free rolling;

2. No person shall tow equipment on restricted areas unless the equipment has operational positive locking couplings; and

3. No person shall operate a tug, trailer or other vehicle towing a train in excess of four baggage or cargo carts without approval from the Authority or Contract Manager obtained pursuant to N.J.A.C. 19:76-6.5. Such a vehicle shall not be operated at a speed in excess of 10 miles per hour on the restricted areas except that such operations in the vicinity of an aircraft shall be at a speed not to exceed five miles per hour.

(j) No person, without approval from the Airport Manager obtained pursuant to N.J.A.C. 19:76-6.5, shall operate a vehicle on the ramp, unless such vehicle has an overhead flashing or rotating light visible to the Control Tower at all times or is under the escort of a vehicle with such overhead light; provided, however, that between the hours of sunrise and sunset a vehicle not so equipped may operate if the vehicle displays a checkered flag.

(k) No person shall enter onto any restricted area in a vehicle which has not been registered, inspected, insured and identified, as set forth in (l) and (m) below.

(l) All vehicles shall pass the Authority's inspection program which requires inspection of vehicle markings, lights, radio, mirrors, horns, brakes, wheel/tires, wipers, glass, exhaust system, body, turn signals, fire extinguishers, and magnetic fod bar. The vehicle shall also be free of leaks of transmission fluid, hydraulic fluid, lubricating oils and fuel.

(m) Vehicle decal permits for access to restricted areas shall be issued at the Operations Office upon satisfaction proof or verification of:

1. Ownership and registration of the vehicle to the applicant;
  2. A display of the company logo on both sides of the vehicle;
  3. Insurance, as shown by Certificates of Insurance, which shall be submitted to the Airport Manager verifying that the vehicle is covered under a policy of insurance providing a minimum of \$1,000,000 combined single limit bodily injury liability and property damage;
  4. The necessity of the vehicle to the Airport operation of the applicant;
  5. Designation by the tenant of an authorized representative(s) to act for the tenant;
    - i. Sample signatures of the authorized representative(s) shall be provided and shall be kept on file at the Operations Office; and
  6. A written agreement between the Authority and the applicant to conduct business at the Airport.
- (n) Refueling service vehicles operating on restricted areas shall be conspicuously marked and labeled to identify the specific type of fuel being transported.
- (o) No person shall operate a motor vehicle on the Airport restricted areas without a nontransferable airfield operator permit issued at the Operations Office. The requirements for an airfield operator permit shall be as follows:
1. Possession of a valid operator's license issued by any state; and
  2. Satisfactory completion of a ramp safety test given by the Contract Manager.
- (p) Pedestrians and aircraft shall have the right of way at all times over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft.
- (q) Vehicles shall not be driven between a parked aircraft and the terminal or passenger lanes or under the wings, tail or nose section of parked aircraft and vehicles shall circle around the aircraft farthest away from the above-mentioned areas.
- (r) No person shall leave a vehicle or piece of support equipment unattended on the restricted area(s) except in designated areas.
- (s) In the event of a vehicular breakdown or other mechanical failure on a restricted area, the vehicle operator shall immediately notify the Contract Manager. If the vehicle should present a safety hazard, the vehicle shall be removed from the restricted area within 15 minutes from the time the vehicle operator is notified by the Authority or Contract Manager that a hazard exists.

(t) The Authority or Contract Manager shall have the authority to remove any vehicle which poses a threat or risk to safety on the restricted area. The removal of the vehicle shall be at the sole risk and expense of the vehicle owner and/or operator.

(u) Parking in restricted area(s) shall be as follows:

1. No person shall park a vehicle or other motorized equipment on restricted areas except as authorized by the Authority or Contract Manager.
2. No person shall park any vehicle or other motorized equipment in restricted area(s), within designated No Parking zones, fire lanes or within 15 feet of any fire hydrant or other fire-control apparatus.
3. No person shall park any vehicle or other motorized equipment in restricted areas in a manner which interferes with or prevents the passage or movement of aircraft or other vehicles.
4. No person shall park a vehicle in restricted area(s) without applying the emergency brake or leaving the vehicle in gear or, in the case of non-motorized wheeled support equipment, without insuring that the equipment is well supported and will not roll or move from the immediate area.

#### 19:76-3.4 Operation on Aircraft Movement Areas

(a) The requirements of this section shall apply only to the operation of vehicles on Aircraft Movement Areas. In case of conflict with the general requirements of N.J.A.C. 19:76-3.1 and 3.3, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-3.1 and 3.3 shall be satisfied.

(b) Air carrier companies and fixed base operators at the Airport shall operate support vehicles on the movement areas only with prior approval from the Operations Office.

(c) No person shall drive a vehicle across an active taxiway or runway unless the person maintains direct two-way radio contact with the Control Tower, or in the event a two-way radio is inoperable or unavailable, proceeds only under the escort of an authorized vehicle equipped with a two-way radio in contact with the Control Tower.

(d) Specialized vehicles which operate on the aircraft movement areas shall have lighting as follows:

1. Aircraft rescue, fire fighting vehicles and law enforcement vehicles shall display a revolving/flashing red beacon.
2. Airport and service vehicles shall display a revolving/flashing yellow beacon.

