



**Des Moines Airport Authority**  
**5800 Fleur Dr, Suite 207**  
**Des Moines, IA 50321**

# **DES MOINES AIRPORT AUTHORITY**

# **RULES & REGULATIONS**

**Agenda Item:** A24-022  
**Number:**  
**Date:** 2/13/24

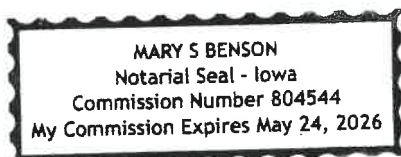
*I hereby certify that this compilation is a true and correct copy of the papers filed in my office.*

Mary S. Benson, Board Clerk

A handwritten signature in blue ink that reads "Mary S. Benson".

Seal:

Date: 2/13/2024



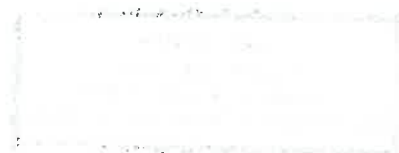
**PREFACE**  
**CHAPTER AND SECTION NUMBERING SYSTEM**

The chapter and section numbering system used in these Rules and Regulations is the same system used in many state and local government codes. Each section number is made up of two parts separated by a dash. The figure before the dash refers to the chapter number, and the figure after the dash refers to the position of the section within the chapter. Thus, the second section of chapter 1 is numbered 1.2, and the first section of chapter 6 is numbered 6.1. Under this system, each section is identified with its chapter, and at the same time, new sections can be inserted in their proper place by using the system for amendments.

On February 14, 2011, the City of Des Moines Council adopted Ordinance No.14,989, creating the Des Moines Airport Authority in accordance with Iowa Code chapter 330A. The ordinance creating the Authority is codified at Chapter 22, Article II, of the Municipal Code of the City of Des Moines, Iowa. The following sections of the City Code apply to the enforcement of these Rules and Regulations:

**Sec. 22-56. City ordinances:**

*Ordinances adopted by the council are enforceable as provided in this Code to the extent applicable on Airport property.*



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## 1. Definitions

Air carrier - a person or organization having an operating certificate issued by the United States Department of Transportation to operate an aircraft with passengers, cargo or mail.

Air operations area (AOA) - the portion of the Airport, specified in the Airport security program, in which security measures specified in 49 CFR Part 1540 and 1542 are carried out. This area includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas, for use by aircraft regulated under 49 CFR part 1544 or 1546, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures. This area does not include the secured area.

Aircraft - a device that is used or intended to be used for flight in the air.

Airline operating and use agreement - the agreement, as in effect at any given time, entered into between the Authority and one or more air carriers governing the rights and obligations of the parties with respect to the use of premises and facilities at the Airport.

Airport - the Des Moines International Airport including the area of land or water that is used or intended to be used for landing and takeoff of aircraft and including its buildings and facilities. Where sections in this chapter refer to real estate or to property or to activities not otherwise located or identified, they refer to real estate, property, and activities on, located at, or taking place at the Airport.

Airport Permit –a permit to conduct commercial or non-commercial activities at the Airport.

Airport security identification (ID) medium - a medium issued by the Authority, or otherwise approved within the Airport security plan, for the purpose of identifying persons authorized unescorted access within a restricted area.

Airport operations - the operations department of the Des Moines Airport Authority.

Airport security plan (ASP) - the security plan approved by Transportation Security Administration (TSA) under TSR 1542.101.

Airport taxicab - a taxicab (as the term is defined herein) which has been registered with the Authority's Executive Director as part of the fleet of the contractor for Airport Taxicab Services, and performs Airport Taxicab Services.

Airside - that portion of Airport property located within the perimeter security fence.

AOA – Aircraft Operating Area.

Assistive Animal - an animal which is individually trained to do work or perform tasks for the benefit of an individual with a disability.

Authority - the Des Moines Airport Authority and its members, officers, assignees, and employees when acting within the scope of their duties.

Authorized person - any person who, because of his or her employment on the Airport or duties for the maintenance and operation of the Airport, requires access to the air operations area or other restricted area, and who displays on his or her person valid Airport identification of the type and manner specified and authorized by the Authority in compliance with the Airport security program.

Automatic vehicle identification (AVI) - a device provided by the Authority and affixed to a commercial vehicle in a manner designated by the Authority that automatically identifies vehicles using a Radio Frequency Identification (RFID) system.

Board - the Des Moines Airport Authority Board.

Bus - any automobile, motorbus, trackless trolley, jitney or other self-propelled vehicle not operated upon fixed rails or tracks, used for the public transportation of passengers in the city for compensation, either between fixed termini or over a regular route, or under a special charter or contract, except those buses owned by school corporations and used exclusively in carrying school children to and from schools and buses operated as public transportation by a transit authority or government entity.

Car Sharing - the rental of a vehicle, usually for short durations, from one individual to another.

CFR - United States Code of Federal Regulations.

Challenge - the act by an individual to determine the authority of another person to be present within a restricted area who does not display an Airport approved identification medium.

Checked baggage - property tendered by or on behalf of a passenger and accepted by an air carrier for transport, and which is inaccessible to passengers during flight.

Commercial deicing operator - a single permitted operator authorized by the Authority to store and apply glycol deicing and anti-icing fluids to airline, cargo, and general aviation aircraft utilizing Authority deicing pads.

Commercial vehicle - any vehicle operating at the Airport as a bus, car sharing vehicle, limousine, taxicab, off-site commercial rental car operator, courtesy vehicle, or transportation network company driver's personal vehicle for the transport of passengers or cargo.

Commercial vehicle fee - a fee on commercial vehicles for providing passenger or cargo ground transportation to and from the Airport passenger terminal.

Commercial vehicle lanes - the two through-traffic vehicle lanes and the limousine standing area located between the center traffic median and the parking garages in front of the terminal building that are signed for commercial vehicle use only and all taxicab stands.

Controlled activity (CA) zone - the area defined in municipal code section 22-5.

Courtesy vehicle - a motor vehicle used in the business operation of any hotel, motel, parking lot or auto rental office to transport customers between the Airport and facilities located off Airport property.

Deicing pad – a designated location for the application and collection of aircraft glycol deicing and anti-icing fluids.

Digital platform - an online or smart phone enabled application that allows passengers to request vehicle transportation services.

Dwell time– the period of time during which a commercial vehicle remains in the loading and unloading areas of the Commercial Vehicle Lanes exclusive of the designated taxicab holding areas.

Emotional support animal – an animal which is utilized for comfort of the handler.

Escort - to accompany or monitor the activities of an individual who does not have unescorted access into or within a restricted area.

Executive Director - the person appointed by the Des Moines Airport Authority Board to have immediate responsibility and supervision of the administration and operation of the Airport. Whenever in these Rules and Regulations where the Executive Director is designated, it includes the Executive Director and his or her staff.

FAA - Federal Aviation Administration.

FAR - Federal Aviation Regulations contained in the Code of Federal Regulations.

Fire code - the fire safety code adopted by the City of Des Moines.

Food truck – a vehicle equipped with facilities for cooking and selling food.

Fueling Operations – the dispensing of aviation fuels into an aircraft.

General aviation deicing operator – a permitted operator authorized by the Authority to store and apply glycol deicing and anti-icing fluids to general aviation aircraft utilizing leased space and the south cargo deicing pad.

