

## TITLE 17. TRANSPORTATION

CHAPTER 2. DEPARTMENT OF TRANSPORTATION  
AERONAUTICS DIVISION

(Authority: A.R.S. §§ 28-1707 and 28-1722)

**ARTICLE 1. GENERAL PROVISIONS**

*Article 1, consisting of Sections R17-2-01 through R17-2-06, repealed effective May 2, 1990; new Article 1, consisting of Sections R17-2-101 adopted effective May 2, 1990.*

## Section

R17-2-101. Definitions

**ARTICLE 2. GRAND CANYON NATIONAL PARK  
AIRPORT - OPERATION AND MANAGEMENT**

*Article 2, consisting of Sections R17-2-201 through R17-2-204 adopted effective May 2, 1990.*

## Section

R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport  
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**ARTICLE 1. GENERAL PROVISIONS****R17-2-101. Definitions**

In this Chapter, the following definitions shall apply:

“ADOT” means the Arizona Department of Transportation.

“After-hours” means hours beyond those determined by airport management as appropriate to meet the seasonal demand.

“Airport” means the geographical boundaries of the property owned by the Arizona Department of Transportation, Aeronautics Division, and known as the Grand Canyon National Park Airport.

“Airport business” means any business venture operating inside the boundaries of the Grand Canyon National Park Airport or relying on business generated as a result of the presence of the airport, its customers, or employees.

“Airport management” means one or more persons designated by the ADOT Aeronautics Division Assistant Director as responsible for the management of the airport and its operations.

“Apron” means an artificially surfaced area of ground designed and used for the parking and storage of aircraft at an airport.

“Commercial aviation” means the scheduled or non-scheduled transportation by air of persons or property for compensation or hire under FAA regulations.

“Commercial fuel handling” means the sale, storage, transportation, or distribution of fuels for compensation.

“Commercial ground transportation” means the scheduled or non-scheduled transportation, exclusive of by air, of persons or property for compensation or hire to and from the airport.

“Direct costs” means labor, materials, and variable overhead expenses which are directly dependent on the operation.

“Direct phone” means telephone service directly to hotels, motels, or other firms.

“Director” means the Director of the Arizona Department of Transportation or the Director’s designee.

“Director of Aeronautics” means the ADOT Assistant Director of Aeronautics.

“Disabled aircraft” means any aircraft that requires assistance to move from any position on the runway, taxiway, or apron areas of the airport.

“Disabled aircraft support equipment” means any equipment used to assist aircraft movement from any position on the runway, taxiway, or apron areas of the airport.

“Division” means the Arizona Department of Transportation’s Aeronautics Division.

“FAA” means the Federal Aviation Administration of the United States Department of Transportation.

“Fixed base operator” means an airport business that provides airport user services, including but not limited to, commercial fuel handling within the boundaries of the airport.

“Fuel” means all flammable fluids composed of a mixture of selected hydrocarbons manufactured and blended for the purpose of aircraft, railroad, or motor vehicle propulsion.

“Fuel supplier” means any airport business that dispenses fuel to retail customers or into vehicles owned or operated by that business.

“Lease” means a contract granting use or occupation of property during a specified period in exchange for a specified compensation.

“License agreement” means a contract granting use or occupation of a portion of the terminal or other state-owned building in exchange for a specific compensation.

“Maximum landing weight” means the maximum weight at which an aircraft may normally be landed as determined by the manufacturer.

“NFPA” means the National Fire Protection Association.

“Permit holder” means any person, partnership, association, firm, or corporation, owning or operating a business at the airport under a use permit.

“Public use terminal” means any structure designated for use by the general public and not specifically restricted or dedicated to any one airport business.

“Retail sales” means all sales activities at the airport not directly related to the transportation of persons or property. Sales include but are not limited to food, beverages, souvenirs, sundries, books, newspapers, and magazines.

“Rotorcraft” means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.

“Self-fuel dispensing or handling” means non-commercial fuel delivery to an aircraft, provided by the owner or operator.

“State” means the State of Arizona or its agents.

“Taxiway” means an artificially surfaced strip of ground designed and used at an airport for the ground movement of aircraft.

“Terminal space” means any area within a structure designated as a terminal and used by the public for transitioning between aircraft and ground transportation.

“Use permit” means a contract granting the privilege to conduct commercial operations at the airport in exchange for a specific compensation.