(e) Vehicles which routinely operate on aircraft movement areas shall comply with conditions as follows:

1. All vehicles shall be equipped with a ground control radio.
2. All vehicles shall display on each side and on the vehicle roof an identification number that corresponds to the assigned radio call number:
  - i. If the vehicle has no roof, the identification number shall be displayed on the vehicle hood.
3. Side numbers shall be a minimum of eight inches in height and roof numbers shall be a minimum of 12 inches in height and the numbers shall be affixed with their bases to the front of the vehicle.
4. Identification numbers shall be in color contrast with the vehicle color.

#### 19:76-3.5 Operation on an Air Operations Area

(a) The requirements of this section shall apply only to the operation of vehicles on an Air Operations Area. In case of conflict with the general requirements of N.J.A.C. 19:76-3.1 and 3.3, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-3.1 and 3.3 shall be satisfied.

(b) No person shall operate a tug, trailer or other vehicle towing a train in excess of four baggage or cargo carts on the Air Operations Area unless specifically authorized by the Authority or Contract Manager.

(c) No person shall operate a vehicle in the Air Operations Area without prior reporting at the Operations Office and obtaining the proper pass.

### SUBCHAPTER 4. AERONAUTICAL OPERATIONS—FIRE AND SAFETY

#### 19:76-4.1 General fire and safety requirements

Persons using the Airport or its facilities shall exercise the utmost care to guard against fire and injury to persons or property.

#### 19:76-4.2 Fueling operations

(a) Aircraft shall not be fueled or defueled while one or more engines are running or being warmed by external heat.

(b) In an emergency situation, whereby the on-board auxiliary power unit is inoperative and suitable ground support equipment absent, a jet engine mounted on the rear of the aircraft or on the wing opposite from the fueling location may be operated provided:

1. The operation follows procedures published by the air carrier operator to assure safety of the operation;

2. Prior approval is obtained at the Operations Office; and
3. The Airport Fire Department is positioned on standby watch.

(c) Aircraft shall not be fueled or defueled while inside any building or structure.

(d) Refueling service vehicles, whether loaded or empty, shall never enter hangars or be parked unattended within a distance of 50 feet from aircraft, hangars, paint and dope shops, fuel storage systems, or other critical installations.

(e) During fueling operations, listed dry chemical fire extinguishers shall be available on aircraft servicing ramps or aprons. Each refueling service vehicle shall have two listed dry chemical fire extinguishers, each having a rating of 20B, one mounted on each side of the vehicle.

(f) Fuel, grease, oil dopes, paints, solvents, acid, flammable liquids or contaminants of any kind shall not be allowed to flow into, or be placed in, any Airport sanitary or storm drain system.

(g) Persons engaged in aircraft fuel handling shall exercise due care to prevent overflow of fuel.

(h) Any person, including the owners or operators of aircraft, causing overflow or spillage of fuel, oil, grease, or other contaminants anywhere on the Airport shall be responsible for immediate cleanup. In the event of failure or refusal to cleanup, the Contract Manager shall cleanup and assess costs to the responsible party.

(i) Spillages of fuel in excess of 10 feet in any direction or 50 square feet shall be reported first to the Authority Fire Department and secondly to the Airport Manager. A fire guard shall be promptly posted. Upon arrival, the Fire Officer shall have complete control over the spillage site.

(j) After a fuel spillage, engines shall not be started until the area has been effectively flushed or cleaned and permission has been granted by fire command.

(k) During fueling or defueling, no passenger shall be permitted to remain in, or to enter or depart from, the aircraft unless a qualified attendant is at each door and a means of safe egress is in position in the event that such device is required for the safe and rapid debarkation of the passengers.

(l) Fuel delivery shall at all times be under control of the refueling service vehicle attendant, through the use of approved flow controlling devices operated by the attendant. These controlling devices shall be designed to shut off automatically upon release of hand or foot pressure. Latching or fastening devices on the control units are not permitted.

(m) Aircraft shall not be fueled or defueled unless the aircraft and the transfer fuel apparatus are adequately bonded.

(n) Each hose, funnel, or apparatus used in fueling or defueling aircraft shall be maintained in good condition and shall be properly grounded to prevent ignition of flammable liquids.

(o) Prior to making any fueling connection to the aircraft, the fueling equipment shall be bonded to the aircraft by use of a cable, thus providing a conductive path to equalize potential between the fueling equipment and aircraft. The bond shall be maintained until fueling connections have been removed, thus permitting the reuniting of separated charges that could be generated during the fueling operation.

(p) During over-wing fueling, the nozzle shall be bonded with a cable, which has a clip or plug, to a metallic component of the aircraft that is metallically connected to the tank filler port. The bond connection shall be made before the filler cap is removed. If there is no plug receptacle or means for attaching a clip, the operator shall touch the filler cap with the nozzle spout before removing the cap so as to equalize the potential between the nozzle and the filler port. The spout shall be kept in contact with the filler neck until the fueling is completed.

(q) Bonding and fueling connections shall be disconnected in the reverse order of connection.

(r) Refueling service vehicles shall not be backed within 20 feet of an aircraft unless a person is posted to assist or guide, or cones are placed for guidance.

(s) If a fire occurs in a fuel delivery device while servicing an aircraft, the Authority Fire Department shall be notified immediately, fueling shall be discontinued immediately and all emergency valves and dome covers shall be shut down at once.

(t) Refueling service vehicles designed for or employed in the transportation of fuel shall not be operated on a taxiway or runway.