Geo-fence - a virtual perimeter or perimeters that is triggered by or with a digital platform that allows the Authority to track TNC vehicles upon entrance into and travel within the geo-fence area of the Airport.

Ground support equipment - equipment used for the ground based support or operation of aircraft. Such equipment includes, but is not limited to, aircraft starter units, baggage tugs and carts, aircraft baggage conveyors, open-cab service vehicles, terminal baggage conveyors, cargo and freight loading/unloading equipment and mobile passenger loading equipment.

Hazardous material - those materials defined in:

- (a) DOT Regulations published in 49 CFR Parts 100 through 200, as amended.
- (b) The list of EPA pollutants, 40 CFR, Section 401.15, as amended.

Hazardous substance - has the meaning defined under Iowa Code section 455B.381(5).

Hazardous waste - has the meaning defined under Iowa Code section 455B.411(3).

Landside - that portion of Airport property not enclosed by the perimeter security fence.

Limousine – a Commercial vehicle described by its manufacturer or aftermarket manufacturer as a Limousine or a luxury vehicle such as, but not limited to, a Cadillac Escalade, Chevrolet Suburban, Lincoln Town Car, or Mercedes Benz, with a driver furnished, who is dressed in professional business attire or a chauffeur's uniform, and is engaged in providing limousine service.

Limousine service - transportation of passengers in a limousine pursuant to a Permit issued by the Authority, with unmetered rates predetermined on a point-to-point basis and operating on routes from the Airport to specified destinations on a prearranged basis.

Movement area - the runway and taxiway system of the Airport that is used for the taxiing, taking-off, and landing of aircraft and is controlled through communication with the Tower.

Municipal code - the municipal code of the City of Des Moines, Iowa, as it exists and as it may be amended.

NFPA – National Fire Protection Association.

Non-movement area - that portion of the airside designated for aircraft operations that does not require contact with the Tower to obtain access.

Non-party air carrier - an air carrier that has not entered into the then current airline operating and use agreement with the Authority.

Notice to airmen (NOTAM) - information provided to aircraft crew personnel advising of conditions at the Airport that may affect the safety of aircraft operations.

Off-Site Car Rental Operator – a rental car operator who does not hold an agreement with the Airport Authority.

Operating permit – an Airport Permit, document, medium, decal, license or identifiable approval issued by the Authority that authorizes a commercial vehicle to operate at the Airport on terms set out in the operating permit and these rules.

Operations center - the operations and communication center for the Airport.

Person - any individual, firm, partnership, co-partnership, limited partnership, limited liability company, corporation, trust, association, company (including any assignee, receiver, trustee, or similar representative of the foregoing), any group, United States of America, any state or political subdivision of the United States, any member state of the United Nations or other legal entity, or the general public.

Piggybacking - when one person uses their approved airport security identification medium for access through a controlled door or gate, and a second person follows them through without using his or her approved airport security identification medium.

Prohibited item - any item prohibited by TSA from being carried into the cabin of an air carrier aircraft by a passenger. This does not include items placed in checked baggage.

Remain overnight or RON - those aircraft parking positions designated for the parking of aircraft using the terminal that cannot be accommodated at terminal gates.

Rental car operator – a company engaged in the business of renting vehicles to the public.

Restricted area - any portion of the Airport, including the SIDA, secured area, AOA, or portion of any building on the Airport, to which access is restricted to authorized persons and is not accessible to the public generally.

Retention basin - that body of water lying west of Fleur Drive and east of the Airport service road bordered by Cowles Drive on the north and south.

Radio-frequency identification (RFID) - a wireless non-contact system that uses radio-frequency electromagnetic fields to transfer data from a tag attached to an object, for the purposes of automatic identification and tracking.

Roadway - those portions of the Airport designed, improved, and intended for public or private vehicular travel and those travel lanes designated on non-movement areas for use by motor vehicles and ground service equipment.

Secured area - the portion of the Airport, specified in the Airport security program, in which certain security measures specified in 49 CFR Part 1542 are carried out. This area is where aircraft operators and air carriers that have a security program under part 1544 or 1546 enplane and deplane passengers and sort and load baggage and any adjacent areas that are not separated by adequate security measures.



Security identification display area (SIDA) - the portion of the Airport, specified in the Airport security program, in which security measures specified in 49 CFR Part 1540 and 1542 are carried out. This area includes the secured area and may include other areas of the Airport.

Self-Fueling – dispensing of aviation fuel into aircraft either owned by the self-fueler or under Aircraft Lease to that person.

Service Dog – a dog which is individually trained to do work or perform tasks for the benefit of an individual with a disability.

Smoking - inhaling, exhaling, burning, or carrying any lighted tobacco substance, container, or electronic device that emits a smoke or vapor including cigarettes, cigars, pipes, and artificial cigarettes, artificial cigars, artificial pipes or other device. This includes commercial and non-commercial cigarettes, cigars, pipes and electronic or mechanical devices that emit a flame, smoke, or vapor.

Sterile area - the portion of the Airport defined in the Airport security program that provides passengers access to boarding aircraft and to which access generally is controlled through the screening of persons and property by TSA or by an aircraft operator under 49 CFR Part 1544 or by a foreign air carrier under 49 CFR Part 1546.

Taxicab - a vehicle regularly engaged in the business of carrying passengers for hire, which has a maximum seating capacity of up to seven passengers, inclusive of the driver, is equipped with a meter, and provides on demand service on routes determined by the destination of the passenger.

Taxicab Services Agreement Permit – the authorized medium issued by the Authority to operate a taxicab as a commercial vehicle.

Tenant - a person who has a lease agreement, operating agreement or Airport use agreement with the Authority that has been assigned or allocated the use of space.

Terminal area - the area used or intended to be used for facilities such as terminal and cargo buildings; gates, hangars, shops, and other service buildings, automobile parking, Airport motels and restaurants, and garages and vehicle service facilities used in connection with the Airport; and entrance and service roads used by the public within the boundaries of the Airport.

Terminal building - all buildings and structures located within the Airport and open to the public for the purpose of flight ticket purchase, public lobby waiting, baggage check-in and other services related to public air travel.

Transportation network company (TNC) - means a corporation, partnership, sole proprietorship, or other entity that operates in this state and uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides.

TNC driver - means an individual who does all of the following:

- (a) Receives connections to potential transportation network company riders and other related services from a transportation network company in exchange for payment of a fee to the transportation network company.
- (b) Uses a personal vehicle to offer or provide prearranged rides to transportation network company riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee.

TNC digital network - means an online-enabled application, internet site, or system offered or utilized by a transportation network company that enables transportation network company riders to prearrange rides with transportation network company drivers.

TNC driver's personal vehicle - means a noncommercial vehicle that is used by a transportation network company driver and is owned, leased, or otherwise authorized for use by the transportation network company driver. "Personal vehicle" does not include a taxicab, limousine, or other vehicle for hire.

Tower - the air traffic control tower operated by the Federal Aviation Administration.

TSA - Transportation Security Administration.

UAS (Unmanned Aircraft System) – the combination of an unmanned aircraft, ground based controller, and a system to communicate.

UAV (Unmanned Aircraft) – an unmanned aircraft which is defined as a flying vehicle without a human occupant on board.