“Vehicle” means any equipment used for transporting persons or property other than aircraft.

**Historical Note**

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective March 17, 1995 (Supp. 95-1). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**ARTICLE 2. GRAND CANYON NATIONAL PARK AIRPORT - OPERATION AND MANAGEMENT**

**R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport**

- A. Except as provided in subsection (B), the fees and charges in Table 1 apply to all tenants and users of the airport and its facilities.
- B. The fees and charges established in subsection (A) do not apply to:
  1. The use of leased facilities under an airport ground lease.
  2. The use of airport facilities, equipment, or services included in an airport ground lease in effect on July 1, 1993.

**Historical Note**

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective February 17, 1994 (Supp. 94-1). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**Table 1. Grand Canyon National Park Airport Fees and Charges**

<b>Landing Fees</b>	
For commercial flight operations landing at the airport including, but not limited to, air carrier, air taxi, air tour, and air freight:	
Single-engine fixed wing, multi-engine fixed wing, and rotorcraft	\$1.00 per 1,000 lbs., or part of 1,000 lbs., of FAA-certified maximum landing weight
<b>Aircraft Parking Fees</b>	
For restricted aircraft parking areas within airport boundaries designated by airport management:	
Single-engine fixed wing and rotorcraft	\$30.00 per month, if parked in designated public tie-down areas
Multi-engine fixed wing	\$40.00 per month, if parked in designated public tie-down areas
The daily rate shall be 1/10 of the applicable monthly rate	
<b>Terminal Fees</b>	
Terminal counter space	\$20.00 per sq. ft., per year
Terminal office space	\$15.00 per sq. ft., per year
Advertising space	\$2.00 per sq. ft. (sign size), per month, for terminal and counter areas \$5.00 per sq. ft. (sign size), per month, for outdoor sign space
Direct phone space	\$20.00 per unit, per month
Retail sales space	\$20.00 per sq. ft., per year
Public address system	\$25.00 per monthly subscription
After-hours terminal use	\$150.00 per hour, or part of an hour, in excess of ten minutes after scheduled terminal closure
<b>Fuel Flowage Fees</b>	
Fuel flowage	\$0.03 per gallon of fuel delivered to the airport
<b>Equipment Use Fees</b>	
Auxiliary power unit	\$10.00 per use
Aircraft tug	\$20.00 per use
Portable heater	\$10.00 per use
Passenger stairs	\$10.00 per use
Non-aviation equipment	As negotiated
<b>Miscellaneous Fees</b>	
After-hours runway inspection for commercial use permit holder	\$50.00 per landing, take-off, or if on standby, for each 30-minute increment
Storage of crash debris	\$5.00 per sq. ft., per month, or increment of a month beyond 72 hours
Clean up of hazardous materials	Direct costs
Repairs of damage to airport property	Direct costs
Disabled aircraft assistance	Direct costs
Disabled aircraft support equipment	Direct costs
<b>Ground Transportation Fees</b>	
All commercial ground transportation use permit holders shall report and pay monthly the following fee:	
Ground transportation	\$0.30 per passenger transported each way; either to or from the airport
<b>Vehicle Parking Fees</b>	
For restricted parking areas within airport boundaries designated by airport management:	
Ground transportation use permit parking	\$5.00 per vehicle, per day, or any portion of any 24-hour period \$50.00 per vehicle, per month, in designated areas
Rental car parking	Auto storage, in a designated area, as established by use permit terms
Overnight parking, commercial vehicles in excess of designated number as specified by license agreement or use permit, and private vehicles	\$5.00 per vehicle, per 24-hour period; or \$50.00 per vehicle, per month, in designated area
<b>Terminal Retail Sales of Goods or Services</b>	
Fees shall be a percentage of gross receipts, as defined in A.R.S. § 42-5001, of all retail sales after federal, state, and local taxes, except as negotiated in each use permit. Use permits shall be based upon highest and best bids but shall contain provisions for not less than the percentage in this schedule:	

Air tours originating at the airport	7%
Food and beverage	15%
Rental of personal property, including but not limited to car rentals	15%
Retail sales of merchandise	15%
Personal services businesses, including but not limited to shoe shine, beauty and barber shops and others	15%
Other	As negotiated
<b>Use of Other Facilities Outside the Terminal</b>	
Use of other facilities outside the terminal	As negotiated