(u) No person shall start the engine of an aircraft at the Airport if there is any gasoline or other flammable liquids on the ground within the vicinity of the aircraft.

(v) No person shall operate a radio transmitter or receiver, or switch electrical appliances on or off, in an aircraft being fueled or defueled nor shall any person do anything, or use any material, which is likely to cause a spark within 50 feet of such aircraft.

(w) No person other than those engaged in the fueling, servicing and operation of an aircraft shall be permitted within 100 feet of the aircraft during fueling or defueling, except passengers as described in (k) above.

(x) Fueling or defueling operations shall not be conducted during periods when intense thunderstorm activity is occurring within five miles of the Airport.

(y) No airborne radar equipment shall be operated or ground tested on a public passenger ramp, apron area, or any other area wherein the directional beam of high intensity radar is within 300 feet, or the low intensity beam (less than 50KW output) is within 100 feet, of another aircraft, an aircraft fueling operation, an aircraft refueling truck or an aircraft fuel or a flammable liquid storage facility.

(z) Aircraft fuel servicing personnel shall not carry lighters or matches on their person while performing fuel servicing operations.

(aa) Refueling service vehicles shall be positioned as follows:

1. Vehicles shall be located in such a manner that they can be promptly moved, and shall be promptly moved, after all aircraft fuel hoses have been disconnected and stowed.

2. The propulsion or pumping engine of refueling service vehicles shall not be positioned during overwing fueling, or when aircraft fuel system vents are located on the upper wing surface, under the wing of aircraft or within a 20-foot radius of the aircraft fuel system vent opening.

3. No refueling service vehicle shall be parked within 50 feet of a building or hanger, other than a refueling service shop, or within 10 feet of any other refueling vehicle.

(bb) Aircraft shall only be refueled by those operators permitted to do so by the Authority.

(cc) Hand brakes shall be set on refueling service vehicles before operators leave the vehicle cab.

#### 19:76-4.3 Smoking

(a) Smoking or carrying lighted smoking materials or striking matches or other lighting devices shall not be permitted:

1. Anywhere on the Air Operations Area; and

2. In any hangars, shops or other buildings in which flammable liquids are stored or used, except in cases where specifically approved smoking areas have been approved and so designated by the Authority.

(b) No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any naked flame in areas of the terminal where smoking is prohibited by the Authority.

#### 19:76-4.4 Open flame operations

(a) No person shall conduct any open flame operation at the Airport unless:

1. Written permission has been obtained from the Airport Manager;
2. The fire department has been notified; and
3. A fire watch is posted and approved by the fire department.

(b) Lead and carbon burning, fusion gas and electric welding, blow-torch work, reservoir repairs, engine testing, battery charging and all operations involving open flames shall be restricted to the repair shop section of the hangar. The repair shop shall be separated from the storage section by closing all doors and openings to the storage section.

(c) If an open flame operation is required for cargo building or hanger repairs, written permission may be obtained from the Airport Manager pursuant to N.J.A.C. 19:76-6.5, but such permission shall contain specific conditions as deemed necessary by the Airport Manager.

(d) No person shall start any open fires of any type, including flare pots, torches or fires in containers formerly used for oil, paint, and similar materials, on any part of the Airport without written permission from the Airport Manager obtained pursuant to N.J.A.C. 19:76-6.5.

#### 19:76-4.5 Tenant housekeeping

All tenants shall keep allotted space policed and free from rubbish and accumulation of any material. Only approved boxes, crates, paint or varnish cans, bottles or containers shall be stored in or about any hangar, and all floors shall be kept clean and free from fuel and oil. The use of volatile or flammable solvents for cleaning floors is prohibited. Approved metal receptacles with a self-extinguishing cover shall be used for the storage of oily waste rags and similar material. The contents of these receptacles shall be removed daily by tenants. Drip pans shall be placed under engines and kept clean at all times. Clothes lockers shall be constructed of metal or fire-resistant material.

#### 19:76-4.6 Storage of materials

(a) No person shall keep or store materials or equipment in such a manner as to constitute a fire hazard or a violation of applicable National Fire Protection Association (NFPA), Codes, standards, and recommended practices, State Codes, or the Airport Standard Instructions or Operational Directives of the Authority or Contract Manager.

(b) Gasoline, kerosene, ethyl, jet fuel, ether, lubricating oil, or other flammable gases or liquids, including those used in connection with the process of "doping" shall be stored in accordance with the applicable codes, standards, and recommended practices of the NFPA.

(c) No person shall keep, transport, or store lubricating oils at the Airport except:

1. In properly labeled containers and receptacles designed for such purpose;

2. In areas specifically approved for such storage;
3. In containers and receptacles with sufficient containment and coverage; and
4. In compliance with the applicable codes, standards, regulations and recommended practices of the NFPA and FAA.

#### 19:76-4.7 Hazardous materials

(a) No person shall store, keep, handle, use, dispense, or transport at, in or upon the Airport hazardous materials in a manner which fails to comply with all applicable environmental laws.

(b) In addition to the restrictions on hazardous materials contained in this section, all persons shall comply with Annex 18, the Safe Transport of Dangerous Goods by Air, 2nd Edition, incorporating Amendments 1-4, July 1989, incorporated herein by reference as amended and supplemented and available from the International Civil Aviation Organization, 100 Sherbrook Street West, Montreal P.Q., Canada, H3A2R2, which relate to the movement of hazardous materials. These instructions regulate all domestic and international air shipments, and the motor vehicle transportation of these shipments to and from airports.