Unescorted access authority - the Authority granted by the Airport to individuals to gain entry to and be present without an escort in the secured area and SIDA.

Vehicle - self-propelled, closed cab, motorized land vehicles. Such vehicles include, but is not limited to, cars, trucks, vans, de-ice vehicles, commissary trucks, fuel trucks, and buses.

Vehicle permit- the authorized medium issued by the Authority to operate a vehicle airside.

## 2. General Rules and Regulations

### 2.1. Purpose and Scope

- 2.1.1. The purpose of these Rules and Regulations, adopted by the Des Moines Airport Authority Board (hereafter, the “Board”), is to promote the business and general welfare of the Des Moines International Airport (hereafter, the “Airport”).
- 2.1.2. These Rules and Regulations are intended to restrict or prevent any activity or action that would interfere with the safe, orderly, and efficient use of the Airport by its operators, tenants, passengers, and users.
- 2.1.3. These Rules and Regulations are subordinate to applicable Federal, State, and local laws, Rules and Regulations and shall in no way supersede or abrogate regulations set forth in Title 14, Code of Federal Regulations (CFR), Part 139, Certification of Airports, or Title 49, CFR, Parts 1540 and 1542, Airport Security.
- 2.1.4. The following documents contain additional policies, procedures, and guidelines issued by the Board or Executive Director and include standards by which the Authority operates. These documents are incorporated into these Rules and Regulations by this reference.
  - 2.1.4.1. Airport Layout Plan
  - 2.1.4.2. Airport Permits
  - 2.1.4.3. Board Schedule of Fees
  - 2.1.4.4. Commercial Vehicle Diagram
  - 2.1.4.5. Driver’s Training Manuals (Movement / Non-Movement)
  - 2.1.4.6. Executive Director Schedule of Fees
  - 2.1.4.7. Insurance Requirements
  - 2.1.4.8. Minimum Standards for Airport Aeronautical Service Providers

### 2.2. Authority

- 2.2.1. These Rules and Regulations are adopted by the Board pursuant to the authority granted by Iowa Code chapter 330A.

### 2.3. Public Nature of Airport

- 2.3.1. The Airport is operated for the use and benefit of the public. All services offered at the Airport, and the charges for services, must be fair, reasonable and not unjustly discriminatory.
- 2.3.2. Any person using the Airport and its facilities does so at his or her own risk. The Authority assumes no responsibility for property loss, injury, or damage, or for personal injury, or death, however caused, whether from fire, theft, vandalism, flood, earthquakes, act of God, or the public enemy, or for any other reason.

### 2.4. Applicability

- 2.4.1. These Rules and Regulations govern the administration, operation, and use of the Airport. All persons on the Airport are governed by these Rules and Regulations. For operational contingencies not covered by this chapter, the Executive Director is authorized to establish such additional provisions as may seem desirable and proper.
- 2.4.2. The article, section and paragraph headings contained in these Rules and



Regulations are for convenience in reference and are not intended to define or limit the scope of any provision.

## 2.5. Violation of Rules and Regulations

2.5.1. The criminal laws of the State of Iowa apply on the Airport.

2.5.2. Any person, who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of these Rules and Regulations, documents incorporated under Section 2.1.4, or any lawful order issued pursuant to these Rules and Regulations may be denied use of the Airport or any portion of the Airport by the Executive Director, in addition to any penalties imposed by federal, state or local authorities.

2.5.3. Violations of these Rules and Regulations will be investigated and documented, with appropriate resolution administered by the Authority.

2.5.4. Violations of these Rules and Regulations by commercial operators or tenants at the Airport may subject the public, commercial operator, tenant, and commercial operator or tenant's employees to fines as provided in **Schedule A** to these Rules and Regulations. Where a fine level is not specifically provided in these Rules and Regulation as referenced to **Schedule A**, a violation will default to a Category A fine under **Schedule A**.

2.5.4.1. In imposing penalties for violations of these Rules and Regulations, the Authority will consider the specific circumstances of the violation(s), including the severity, potential impact, and number and severity of any previous offenses. Violations that have a potentially negative impact upon safety, business operations, or customer satisfaction are considered serious infractions and will be dealt with more severely. Violations can result in the Authority taking administrative action against the violator, his or her employer, or both. The Authority may impose a fine of up to \$500 or a suspension/revocation of any airport security identification medium, operating permits, or privileges for up to 1 year, retraining, or any combination thereof.

2.5.4.2. In addition to all other available remedies, the Authority may revoke or suspend airport security identification medium, operating permits, or other privileges at the discretion of the Authority's Executive Director or designee(s) for any of the following:

- Multiple violations of the Airport rules or policies.
- Failure to pay applicable fines within 30 days of imposition or to abide by a suspension of privileges.
- Failure to maintain all applicable permits.
- Willful conduct detrimental to the orderly operation of the Airport.
- Conducting activities on Airport grounds that constitute a crime.

2.5.5. Imposition and review of fines and administrative actions.

2.5.5.1. The Authority shall provide written notice to any person or entity subject to fine or other administrative action for a violation of these Rules and Regulations. Such notice shall be provided by regular mail to the last known address of the alleged violator. The notice shall describe the violation, identify the name of the person (if known) found to be in violation, the provision of these Rules and Regulations or other applicable laws violated by

the subject conduct, the penalty to be imposed, and the alleged violator's right to a hearing as provided below.

- 2.5.5.2. The alleged violator may request review of the imposition of the fine or administrative action in writing to the Director of Operations, provided that notice of the request stating the grounds for the request is received by the Authority within 10 business days of the date of the mailing of the notice of violation. Failure to timely file a complete written notice of review will constitute a waiver of the right to review the decision. The Director of Operations, or designee, will review the information upon which the fine or administrative action was imposed, together with any material submitted by the alleged violator and will thereafter provide written notice to the alleged violator of his or her decision, which may include a decision not to impose any fine or administrative action, to impose a lesser fine or administrative action, or take other action appropriate under the circumstances. Such notice will be provided by regular mail.
- 2.5.5.3. The alleged violator may appeal the decision of the Director of Operations to the Executive Director by delivering notice within 5 business days of the date of the mailing of the Director of Operations' decision. The Executive Director will review the Director of Operations' decision and the material available to the Director of Operations and will thereafter provide written notice to the alleged violator of his or her decision. The Executive Director may decide not to impose any fine or administrative action, to impose a lesser fine or administrative action, or take other action appropriate under the circumstances. The determination of the Executive Director will constitute the final decision of the Authority.

## 2.6. Enforcement

- 2.6.1. The Executive Director has the authority to take such action as may be necessary to enforce these Rules and Regulations.
- 2.6.2. The Executive Director shall make necessary and appropriate arrangements for adequate law enforcement resources to comply with 49 CFR Part 1542 and for the safety of the public and employees at the Airport.