**Historical Note**

New Table 1 made by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**R17-2-202. Airport Use Permits**

- A. A user operating commercially at the airport shall first obtain a use permit or be subject to a \$100.00 fine for each infraction. Use permits are required for the following activities:
  1. Commercial aviation;
  2. Commercial ground transportation;
  3. Commercial fuel handling; and
  4. Airport business.
- B. An aircraft owner or operator desiring to dispense fuel to the owner's or operator's own aircraft shall first obtain a self fueling or handling permit or be subject to a \$100.00 fine for each infraction.
- C. A use permit shall contain, at minimum, provisions governing the following subjects:
  1. Minimum insurance coverage in the amount required by the Department of Administration's Risk Management Section, naming the state as co-insured;
  2. Billing, payment, and audit procedures and the penalties for non-compliance;
  3. Data reporting in a timely manner, upon request of the airport management or other agency. This data may include, but is not limited to:
    - a. Gross receipts,
    - b. Aircraft landings,
    - c. Aircraft tie-downs,
    - d. Equipment utilized,
    - e. Enplanements,
    - f. Gallons and types of fuel pumped, and
    - g. Passengers transported each way, to or from the airport;
  4. A list of all employees with access to airport security areas and any changes in the list. In addition, the fixed base operator shall provide verification of compliance with employee security checks required under federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
  5. Evidence of compliance with all other jurisdictions' requirements for permits, licenses, insurance and certificates; and
  6. Detailed descriptions of any space within the public use terminal assigned to the commercial user and provisions describing allowable uses for the space as well as minimum expected maintenance of the facilities provided.

**Historical Note**

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**R17-2-203. Minimum Requirements for Fixed Base Operators**

- A. Before entering into a contract or commencing any operation at the airport as a fixed base operator, each fixed base operator shall:
  1. Hold a commercial fuel handling use permit;
  2. Submit to airport management, a verified statement that contains a detailed description of the scope of the intended operation. This statement shall include:
    - a. The means and methods that will be employed to accomplish the aviation operation, including how the operating standards and requirements will be met; and
    - b. The nature of ownership and the responsible parties. If the responsible party is:
      - i. An individual, include the person's name and address;
      - ii. A partnership, include the names and addresses of all the partners; or
      - iii. A corporation, association, or other organization, include the names of the president, vice president, secretary, and managing officer or managing employee;
  3. Possess a minimum of three years experience, within the past five years, in managing a fixed base operation at an airport.
    - a. The experience requirement applies either to:
      - i. The individual owner, if a sole proprietorship;
      - ii. One of the partners, if a partnership; or
      - iii. The permanent full-time managing officer or employee, if a corporation.
    - b. If more than one person shares the full-time management responsibilities and duties of the organization, their collective management experience may be used to satisfy subsection (A)(3) if that experience encompasses each particular service or operation proposed;
  4. Provide to airport management, a complete certified financial statement, prepared by an independent accounting firm;
  5. Provide to airport management, evidence of current public liability insurance coverage in the minimum amount required by the Department of Administration's Risk Management Section, naming the state as co-insured. Hangarkeeper's liability insurance may be required if aircraft are on the premises for safekeeping, storage, service, or repair; and
  6. Submit to airport management, a verified statement that there is a commitment from a fuel supplier to supply fuel.

The commitment shall specify the types and volumes of fuel available to the fixed base operator.

- B.** Upon commencing operations, a fixed base operator shall:
1. Provide to airport management, an annual financial statement at the close of the state's fiscal year;
  2. Obtain and keep current, during the term of the use permit, all required federal, state, and local licenses and ensure compliance with all federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
  3. Remain available as required by airport management, either individually or in connection with the other fixed base operators situated at the airport, to provide service and to respond to emergencies during after-hours;
  4. Report all data pertaining to gallons and types of fuel pumped and other types of information as required by additional use permits. Reports shall be provided to the airport management and other requesting agencies in a timely manner;
  5. Report all activity for which fees are established and pay all fees before the 10th calendar day of each month;
  6. Retain all financial records at the airport for five years and comply with all auditing requirements in the use permit;
  7. Provide airport management with a list of all employees with access to airport security areas and notify airport management of any changes;
  8. Provide verification of compliance with employee security checks required under federal, state, and local laws, rules, regulations, and policies governing the use of the airport;
  9. Comply with all FAA and NFPA inspection criteria;
  10. Provide airport management with a copy of written fueling operations procedures, safety and inspection manuals, and records, as required by FAA and NFPA regulations; and
  11. Maintain an approved, written, spill-prevention contingency and control plan that meets all applicable federal and state standards.