(c) No person shall store, keep, handle, use, dispense or transport at, in or upon the Airport any Class A, Class B or Class C explosive or Class A poison, as defined by the Hazardous Materials Regulations of the U.S. Department of Transportation, 49 CFR Parts 100-185, dynamite, nitroglycerin, black powder, propellants, fireworks, blasting caps, cordeaudetonant or other explosive; gasoline, alcohol, ether, liquid shellac, lacquer, lacquer thinner, kerosene, turpentine solvent or other flammable or combustible liquids; ammonium nitrate, sodium chlorate, wet hemp, powdered magnesium, nitrocellulose, peroxides or other flammable solids or oxidizing materials, hydrochloric acid, sulfuric acid, or other corrosive liquids, hydrogen, acetylene, liquefied petroleum gas, liquified natural gas, nitrogen, helium, argon, liquid or gaseous oxygen, chlorine, ammonia, or other compressed flammable or nonflammable gases; prussic acid, phosgene, arsenic, carbolic acid, potassium cyanide, tear gas, lewisite, or other poisonous substances, liquid or gaseous; or any radioactive material or substance; at such time or place or in such manner or condition as to endanger unreasonably, or as to be likely to endanger unreasonably, persons or property.

(d) Any waiver of Federal regulations, or any part thereof, by the approved Federal agency shall constitute a waiver of (c) above if written evidence of the Federal waiver is provided to the Airport Manager at least 24 hours in advance of any operation which requires a waiver.

(e) No person may offer, or knowingly accept, any hazardous materials for shipment at the Airport unless the

shipment is handled and stored in full compliance with Federal regulations.

(f) Any person engaged in transportation of hazardous materials shall have designated personnel at the Airport who shall be authorized and responsible for receiving and handling the shipments in compliance with Federal regulations.

(g) Any person engaged in the transportation of hazardous materials shall provide storage facilities which reasonably ensure against unauthorized access, exposure to persons, or damage to shipments while at the Airport.

(h) No person, without the prior permission of the Authority, shall generate, store, keep, handle, transport, treat or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act, 49 U.S.C. § 6903(5), and Hazardous Waste Regulations, 49 CFR Parts 100-185, in or upon the Airport. Any person generating, storing, keeping, handling, transporting, treating or disposing of hazardous waste shall comply with all applicable governmental laws, rules, regulations and requirements including, but not limited to, the regulations of the State of New Jersey and any subsequent or succeeding laws, rules, regulations and requirements. Any waiver of such regulations or of any part thereof by an authorized governmental authority shall not constitute or be construed to constitute a waiver of this rule or an implied permission to keep, generate, store, handle, transport, treat, or dispose of hazardous waste in or upon the Airport.

(i) No person shall, without prior permission of the Authority, store, keep, handle, use or transport at, in or upon the Airport the following radioactive materials:

1. Source material, as defined in Standards for Protection Against Radiation promulgated by the Nuclear Regulatory Commission, 10 CFR 40.4, including, but not limited to, uranium, thorium, or and combination thereof, but not including the "unimportant quantities of source material" as set forth in Federal regulations, 10 CFR 40.13;

2. Special nuclear material, as defined in Standards for the Protection Against Radiation promulgated by the Nuclear Regulatory Commission, including, but not limited to, plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, or any material artificially enriched by any of the foregoing;

3. Nuclear reactor fuel elements that are partially expended or irradiated;

4. Nuclear reactor fuel elements;

5. Radioactive waste material; and

6. Any radioactive material moving under a Department of Transportation special permit or Nuclear Regulatory Commission permit and escort.

(j) A waiver of (i) above shall comply with the provisions of (d) above. Waivers shall be given for movement of radioactive materials only when the materials are packaged, marked, labeled and limited as required by the Federal regulations applying to transportation of explosives and other hazardous materials and when the materials do not create an undue hazard to life or property at the Airport.

(k) No person shall, at any time, store, keep, handle, use or transport at, in or upon the Airport any weapon of war which employs atomic fission or radioactive force. This subsection shall not apply to United States military personnel.

#### 19:76-4.8 Motorized ground equipment around aircraft

No person shall park motorized ground equipment near an aircraft in a manner which prevents it or other ground equipment from being readily driven or towed away from the aircraft in case of emergency.

#### 19:76-4.9 Fire extinguishers

(a) Fire extinguishing equipment at the Airport shall not be tampered with or used for any purpose other than fire fighting or fire prevention. All such equipment shall be maintained in accordance with the standards of the NFPA. Tags which show the inspection status shall be attached to each unit.

(b) All tenants of hangars, aircraft maintenance buildings or shop facilities shall supply and maintain an adequate number of readily accessible fire extinguishers.

(c) Refueling service vehicles shall carry at least two fire extinguishers each having a rating of 20B, one located on each side of the vehicle.

(d) All motorized ground service equipment shall carry at least one five pound fire extinguisher with a BC rating.

(e) Airport buildings shall be equipped with fire extinguishing and first aid equipment.

#### 19:76-4.10 Containers

(a) No tenant, concessionaire, or agent thereof doing business at the Airport, shall keep uncovered trash containers adjacent to the sidewalks, ramps or roads of the Airport.