## 2.7. Access to, Entry Upon, or Use of the Airport

- 2.7.1. Access to or entry upon the Airport shall be made only at locations designated by the Executive Director.
- 2.7.2. The taking off or landing of Aircraft at the Airport shall constitute an agreement by the Aircraft owner or operator to comply fully and completely with these Rules and Regulations.
- 2.7.3. Persons accessing, entering upon, or using the Airport are fully and completely responsible for their actions and all actions of their agents, employees and dependents.
- 2.7.4. No person shall, in the use of the Airport or the improvements located at or on the Airport, discriminate or permit discrimination against any other person or group of persons on the basis of race, color, religion, sex, age, disability, or national origin in any manner prohibited by Part 21 of the Regulations of the Office of the

## Secretary of Transportation and Title VI of the Civil Rights Act of 1964.

## 2.8. Severability

- 2.8.1. If any part of these Rules and Regulations is for any reason held to be unconstitutional, invalid or otherwise ineffective by any court of competent jurisdiction, or other competent agency, the decision shall not affect the validity or effectiveness of the remaining portions of these Rules and Regulations.
- 2.8.2. If the application of any provision or provisions of these Rules and Regulations to any lot, building, sign, other structure, or parcel of land is found to be invalid or ineffective in whole or in part by any court of competent jurisdiction, or other competent agency, the effect of such decision shall be limited to the property or situation immediately involved in the controversy, and the application of any such provision to other properties and situations shall not be affected.

## 2.9. Interpretation in Compliance with these Rules and Regulations

- 2.9.1. These Rules and Regulations will be construed so as to comply with federal and state laws governing Airports, Federal Aviation Administration Airport Improvement Program grant assurances and the FAA Policy and Procedures Concerning the Use of Airport Revenue.

## 2.10. Executive Director Authority

- 2.10.1. The Executive Director or his or her designee may at his or her discretion grant a waiver or variance from the application of a rule or regulation where strict enforcement of the rule or regulation would result in undue hardship to the applicant for the waiver or variance, the waiver or variance does not result in increased risk to the safety, health, or welfare of persons or property, the waiver or variance will not work to the detriment of the Airport or any other person, and the underlying intent of the rule or regulation will be served.
- 2.10.2. The Executive Director may restrict or refuse any flight activity or other operation at the Airport for any reason he or she deems justifiable in the interest of public security, safety and welfare. The Executive Director may prohibit the use of the Airport or any part of it by a person when in his or her opinion the person or the activity is inimical to the safe operation of the Airport or the safety of the public.
- 2.10.3. The Executive Director has the authority to close all or any portion of the Airport to air traffic, to delay or restrict any flight or other aircraft operation, to refuse takeoff permission to aircraft, and to deny the use of the Airport to any specified class of aircraft or any individual or group when he or she considers the action to be necessary and desirable to avoid endangering persons or property and to be consistent with the safe and proper operation of the Airport. In the event the Executive Director determines the condition of the Airport, or any part of the Airport, to be unsafe for landings or takeoffs, he or she shall issue appropriate NOTAM(S) closing all or part of the Airport.
- 2.10.4. In addition to any penalties that may be imposed, the Executive Director may remove or eject from the Airport any person who violates any rule or regulation or any order or instruction issued by a peace officer or the Executive Director and may deny the use of the Airport and its facilities to that person if he or she

determines that such denial is necessary for the safety, health, or welfare of persons or property or the orderly operation of the Airport or for the good of the public.

- 2.10.5. In the event that an interpretation of any provision of these Rules and Regulations is required, the Executive Director may render such interpretation.
- 2.10.6. The Executive Director has the authority to issue written operating policies and procedures to further specify the application of these Rules and Regulations to the daily operation of the Airport.
- 2.10.7. The Executive Director is authorized to reserve all or any part of parking lots or other areas, not under lease or permit, for the sole use of vehicles of the Authority, its officers or employees, tenants, or for such visitors to the Airport as he or she may designate, and to indicate parking restrictions by appropriate markings and signs; designate a parking time limit on any portion of any lot; designate any portion of any lot as a passenger loading zone or a freight loading zone; designate any portion of any lot as a "No Stopping", "No Waiting" or "No Parking" area; designate where and how vehicles must be parked by means of parking space markers; and designate direction of travel by means of appropriate signs and markings.
- 2.10.8. The Executive Director may remove, or cause to be removed at the owner's expense, from any restricted or reserved area, roadway or right-of-way, or any other area on the Airport any vehicle which is disabled, abandoned, or illegally or improperly parked, or which creates a hazard or interferes with Airport operations. Any removed vehicle will be released to the owner or operator upon proper identification of the person claiming the vehicle and upon payment of the towing charge, impound fees, court fees, administrative fees, accrued parking fees, and any other fee or cost associated with the removal, storage, and release of the vehicle. The Authority will not be liable for damage to any vehicle or loss of personal property that might result from the act of removing the vehicle. A vehicle parked in a designated parking lot or area that has not been moved for 60 days may be deemed abandoned.

#### 2.11. Law Enforcement Personnel

- 2.11.1. Law enforcement personnel authorized to enforce the laws of the State of Iowa and, as applicable, its political subdivisions, have authority to detain and arrest, and remove from the Airport any person violating these Rules and Regulations or any other applicable laws or ordinances.

#### 2.12. Compliance with Peace Officers

- 2.12.1. No person shall willfully fail or refuse to comply with any lawful order or direction of a peace officer on the Airport.

#### 2.13. Compliance with Plans

- 2.13.1. Airport tenants and service providers shall comply with all referenced plans maintained by the Authority per Section 2.1.4.

#### 2.14. Rates and Charges

2.14.1. The Authority Board may in a rates and charges document adopted by the Board establish, fix, and alter, or delegate to the Executive Director the authority to establish, fix, and alter, rates, fees, and charges for the use of Airport services and facilities.

#### 2.15. Insurance

2.15.1. All Persons shall provide proof of insurance in a form acceptable to the Executive Director prior to entering into a lease, agreement, permit, or other form of agreement with the Authority to operate on the Airport.

2.15.2. All Persons shall ensure the proper insurance endorsements are added to their insurance policies prior to commencement of activities.

2.15.3. A certificate evidencing insurance required and listing the Des Moines Airport Authority as additional insured shall be filed with Authority prior to the commencement of activities by Persons upon the Airport, and such certificate shall provide that such Insurance Coverage will not be canceled or reduced without at least thirty (30) days prior written notice to Authority. At least ten (10) days prior to the expiration of any such policy, a certificate showing that such Insurance Coverage has been renewed shall be filed with Authority. If such Insurance Coverage is canceled or reduced, the Person shall within fifteen (15) days after cancellation or reduction in coverage, file with Authority a certificate showing that the required insurance has been reinstated or provided through another insurance company or companies.

#### 2.16. Liability

2.16.1. The Authority assumes no responsibility for loss, injury, or damage to persons or property by reason of fire, theft, vandalism, wind, and earthquake or other acts of God, collisions, or strikes; nor does it assume any liability for injury to persons or property while on the Airport. Additionally, any person, as a condition for the use of the Airport or any of the facilities thereof, shall release, hold harmless and indemnify the Authority, the Executive Director and all other officers and employees of the Authority, from any and all responsibility, liability, loss or damage resulting to it or them, or caused by or on his or her behalf and incident to the manner in which the Airport or its facilities shall be used. Notwithstanding the foregoing, Airport users shall not be required to indemnify the Authority for damage occasioned by the sole negligence or willful misconduct of the Authority, or their employees or representatives. Nothing in these Rules and Regulations shall be construed as the Authority waiving its statutory limitation and/or immunities as set forth in the applicable Iowa Statutes or other applicable law.