**Historical Note**

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4). Section heading corrected per Department's request as amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 09-2).

**R17-2-204. Airport Ground Leases**

- A.** The Division may enter into leases of airport property for the operation of businesses that foster the development of the airport.
- B.** All leases of airport property, other than the existing or any future public use terminal facility, shall be based on a competitive sealed proposal process as specified in A.R.S. § 41-2534. At minimum, leases shall be based on a price per square foot of property as valued through an appraisal of that property. In addition, leases shall contain provisions for not less than the percentage in the following schedule:
1. Food and beverage - 5%
  2. Rental of personal property - 10%
  3. Retail sales of merchandise - 10%
  4. Other - As negotiated

**Historical Note**

Adopted effective May 2, 1990 (Supp. 90-2). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**R17-2-205. Airport Parking Limitations; Prohibited Activities**

- A.** For a special occasion, or during an emergency, airport management may impose parking limitations as circumstances require.
- B.** A person or entity using the airport and its facilities shall not:
1. Park a vehicle in an area designated a no parking zone as indicated by a sign or red painted curb;
  2. Drive or park a vehicle in any area on airport property that is closed by the use of a barricade, chain, or other traffic control device;
  3. Park a vehicle on a pedestrian path, sidewalk, or safety zone;
  4. Park a vehicle in a manner or location that obstructs another parked vehicle; or
  5. Camp on airport property.

**Historical Note**

Adopted effective March 17, 1995 (Supp. 95-1). Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).

**R17-2-206. Airport Impoundment Procedures; Notice of Impound**

This Section applies to all persons or entities using the airport and its facilities:

1. Airport management may remove and impound any aircraft or other vehicle found on state property where an owner has:
  - a. Parked the aircraft or vehicle in an area designated and posted as a restricted area;
  - b. Parked the aircraft or vehicle in violation of these rules;
  - c. Abandoned the aircraft or vehicle on airport property for more than 14 days without prior notification and permission of airport management;
  - d. Failed to pay parking fees for 15 days after the date a parking statement is attached to the aircraft or vehicle, indicating that a parking fee is due; or
  - e. Parked the aircraft or vehicle in a manner or location that constitutes a hazard or impediment to the general public or to the movement and operation of aircraft or emergency equipment.
2. Notice of Impound.
  - a. An authorized agent of the airport management, at the time of removal for impound, shall post a Notice of Impound as near to the location from which the aircraft or vehicle was removed as is practical, and a copy of the notice shall be mailed to the address listed on the:
    - i. Aircraft or vehicle;
    - ii. Vehicle registration in the aircraft or vehicle; or
    - iii. Airport records.
  - b. Airport management, within a period of 10 business days from the date of impoundment, shall twice publish the Notice of Impound in a daily newspaper with a general circulation in Coconino County, if no address is known. The notice shall describe the:
    - i. Aircraft or vehicle;
    - ii. Parking violation that necessitated the impoundment;
    - iii. Location to which the aircraft or vehicle was impounded;
    - iv. Name and address of the person to contact regarding the impoundment; and
    - v. Owner's right to file a request for a hearing under subsection (5).

3. Airport management shall ensure that:
  - a. A vehicle is removed by a tow company licensed by the Department of Public Safety; and
  - b. An aircraft is removed by a fixed base operator licensed by the ADOT Aeronautics Division.
4. Costs to owner. The owner of an aircraft or vehicle is responsible for all costs involved in the removal, impoundment, and storage of the aircraft or vehicle, plus any costs incurred by publication of the Notice of Impound.
5. Hearing requests. Any person subject to a decision made within the Aeronautics Division under this Chapter may request a hearing before the Director. The person shall submit a written request for the hearing to the Department not more than 30 days after the action of the Aeronautics Division. The hearing shall be held in accordance with A.R.S. Title 41, Chapter 6, Article 6.

**Historical Note**

Adopted effective March 17, 1995 (Supp. 95-1).  
Amended by final rulemaking at 12 A.A.R. 4437, effective January 6, 2007 (Supp. 06-4).