(b) No person shall operate an uncovered vehicle to haul trash, dirt, or any other material at the Airport.

(c) No person shall spill dirt or any other material from a vehicle operated on the Airport.

#### 19:76-4.11 Powder-activated tools

No person shall use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior approval from the Authority or Contract Manager.

**19:76-4.12 Hangar heating**

All hangars shall be heated by approved systems or devices as listed by Underwriters Laboratories, Inc., as suitable for use in aircraft hangars. Such heating systems or devices shall also be installed in the manner prescribed by Underwriters Laboratories, Inc.

**19:76-4.13 Use of cleaning fluids**

Aircraft parts and other equipment shall preferably be cleaned with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, only liquids having flash points in excess of 100 degrees Fahrenheit shall be used and special precautions shall be taken to eliminate ignition sources in compliance with good practice recommendations of the NFPA.

**19:76-4.14 Doping, spray-painting and paint stripping**

(a) The use of dope within any hangar shall be prohibited.

(b) The process of doping shall be carried out as set forth in NFPA standards.

(c) During paint, varnish, or lacquer spraying operations, the arrangement, construction, ventilation and protection of spraying booths and the storing and handling of materials shall be in accordance with NFPA standards.

**19:76-4.15 Aprons, buildings, and equipment**

(a) All persons on the Airport shall keep their leased or used premises clean and free of oil, grease and other flammable material.

(b) The floors of hangars and other buildings shall be continuously cleaned and kept free of rags, waste materials, or other trash or rubbish.

(c) Authority approved metal receptacles with self-extinguishing covers shall be used for the storage of oily waste rags and similar materials. The contents of the receptacles shall be removed daily by the tenant or person using the premises.

(d) Drip pans shall be placed under engines and kept clean at all times.

(e) Clothes lockers shall be constructed of metal or fire-resistant material.

(f) Paint, varnish, or solvents shall be stored in metal or fire resistant containers in or about hangars or other buildings at the Airport.

(g) No person shall use flammable substances for cleaning hangars or other buildings at the Airport.

**19:76-4.16 Aircraft repair**

(a) No person shall repair an aircraft or aircraft engine, propeller, or other aircraft apparatus in any area of the Airport except those specifically designed for such repairs.

(b) Notwithstanding (a) above, minor adjustments or repairs may be made while an aircraft is in a parking position prepared for departure subject to notice to and approval of the Contract Manager.

(c) The starting or operating of aircraft engines inside any hangar shall be prohibited. This subsection shall not be construed as a prohibition of the use of tractors, with NFPA approved exhaust systems, when moving planes within a hangar.

**SUBCHAPTER 5. GROUND TRANSPORTATION SERVICES****19:76-5.1 General provisions**

(a) Ground transportation services at the Airport shall be governed by all applicable laws and ordinances, executed concessionaire agreements, permits, and these rules.

(b) All persons engaged in ground transportation services, at the Airport, whether as operator, driver, employee or representative of an operator, or otherwise shall at all times comply with these rules, directives and all signs posted by the Authority.

(c) Commercial ground transportation services shall be subject to the authority of authorized police officers, the Airport Manager or such other personnel as may be designated by the Airport Director.

(d) All commercial vehicles and their drivers shall, at all times, meet the requirements of applicable municipal, State and Federal laws, rules and/or regulations including, without limitation, those imposed with respect to calibrated meters, vehicle appearance, vehicle safety, and equipment standards, permits, and insurance.

(e) All commercial operators, drivers and employees shall refrain from engaging in improper conduct, including, but not limited to, boisterous conversations, threats, profanity or fighting at the Airport, nor shall they provide misleading information concerning other ground transportation services.

(f) All commercial vehicles shall be kept clean and in first class running condition.

(g) Cruising by commercial vehicles on Airport property shall be prohibited.

(h) No person engaged in providing ground transportation services at the Airport shall solicit business at the Airport or within the Terminal premises except as authorized by agreement with the Authority. For purposes of this subsection, the leasing of a telephone call panel, by agreement with the Authority, shall not be deemed to constitute solicitation.

(i) Operators of commercial vehicles shall remain in the immediate vicinity of their vehicles except for pick-up of prearranged customers or for reasons of personal necessity.

(j) Passenger loading and unloading and movement of luggage shall take place in areas designated by the Authority.

(k) Commercial vehicles shall not be operated at the Airport unless the owner or operator of the vehicle has filed with the Authority a Certificate of Insurance which evidences liability and property damage coverage in accordance with (l) below.

(l) The insurance coverage for each commercial vehicle shall be in accordance with Chapter 5A of the revised General Ordinances of the Township of Egg Harbor, New Jersey, incorporated herein by reference, as amended and supplemented. The revised General Ordinances may be examined at the municipal offices of the Township of Egg Harbor, 3515 Bargaintown Road, Egg Harbor Township, NJ 08234-8321.

(m) Should a commercial vehicle cease to be covered by a policy of insurance as required by (l) above, it shall be prohibited from operating on Airport property.

#### **19:76-5.2 Ground transportation services by limousines, limousine vans and motorbus services**

(a) The requirements of this section shall apply only to ground transportation services provided by limousines, limousine vans, and motorbus services. In case of conflict with the general requirements of N.J.A.C. 19:76-5.1, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-5.1 shall be satisfied.