### 3. Public and Tenant Use

#### 3.1. Commercial Activities

- 3.1.1. No person shall buy, sell, peddle or offer for sale or purchase any goods, merchandise, property or services of any kind whatsoever on or from Airport property without the prior written consent of the Authority.
- 3.1.2. Entities desirous of engaging in commercial activities at the Airport shall comply with these regulations in addition to the Minimum Standards for Airport Aeronautical Service Providers which is incorporated by reference into the Rules and Regulations in Section 2.1.4.
- 3.1.3. Conducting any commercial activities without proper authorization is a violation of these Rules and Regulations.

#### 3.2. Commercial Photography

- 3.2.1. No person, except representatives of the news media on duty or during official assignments, shall take still, motion, television, or sound pictures for commercial purposes on the Airport without the prior consent of the Authority.

#### 3.3. Advertisements

- 3.3.1. No person shall post, distribute, or display signs, advertisements, circulars, printed or written matter at the Airport without the prior permission of the Authority.
- 3.3.2. Airport personnel are authorized to remove or relocate any signage or advertisements at any time.

#### 3.4. Litter and Refuse

- 3.4.1. No person shall place, discharge, or deposit papers, trash, rubbish or other refuse on the Airport, except in receptacles designated for this purpose.
- 3.4.2. Trash and other containers at the Airport shall not be utilized for the disposal of household or non-tenant commercial trash.
- 3.4.3. Pallets and other larger items for disposal shall be placed in designated disposal locations or arrangements shall be made by the person disposing of the items.

#### 3.5. Lost, Abandoned, and Derelict Property or Articles

- 3.5.1. Property shall not be abandoned at or on the Airport. Property found on the Airport and unclaimed by the proper owner within thirty (30) days shall be deemed abandoned and shall be disposed of in any manner the Authority deems appropriate.
  - 3.5.1.1. Abandoned, derelict, or lost property found in public areas at or on the Airport will be reported or turned into the Airport Administrative Office.
  - 3.5.1.2. Property to which the owner or finder is not entitled to lawful possession shall be forfeited to the Airport Authority to be handled in any manner the Authority deems appropriate.

### 3.6. Elevators, Escalators, and Baggage Conveyors

- 3.6.1. Elevators and escalators located in the public areas of the terminal building and parking garage are restricted to use for individuals and their personal luggage only.
- 3.6.2. Escalators may not be used to transport baggage dollies or carts, wheelchairs, large quantities of baggage or oversize baggage.
- 3.6.3. Children must not be left unattended or allowed to play on any escalator, elevator, or baggage conveyors.
- 3.6.4. No person shall ride, walk, sit, or stand on the baggage conveyor system or any portion thereof.

### 3.7. Smoking

- 3.7.1. Smoking, e-cigarettes, and vaping are prohibited on the Airport except in those areas specifically designated for smoking or vaping.

### 3.8. Gambling Prohibited

- 3.8.1. No person shall engage in any form of gambling on the Airport, except the Authority may authorize a tenant to sell tickets under the Iowa Lottery Authority Act, Iowa Code chapter 99G.

### 3.9. Food Trucks

- 3.9.1. No person shall operate a food truck on the premises of the Airport without first obtaining an Airport Permit from the Authority authorizing the sale of food and beverages. The operation of food trucks will be in accordance with Iowa food code.

### 3.10. Storage

- 3.10.1. No person shall store material or equipment in areas other than on a tenant's leasehold or in areas designated for storage by the Authority. No person shall store or stack materials or equipment at the Airport in a manner that constitutes a hazard to persons or property.

### 3.11. Unmanned Aircraft, Model Aircraft, Rockets and Parachute Jumping

- 3.11.1. No person, other than those authorized by the Executive Director, shall operate, land, crash, or release an Unmanned Aircraft weighing less than 55 pounds, any kite, balloon, model aircraft or rocket or engage in a preplanned parachute jump anywhere on the Airport.

### 3.12. Lasers

- 3.12.1. No person shall operate a laser on the Airport premises unless such laser is being utilized in a building for the purpose of presentations or other business specific needs or for construction activities authorized by the Executive Director. In no case shall a laser be pointed at an aircraft, person, or Airport vehicle.

### 3.13. Animals or Pets

- 3.13.1. With the exception of service dogs and assistive animals, as defined in Iowa Code

section 216C.11, animals, including emotional support animals, are not permitted in the terminal building, landing areas, ramp areas, aircraft parking and storage areas of the Airport, except for the purpose of shipment by air. Animals may be permitted in other areas of the Airport if restrained by leash or confined in a manner as to be under control.

3.13.2. No person shall fail to clean up after an animal.

3.13.3. No person shall ride any animal on the Airport premises without prior authorization of the Executive Director.

3.13.4. Animals, except for service animals and assistive animals in transport should be properly secured in carriers while in the terminal building and in no case should an animal be left unattended. Animals shall utilize the designated animal relief area near the short-term parking garage. Animal waste shall be removed by the animal handler or owner. The operations center shall be notified of an escaped animal immediately.

### 3.14. Creating Disturbances or Interfering with Operations

3.14.1. No person shall remain on any part of the Airport in such a manner that his or her behavior or presence creates a noise disturbance or interferes with the regular operation of the business of the Airport. A person who refuses to cease such behavior may be directed to leave the Airport by the Executive Director. If the person fails to comply with such a directive, the person may be deemed a trespasser.

### 3.15. Loitering

3.15.1. No person shall loiter or loaf on any part of the Airport or in any building on the Airport.

3.15.2. Any person who refuses to comply with a proper request to leave the Airport may be regarded as a trespasser.

### 3.16. Damage to Airport Property

3.16.1. No person shall destroy or cause to be destroyed, injured, damaged, defaced or disturbed in any way property of any nature located on the Airport, nor willfully abandon any personal property on the Airport.

3.16.2. Any person causing and failing to report or reimburse the Authority for injury, destruction, damage or disturbance of Airport property may be refused the use of any Airport facility until and unless the report or reimbursement has been made.

### 3.17. Accident and Incident Reporting

3.17.1. No person involved in or knowing of an accident, incident, or event likely to have caused an incident, occurring on the Airport shall fail to report the accident or incident to Airport operations as soon as possible after the accident or incident.

3.17.2. No person aware of an injury or damage to property, occurring on the Airport, shall fail to report the injury or damage to property to Airport operation immediately.

### 3.18. Use of Shop Areas



3.18.1. All shops, garages, equipment and facilities are to be used expressly for the conduct of the owner's or lessee's official business and operations. No person other than employees of the owner or lessee shall make use of these facilities or loiter around such premises without the permission of the owner or lessee.

### 3.19. Construction

3.19.1. No person shall begin construction on the Airport without first obtaining permission from the Authority.

3.19.2. No person shall:

3.19.2.1. erect, construct, modify or in any manner alter any structure, sign, post or pole of any type;

3.19.2.2. alter or in any way change the color, design or decor of existing Airport improvements;

3.19.2.3. create any mounds of earth or debris.

3.19.3. No person scheduling construction or major maintenance projects that could affect Airport operations shall fail to notify Airport operations at least 60 days in advance, or as soon as possible in the event of an emergency.

3.19.4. No person shall fail to obtain the proper permit(s) and approval(s) prior to performing construction or maintenance activities.