(b) The vehicle operator shall load and unload passengers only in areas near the terminal which have been designated by the Authority for loading and unloading of passengers.

(c) If the designated loading/unloading areas are full, vehicle operators shall proceed to a designated holding area.

(d) Vehicle operators shall stay within close proximity of their vehicles.

(e) Vehicle operators shall only pick up prearranged customers. Additional customers shall not be solicited at the Airport.

(f) The person providing the ground transportation services shall provide an individual(s) to perform meet and greet functions, handle baggage and any special assistance needed by disabled customers.

(g) Rates and charges shall be visibly posted and made available to any passenger upon request.

(h) The owner/operator of any motorbus service subject to the provisions of this section shall pay to the Authority an entry fee of \$5.00 for each bus which it owns or operates and which enters the Airport for the purpose of picking up and/or dropping off passengers. The owner/operator of a limousine or limousine van shall pay to the Authority an entry fee of \$2.00 for each vehicle which it owns or operates and which enters the Airport for the purpose of picking up and/or dropping off passengers.

(i) Payment of the entry fee shall be made for each entry by any motorbus, limousine or limousine van which enters for the purpose of picking up and/or dropping off passengers.

(j) Entry fee tickets shall be purchased in advance from the Authority by sending a money order or certified check payable to the South Jersey Transportation to the South Jersey Transportation Authority, PO Box 485, Bellmawr, New Jersey 08099-0485.

(k) There shall be no refunds on purchases of entry fee tickets.

(l) Upon entry, the vehicle operator shall give the entry fee ticket to Airport personnel at the Operations Office or other designated location. In lieu of a ticket, the Authority may implement an automated revenue control system.

(m) This section shall not be construed as a prohibition on courtesy ground transportation services. Nor shall this section prohibit an individual Airport customer, without prior prearranged ground transportation, from directly making such arrangements from the Airport. Ground transportation services obtained in this manner shall be subject to the appropriate entry fee.

#### **19:76-5.3 Ground transportation services by courtesy vehicles**

(a) The requirements of this section shall apply only to ground transportation services provided by courtesy vehicles. In case of conflict with the general requirements of N.J.A.C. 19:76-5.1, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-5.1 shall be satisfied.

(b) The Authority specifically reserves the right to allow motels, hotels, rental car agencies and similar establishments to provide courtesy ground transportation at the Airport.

(c) Courtesy vehicle operators shall comply with the provisions of N.J.A.C. 19:76-5.2(b) through (f).

(d) Each courtesy vehicle operating at the Airport shall display a valid Authority operation permit.

(e) Operation permits shall be available for \$100.00 and shall be valid for one year from the date of issuance. The permits may be obtained by forwarding a certified check or money order payable to the South Jersey Transportation Authority, in the amount of \$100.00 per permit, to the South Jersey Transportation Authority at PO Box 485, Bellmawr, New Jersey 08099-0485.

(f) Permits shall not be transferred.

(g) There shall be no refunds on purchases of operating permits.

#### 19:76-5.4 Taxicabs

(a) The requirements of this section shall apply only to taxicabs. In case of conflict with the general requirements of N.J.A.C. 19:76-5.1, the specific language of this section shall prevail but, otherwise, the requirements of N.J.A.C. 19:76-5.1 shall be satisfied.

(b) Taxicabs shall operate from designated holding areas and loading zones at the terminal. Taxicabs will progress through the holding area and passenger loading zone to depart the Airport. Taxicabs shall only be permitted to occupy holding and loading zones in a manner consistent with these rules.

(c) Taxicabs which serve the Airport shall have prominently displayed, in full view of all passengers, licenses, permits, decals, fares, and insignia issued by Egg Harbor Township and the Authority.

(d) Operators of taxicabs shall receive or discharge passengers as indicated by the Authority or Contract Manager by sign.

(e) Operators shall pull up to the taxi stand designated by the Authority or Contract Manager and shall advance forward as the cabs ahead pull away. Operators shall stay within five feet of their cabs.

(f) These rules shall not be construed to prevent a passenger from boarding the cab of choice that is parked at a taxi stand.

(g) An operator shall not drive a taxicab if his or her Airport permit, municipal license or New Jersey operator license is suspended or revoked.

(h) An operator shall not attempt to charge a rate of fare above or below \$27.00 to and from Atlantic City.

(i) An operator entering a taxi or authorized feed line shall take the rear position. Overcrowding, crashing or backing onto a hack line (feed line) is prohibited.

(j) Operators of the first two vehicles at a taxi stand shall remain in the driver's seat ready to be hired. As vehicles leave the line, those vehicles behind shall move up.

(k) An operator shall not permit anyone to clean the taxicab or make any repairs to the taxicab while at a taxi stand, except minor repairs of an emergency nature. If a taxi impedes the flow of taxi operations, the Authority or its designated representative may have the taxi removed by tow from the line or stand at the owner's expense.

(l) Operators shall not permit any other person to occupy or ride the taxicab unless the person or persons first employing the taxicab shall consent to the acceptance of an additional passenger or passengers.

(m) The operator of a taxicab shall behave in a professional manner.

(n) All taxicabs operators must be clean and neat of dress.

(o) Taxicabs stands shall be used by operators on a first-come, first-served basis. An operator entering the stand shall join any waiting taxicabs from the rear and advance forward as the preceding taxicabs depart. Trips to the Technical Center shall be made by the last taxicab in the holding taxi line, and that taxicab shall resume its place in the taxi hold progression upon return to the taxi hold area.

(p) The maximum number of taxicabs occupying a taxi stand, at any given time, is five.

(q) Private vehicles or other vehicles for hire shall not occupy the space that has been established as a taxi stand.

(r) Subject to the operational requirements of the Authority, no person shall park or stand a taxicab in any prohibited area, or in any area controlled by the Authority.

(s) Airport designated enforcement agency(s) and agents are authorized and instructed to observe the operations of the holders of taxicab licenses for the purpose of enforcing compliance with the provisions of municipal taxicab ordinances and this chapter. A violation shall result in appropriate police and administrative action, including the issuance of summons or citation and, if appropriate, towing as directed by the Authority or its designated representative.

(t) A taxicab shall be removed from the Airport at the owner's expense if the taxicab is found to be unsafe or in any way unsuitable for taxicab service, or otherwise in violation of the provisions of rules or municipal taxicab ordinances.

(u) If any operator must leave the taxi for any reason, he or she shall leave the taxi line and return to the back of the line or stand upon return.

(v) Taxicabs and operators may be removed from serving the Airport at the discretion of the Authority or Contract Manager for violations of permit, State laws and this subchapter in accordance with N.J.A.C. 19:76-6.3.

(w) Each taxicab operating at the Airport shall display a valid Authority operation permit.

1. Operation permits shall be available for \$350.00 and shall be valid for one year from the date of issuance. The permits may be applied for by forwarding a certified check or money order payable to the South Jersey Transportation Authority, in the amount of \$350.00 per permit, to the South Jersey Transportation Authority at PO Box 485, Bellmawr, New Jersey 08099-0485.

2. Except as provided in this subsection, applications shall be applied for as provided in N.J.A.C. 19:76-6.5.

3. The Authority shall consider permit applications in order of receipt.

4. The Authority may limit the number of permits issued based upon customer demand and the capacity of the Airport to allow for efficient and safe operation.

5. Permits shall not be transferred.

6. There shall be no refunds on purchases of operating permits.

(x) Upon arrival at the Airport, operators of taxicabs making passenger pick-ups shall proceed to the assigned holding area. Taxicabs shall proceed to the next available position in the designated taxi line.

(y) Taxicabs which encounter full ranks within a holding area shall be required to do one of the following:

1. Depart the Airport; or
2. Travel to an alternate Airport holding area as may be authorized by the Authority or Contract Manager.

(z) A taxicab shall be first in the hold area line prior to moving to the designated loading zone. The signal for the next taxicab to move forward will be based on customer demand. The Authority may install electronic, auditory or other mechanical aids to assist and verify proper taxicab exit from a holding area.

(aa) Upon moving forward from the holding areas, each taxicab shall proceed to the designated taxi line. A taxicab operator shall not refuse service to any passenger requesting service, except that service may be refused if the passenger desires travel to a destination more than 30 miles from the main entrance to the Airport as measured in a straight line.

## SUBCHAPTER 6. MISCELLANEOUS

### 19:76-6.1 Absence of Contract Manager

If the Authority shall on any given date be without an agreement which provides for a Contract Manager, then, in that event, the Authority shall assume all the responsibilities of the Contract Manager and every reference in these rules to the Contract Manager shall be understood to refer to the Authority. The Authority shall continue to assume such responsibilities until such time as an agreement is entered into which again provides for a Contract Manager.

### 19:76-6.2 Conflict with Federal or State laws

(a) Should any part of these rules conflict with Federal or State laws or regulations, then such Federal or State laws or regulations shall take precedence.

(b) These rules shall not supersede or abrogate regulations promulgated by the Federal Aviation Administration.

### 19:76-6.3 Suspension or revocation of operation privilege

(a) The Authority or Contract Manager shall have the power to suspend or revoke the operation privilege of any commercial vehicle operator or employee of a commercial vehicle operator, for violation of these rules.

(b) The Authority or Contract Manager may cause, without notice, an immediate suspension or revocation where circumstances warrant. A letter which outlines the reason(s) for the action shall be forwarded to the operator or employee, within 24 hours. The operator or employee shall have the right to appeal the suspension or revocation within five working days of receipt of the letter of revocation or suspension and present any information desired to the Authority or its designated representative.

(c) In circumstances which do not require immediate suspension or revocation, the operator or employee shall be advised of the complaint and shall be given the opportunity to present any information desired to the Authority or Contract Manager. The operator's or employee's right to use Airport facilities will not be revoked or suspended until the Authority has issued its determination.

(d) The Authority's decision, after the operator or employee has been afforded the opportunity to present information, is binding unless appealed pursuant to N.J.A.C. 19:76-6.5.

(e) Violations which shall result in revocation of an operator's or employee's operation privilege include, but shall not be limited to, the following:

1. Non-current or no Egg Harbor Township permit;
2. Non-current or no insurance certificate;
3. Overcharging of customers;

4. Conducting illegal activities at the Airport which result in a misdemeanor or felony conviction; or

5. Any violation of these rules after two suspensions have been imposed within a six month period.

#### 19:76-6.4 Penalties

(a) Persons violating any provision of the New Jersey State Revised Statutes shall be subject to the penalties provided therein.