### 3.20. Signs and Notices

3.20.1. No person shall conduct activities in disregard of signs or posted notices as promulgated or authorized by the Authority.

3.20.2. No signs exposed to public view may be installed on the Airport without the prior written approval of the Authority.

### 3.21. Roads and Walkways

3.21.1. No person shall travel on the Airport other than on the roads, walkways, or places appropriate for the manner of travel being performed, or occupy the roads and walks in such a manner as to hinder or obstruct their proper use.

3.21.2. No person shall operate a vehicle on an Airport roadway at a speed exceeding the posted limit.

3.21.3. No person shall disregard any posted traffic signage while operating a vehicle on Airport roadways.

### 3.22. Expressive Activity

3.22.1. The Des Moines International Airport is operated by the Des Moines Airport Authority to facilitate the safe and convenient air transportation of passengers and cargo. Neither the Airport nor the Airport terminal is designed, intended, or designated as a public forum. The exercise of constitutional free speech rights on Airport property shall be regulated by the following provisions, which are necessary to ensure public safety, Airport security, and efficient operations.

3.22.2. Expressive Activity Defined. For the purpose of this section, "Expressive Activity" shall be defined as:

3.22.2.1. any distribution of printed or written materials on Airport property for the expression or advocacy of ideas, opinions, or beliefs; or

- 3.22.2.2. any solicitation on Airport property, including sale of goods or services, conducting surveys, petitioning for signatures, or otherwise approaching members of the general public to disseminate or seek information; or
- 3.22.2.3. any demonstration or protest on Airport property by one or more persons gathered for the purpose of communicating an opinion to observers through speech, signs, or conduct.
- 3.22.3. “Expressive Activity” shall not include commercial advertisements, business transactions, or sales of printed material made pursuant to a leasing agreement with the Des Moines Airport Authority and in accordance with the terms thereof.
- 3.22.4. Notice and Permit Required. No person or group shall engage in Expressive Activity without submitting an Airport Permit authorizing Expressive Activities no less than two business days in advance of the date on which the Expressive Activity is proposed to begin and obtaining a permit from the Executive Director or his or her designee. Within two business days following the date on which the application is received, the Executive Director or his designee will grant the permit or provide a written response explaining the reasons for denial under Section 3.22.6.
- 3.22.5. Permit Application Contents. Permit applications shall be in writing and include the following information:
  - 3.22.5.1. For individual applicants, the full name, mailing address, email address, and telephone number of the person or group seeking to conduct Expressive Activities;
  - 3.22.5.2. For group applicants, the full name of the group, as well as the full name, mailing address, email address, and telephone number of a person or persons who will be present on Airport property to supervise the Expressive Activity at all times during which the Expressive Activity will take place;
  - 3.22.5.3. For applicant groups, the maximum number of people who will participate in the Expressive Activity at any one time;
  - 3.22.5.4. A description of the proposed Expressive Activity;
  - 3.22.5.5. The date, hour, and duration of the proposed Expressive Activity;
  - 3.22.5.6. The discrete area on Airport property in which the proposed Expressive Activity will take place;
  - 3.22.5.7. If distribution or display of printed or written materials is involved, a copy of the materials to be distributed or displayed and a statement of measures which will be taken by the applicant to avoid littering Airport property.
  - 3.22.5.8. In addition, the applicant shall agree to indemnify and hold harmless the Des Moines Airport Authority, the Airport, any airline operating at the Airport, the Airport’s tenants and lessees, and all their respective officials, officers, employees, and agents, against any claims that arise in connection with the proposed Expressive Activity.
- 3.22.6. Grounds for Permit Application Denial. No permit shall be denied on account of the viewpoint expressed or sought to be expressed by the applicant. The Executive Director or his designee may deny a permit in whole or part only on

- one or more of the following grounds:
- 3.22.6.1. The proposed Expressive Activity cannot reasonably be accommodated in any area on Airport property due to concerns for public safety, Airport security and efficient operations.
  - 3.22.6.2. Another permit for the same time and/or area has already been granted, such that the proposed Expressive Activity cannot reasonably be accommodated.
  - 3.22.6.3. The proposed Expressive Activity described by the application will not conform to the conduct requirements of Section 3.22.13.
  - 3.22.6.4. The proposed Expressive Activity involves obscene conduct or distribution of obscene materials.
  - 3.22.6.5. The proposed Expressive Activity is directed to inciting imminent lawless action and is likely to incite or produce such action.
  - 3.22.6.6. The proposed Expressive Activity will violate local, state, or federal law. The permit application does not comply with the requirements of Section 3.22.5.
  - 3.22.6.7. Within the ninety days preceding the receipt of the current application, a permit has been revoked from the same applicant following proceedings described in Section 3.22.16.
- 3.22.7. Expedited Permitting Procedure. Where the applicant's permit application has been promptly received following an event beyond the applicant's control to which the proposed Expressive Activity is intended to respond, and where the two-business-day notice requirement of Section 3.22.4 will result in a substantial burden on the timely exercise of the Expressive Activity, the Executive Director or his or her designee shall waive the two-business-day notice requirement of Section 3.22.4 grant or deny the application within twenty-four hours of receipt.
- 3.22.8. Permit Denial Appeals. Within five business days after the date on which a denial in full or in part is issued, an applicant may appeal the decision of the Director or his designee to the Executive Director by means of a written letter stating the grounds for the appeal. Within five business days after the date on which the appeal is received, the Executive Director or his designee will review the initial permit decision and issue a written decision affirming the initial decision or granting the permit. The Executive Director's decision shall be sent by certified mail to the address provided on the application. This shall constitute the final decision of the Des Moines Airport Authority, and may subsequently be appealed to the proper tribunal as provided by law.
- 3.22.9. Requested Area. Pursuant to Section 3.22.5.5, the applicant shall request a specific location on Airport property in which the proposed activity will take place. The Executive Director may grant permission for the Expressive Activity to take place in the requested area only if he or she finds that the Activity will not pose a threat to public safety, vehicle or pedestrian traffic, or efficient operation of the Airport.
- 3.22.10. Pre-approved Areas. If the Executive Director denies permission for use of a requested area, he or she shall assign the permit to a pre-approved area in which the Expressive Activity may take place. The permit shall specify which area has been assigned. The following areas have been pre-approved for

permitted Expressive Activities:

- 3.22.10.1. The central plaza located east of the commercial lane and south of the skywalk. Maximum of twenty-five (25) people.
- 3.22.10.2. North Ticketing adjacent to the history wall. Maximum of two (2) people.
- 3.22.10.3. The approval of these areas does not indicate the Des Moines Airport Authority's intent to create any designated public forum. Additionally, the Executive Director may temporarily add, remove, or reduce the size of any pre-approved area when necessary to respond to construction activities, to remedy obstructions to vehicle or pedestrian traffic, or to ensure public safety or efficient operation of the Airport.
- 3.22.11. Prohibited Areas. The Executive Director shall not permit the exercise of an Expressive Activity in any of the following areas:
  - 3.22.11.1. The Air Operations Area, Secured Area and Sterile Area;
  - 3.22.11.2. On or within ten feet of any vehicle roadways;
  - 3.22.11.3. Areas leased or assigned by agreement for use by airlines, restaurants, retail stores, other lessees, or areas within ten feet of such area;
  - 3.22.11.4. Des Moines Airport Authority offices, work areas and facilities not open to the public;
  - 3.22.11.5. On or within ten feet of any escalator, elevator, or baggage conveyance system;
  - 3.22.11.6. Inside of, blocking, or within ten feet of any doorway, stairwell, or staircase;
  - 3.22.11.7. Within ten feet of any interior queue, including ticketing and baggage check-in areas, or security checkpoints;
  - 3.22.11.8. On or within fifty feet of any construction site or construction equipment.
- 3.22.12. Times Permitted. Expressive Activities shall be permitted in assigned areas only during hours at which the assigned area is open to the public. Expressive Activity permits shall expire after ten calendar days. Persons wishing to continue Expressive Activities beyond ten calendar days must apply for a new permit.
- 3.22.13. Prohibited Conduct. At no time shall a person:
  - 3.22.13.1. Obstruct, delay or interfere with the free movements of any person, seek to coerce or physically disturb any other person, or hamper or impede the conduct of any authorized business at the Airport, including free passage along sidewalks or at entrances to or exits from Airport facilities;
  - 3.22.13.2. Use any light, laser, UAV, sound or voice amplifying apparatus on the premises of the Airport;
  - 3.22.13.3. Sing, chant, dance, or use drums, cymbals, or other musical instruments or noise making devices;
  - 3.22.13.4. Erect or place a table, bench, chair, or other structure;
  - 3.22.13.5. Harass persons at the Airport with demanding, threatening or intimidating conduct;
  - 3.22.13.6. Distribute candy, gum, snacks, or any food product;
  - 3.22.13.7. Pin, tie, or attach any flower or other symbol, insignia, article, or object on the clothing, luggage or vehicle of passengers or other persons, without first obtaining their consent;



- 3.22.13.8. Misrepresent oneself, including but not limited to representing oneself as a representative of the Des Moines Airport Authority, an airline, an Airport tenant, the State of Iowa, or the federal government;
- 3.22.13.9. Solicit the immediate receipt of funds from the public;
- 3.22.13.10. Promote, advertise, or solicit sales or business for any commercial enterprise, including but not limited to distributing free product samples or other promotional materials;
- 3.22.14. **Emergency Suspension.** Where the Des Moines Airport Authority has ordered the emergency closure of the Airport, or where the Executive Director finds that suspension of Expressive Activities is necessary to protect public safety and efficient operations in light of a sudden security threat, National Terrorism Advisory System alert, public health concern, extreme weather condition, government order, or other emergency situation, all Expressive Activity permits shall be immediately and temporarily suspended upon notice by the Executive Director. Suspension shall persist for the duration of the emergency, during which the 10-day expiration period for each permit shall toll.
- 3.22.15. **Violation.** Any violation of this policy by an individual or group member during the exercise of Expressive Activity under a valid permit will result in the immediate temporary suspension of the group or individual's permit and the commencement of revocation proceedings. For the purposes of this provision, a "violation" shall include:
  - 3.22.15.1. Making a false or misleading material statement or omission on a permit application;
  - 3.22.15.2. Engaging in any conduct prohibited by Section 3.22.13;
  - 3.22.15.3. Conducting an Expressive Activity in any area or at a date or time other than the area, date and time specified on a valid permit;
  - 3.22.15.4. Failing to cease permit activities during an emergency described by para (l) of this section.
  - 3.22.15.5. Violating any local, state, or federal law.
- 3.22.16. **Revocation Procedure.** Within one business day of a temporary suspension under Section 3.22.15, the Executive Director shall provide written notice stating the grounds for suspension, delivered by certified mail to the address provided on the permit application. The notice shall also state the time and place of a revocation hearing, which shall occur within ten business days of service of the notice. The Executive Director shall appoint an impartial representative to preside over the hearing. At the hearing, the Des Moines Airport Authority shall present evidence of the permit holder's violation under Section 3.22.15, and the permit holder shall have the right to cross-examine any witnesses, present rebuttal evidence, and be represented by counsel. The hearing shall be audio-recorded, and all evidence shall be preserved. If the presiding representative finds by a preponderance of the evidence that a violation under Section 3.22.15 has occurred, the permit shall be revoked. If the presiding representative finds that the evidence is insufficient to establish a violation, the suspension will be lifted and the permitted Expressive Activities may resume. The presiding representative shall issue a written ruling stating the reasons for his decision within five business days of the revocation hearing, and a copy shall be

delivered by certified mail to the address provided on the permit application. This ruling shall constitute the final decision of the Des Moines Airport Authority, and may subsequently be appealed to the proper tribunal as provided by law.

### 3.23. No Alcohol Permitted

3.23.1. No person shall use, possess or consume beer, wine or alcoholic liquors in the terminal area except where such beverages are served under a license that allows the sale of alcoholic beverages at that location, to include the concourses, or as otherwise approved by the Executive Director.

### 3.24. Terminal Area Uses

3.24.1. Activities in the terminal area are restricted to activities deemed acceptable for the operation and purpose of the Airport as determined by the Authority.

3.24.2. No person shall fish, swim, enter the water or enter upon the ice of any retention basin.

3.24.3. No person shall use a skateboard, coaster, roller skate, roller blade, or similar device in the terminal area unless specifically approved by the Authority.

### 3.25. Ground Support Equipment

3.25.1. No person shall park ground support equipment or other apparatus on any apron without first obtaining contractual permission to do so.

3.25.2. Prior to operating ground support equipment, the operator shall become aware of their surroundings to ensure movement of the equipment can be accomplished in a safe manner.

3.25.3. Prior to commencing an aircraft push-back the ground support equipment operator shall ensure that the aircraft doors and hatches are closed, the jetway is retracted, and other ground support equipment is clear of the aircraft.

### 3.26. Use of Authority Equipment

3.26.1. Use of Authority equipment to include jet bridges, mobile walkways, and fuel systems shall be restricted to tenants and authorized users with the proper training or certification to utilize the applicable equipment. Prior to moving, lowering, or raising a jet bridge the user shall ensure that the area around the jet bridge is clear of all obstacles and people and that operation of the jet bridge can be accomplished in a safe manner. Tenants and operators are responsible for all damage caused to or by a jet bridge. Fueling is limited to Authority pumps for which the vehicles are permitted.

### 3.27. Hunting and Fishing

3.27.1. No person may fish, hunt, trap or kill any fish, bird or animal on the Airport without permission of the Authority.

### 3.28. Use of Public Areas

3.28.1. No person shall use a restroom or other facility other than in a clean and sanitary manner. Spitting on, marking, or defacing the floors, walls, or other surfaces of the Airport premises is prohibited. Use of the public area of any building of the

Airport for sleeping or other purposes in lieu of a hotel, motel, or other public accommodation is prohibited unless the person's air travel has been delayed or canceled.

### 3.29. Weapons and Explosives Prohibited

3.29.1. A person shall not carry or possess either on their person, in their luggage, or in their belongings, or threaten to use, a firearm or other weapon, including, but not limited to, a rifle, shotgun, revolver, pistol, knife, brass or iron knuckles, or any other weapon or object which appears to be a weapon, such as a starter's pistol or pellet gun, on property under the jurisdiction of the Authority, including the parking garages and lots.