(b) Any person who fails to leave the Airport, or a specified area thereof, or any person who knowingly or willingly violates these rules or refuses to comply therewith, after request by the Authority, or its designated representative, shall be regarded as a trespasser and shall be removed from and denied access to the Airport for such period of time as may be specified by the Authority or its designated representative.

(c) Any person engaged in ground transportation services at the Airport who violates any of these rules may be deemed guilty of a violation of the applicable ordinances of the Township of Egg Harbor and punished accordingly.

(d) Any person operating a vehicle at the Airport who violates these rules in a manner that would constitute a violation of law or ordinance if committed on any public road, street or highway in the municipality in which the violation occurred, shall be subject to punishment in the same manner as if it had been committed in that municipality.

(e) Except as provided in (d) above, any violation of N.J.S.A. 27:25A-21 or any provision of these rules, as determined by the Airport Director, which concerns operation of a vehicle at the Airport, including the failure to pay any required fee, shall constitute an Authority infraction and shall result in the issuance of a citation by the Authority or its designated representative and the imposition of a \$50.00 administrative fee. The violator may request that such violations be tried in a summary way within the jurisdiction of and brought in the Special Civil Part of the Law Division of the Superior Court or any municipal court in the county where the offense was committed. Violations determined by a Court are punishable by a fine not exceeding \$500.00 or by imprisonment not exceeding 30 days or both. In addition, if found guilty by a Court, the violator shall pay to the Authority an administrative fee of \$150.00.

(f) Payment of an administrative fee in accordance with (e) above shall be made by sending a certified check or money order payable to the South Jersey Transportation Authority to the South Jersey Transportation Authority at PO Box 485, Bellmawr, New Jersey 08099-0485.

(g) Failure to pay an administrative fee may subject the violator to revocation or suspension of any Authority issued permit, approval or permission.

(h) Notwithstanding any provision to the contrary, the Airport Director shall have the authority to revoke or suspend any permit, approval or permission issued by the Authority or Airport Director for violations of these rules.

#### 19:76-6.5 Requests for permission or approval

(a) Unless otherwise specifically provided, any permission or approval required by this chapter shall be applied for as follows:

1. A written request shall be filed with the person from whom permission or approval is required by this chapter.

2. The written request shall include, at a minimum:

i. The applicant's name, address and telephone number;

ii. If applicable, the name, address and telephone number of the organization the applicant represents;

iii. The date(s) for which the request is made;

iv. A drawing which indicates the location for which the request is made;

v. A detailed explanation of the reasons for the request; and

vi. A statement on the impact of the request, if granted, on efficient and safe air travel.

3. Consideration shall be given whether the request can be granted without substantial detriment to the public good or substantial impairment to the intent and purposes of this chapter. Consideration shall also be given to the impact of the request on efficient and safe air travel.

4. The person with whom the request is filed shall act upon it within 10 business days of receipt, and forward a determination to the applicant by certified mail, return receipt requested.

5. An adverse determination may be appealed in accordance with N.J.A.C. 19:76-6.6.

#### 19:76-6.6 Appeals

(a) An applicant denied a permit, approval or permission required by these rules, or whose application has not been acted upon within 10 business days, or whose permit, approval or permission has been revoked or suspended, may file a written appeal with the Airport Director. The appeal shall be filed within five business days after such applicant knows or should have known of the facts giving rise to the appeal. Failure to file a timely appeal shall bar any further action.

(b) The written appeal shall set forth in detail the facts upon which the appeal is based and shall define the issues and/or facts in dispute. In addition, the applicant may request a hearing, which shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, or an informal conference, pursuant to (f) below.

(c) If the applicant has filed an appeal but has not requested a hearing or an informal conference, the Airport Director shall carefully consider all available, relevant information and shall, within five business days, determine to confirm, modify or vacate the original finding or determination. The appellant shall be notified, in writing, of the determination.

(d) The decision rendered after a hearing conducted in accordance with the Administrative Procedure Act, or by the Airport Director pursuant to (c) above, shall be reviewed by the Authority's Board of Commissioners who shall adopt, review or modify the decision within 45 days.

(e) The decision of the Board of Commissioners shall be final and conclusive.

(f) An informal hearing before the Board of Commissioners is in the nature of a conference, with or without representation on behalf of the appellant. The decision of the Board of Commissioners shall be final and conclusive.

#### 19:76-6.7 Adoption shall not constitute grant of rights

(a) The adoption of these rules is not intended to, and shall not be construed to, grant any property right or expectation to any person. The Authority expressly reserves the right to amend these rules at any time and in any respect and may amend concession agreements and permits in conformance with such amended rules.

(b) The Authority reserves the right to limit or restrict access to any area at the Airport, without the issuance of prior notice, for reasons, including, but not limited to, safety and security of the general public, construction or renovation work, or Acts of God.

(c) Any person who determines to invest time or financial resources in the provision of commercial services at the Airport shall do so with full knowledge of (a) and (b) above, and shall have no right or standing to make any claim whatsoever against the Authority or its agents by reason of any subsequent amendment to these rules, a concession agreement or permit or any limitation or restriction of access to the Airport.

#### 19:76-6.8 Severability

These rules and any of the provisions thereof shall be severable, and if any of its provisions shall be held to be unconstitutional or otherwise invalid, the decision of the Court shall not affect the validity of the remaining rules or any of the provisions thereof.