3.29.2. Discharge of any weapon on the Airport is strictly prohibited except in the performance of official duties as authorized by the Executive Director.

3.29.3. No person shall store, keep, handle, use, dispose of, or transport on the Airport any Class A or Class B explosives, poisons, compressed gas, radioactive articles, substances, or materials without the express written permission of the Executive Director.

3.29.4. The prohibition of this section does not apply to:

3.29.4.1. local, state, or federal credentialed law enforcement personnel carrying weapons or firearms in the course of performing their law enforcement duties;

3.29.4.2. United States military personnel performing official law enforcement or security duties and in compliance with federal regulations;

3.29.4.3. authorized private security personnel acting in the course of their duties and in compliance with federal regulations;

3.29.4.4. persons granted written permission by the Authority for the purpose of wildlife hazard control; and

3.29.4.5. firearms secured for flight in accordance with Transportation Security Administration and air carrier regulations.

3.29.4.6. firearms legally carried in accordance with Section 724 of the Iowa Code.

### 3.29.5. Camping Prohibited

3.29.5.1. Camping, to include the use of tents and campers, is prohibited unless authorized by the Executive Director.

3.29.5.2. Parking of campers, RV's, or other vehicles used for overnight residence is prohibited unless authorized by the Executive Director.

### 3.29.6. Use of Winter De-Ice/Anti-Ice Chemicals

3.29.6.1. Only approved liquid and/or solid de-ice/anti-ice chemicals may be used within the AOA unless otherwise approved by the Executive Director.

## 4. Aircraft Operations

### 4.1. General

- 4.1.1. Takeoffs and landings at the Airport must be made on designated runways, except at the direction of the Tower in emergencies.
- 4.1.2. The pilot or other person aboard who is engaged in the operation of any aircraft operated on the ground, except when under direction by the Tower, shall at all times comply with any lawful order, signal or direction of an authorized representative of the Authority.
- 4.1.3. No person shall operate an aircraft on any part of the Airport considered unsafe by the Authority for taxiing, landing or takeoff, or which is not available for any reason.
- 4.1.4. No operator of a motor-less aircraft, including lighter than aircraft and ultra-light aircraft, shall land, takeoff, or enter into a runway approach.
- 4.1.5. No aircraft may be taxied into or out of any hangar.
- 4.1.6. Only a person properly trained and authorized by the Authority or a person certificated by the FAA, may operate an aircraft on the movement area.
- 4.1.7. No person shall use aircraft thrust to push away from the concourse terminal gate positions.
- 4.1.8. Air carrier personnel shall be positioned to assist and direct passengers during ground level enplaning and deplaning.
- 4.1.9. Except in an emergency, no passenger shall be enplaned or deplaned directly onto the terminal apron or air cargo apron, outside terminal boarding areas designated by the Authority.
- 4.1.10. Passengers must be directed between the aircraft and the terminal building through clearly marked walkways or routes approved by the Authority.
- 4.1.11. Except in an emergency, passengers must not be enplaned or deplaned when the aircraft engine is operating.
- 4.1.12. Aircraft shall be parked only in areas designated for aircraft parking by the Authority.
- 4.1.13. Upon direction from the Authority, the operator of any aircraft parked or stored at the passenger terminal shall move the aircraft from the place where it is parked or stored. If the operator refuses to comply with directions, the Executive Director may arrange to tow the aircraft, at the expense of the owner or operator and without liability for damage that may result in the course of moving the aircraft, to a place designated by the Executive Director.
- 4.1.14. A person operating a private, non-scheduled, or military aircraft shall not park, unload passengers, obstruct or attempt to use any aircraft gate position assigned to a scheduled air carrier without making prior arrangements with Airport operations.
- 4.1.15. Non-hangared aircraft must be parked only in an area of the Airport designated by the Authority for that purpose and must be secured when left unattended. The Authority is authorized to tow or otherwise move aircraft parked in violation of these Rules and Regulations at the owner's or operator's expense, and without liability for damage that may result in the course of moving the aircraft.
- 4.1.16. No person shall operate an aircraft that exceeds the operating weight of the



pavement, as specified in the FAA published Chart Supplements.

#### 4.2. Careless or Negligent Operation

- 4.2.1. No person shall operate an aircraft in a careless, negligent or incautious manner, in disregard of the rights and safety of others, or at a speed or in a manner which endangers or is likely to endanger persons or property.

#### 4.3. Aircraft Engine Starts and Engine Run Up

- 4.3.1. No person shall start or run an aircraft at the Airport unless a licensed pilot certificated to operate that aircraft or a certified mechanic qualified to start and run the engines of that particular aircraft is attending the controls, or unless the person is supervised directly by a properly licensed instructor pilot in accordance with federal regulations and requirements.
- 4.3.2. Wheel blocks/chocks equipped with ropes, or another approved device for blocking an aircraft, must be placed at the front and rear of each main landing wheel or, alternatively, the brakes of the aircraft must be on and locked before the engine is started; except where scheduled air carriers follow proven procedures that have been determined equally safe by the Federal Aviation Administration.
- 4.3.3. Engine run ups for maintenance purposes may only be conducted in areas approved by the Authority.
- 4.3.4. Aircraft may only be started and warmed in places designated for those purposes. At no time may engines be run up when the aircraft is in a position where buildings, structures or people are in the path of the propeller stream or jet engine blast.
- 4.3.5. Adequate fire extinguishers must be available at engine start or run up.
- 4.3.6. No engine run ups are permitted between the hours of 10:00 p.m. and 7:00 a.m. unless authorized by the Authority in advance.

#### 4.4. Registration

- 4.4.1. The owner of an aircraft based at the Airport shall register the aircraft with the Authority, giving such information as the Authority may require. Any change in ownership of an aircraft will require a change in registration.

#### 4.5. Aircraft Accident Reports

- 4.5.1. The pilot or operator of any aircraft involved in an accident causing personal injury or property damage shall make a prompt and complete report concerning the accident to Airport operations.
- 4.5.2. No person, having knowledge, shall fail, upon request of the Authority, to provide the name and address of the owner and operator of an aircraft operating at the Airport.

#### 4.6. Interfering or Tampering with Aircraft

- 4.6.1. No person shall interfere or tamper with any aircraft or operate the engine or put in motion any aircraft or use any aircraft, aircraft parts, instruments or tools without permission of the owner.

#### 4.7. Repair and Maintenance of Aircraft

4.7.1. No person shall repair, or allow any other person to repair, an aircraft, aircraft engine, propeller, or aircraft component without permission from the Authority authorizing the person to provide repair services. No person shall repair, or allow any other person to repair, an aircraft, aircraft engine, propeller, or aircraft component in any area of the Airport other than that specifically designated for such purpose by the Authority; except that minor adjustments may be made while the aircraft is on the loading ramp preparatory to takeoff when the adjustments are necessary to prevent a delayed departure and as may be allowed in FAR Part 43. Areas designated for aircraft repair must meet all federal, state and local Rules and Regulations governing the appropriateness and safety of the area, and it is the responsibility of the tenant leasing the area to maintain and secure all permits and certificates proving to the satisfaction of the Executive Director that all federal, state and local rules are met.

#### 4.8. Disabled Aircraft

- 4.8.1. Any owner, lessee, operator or other person having the control, or the right of control, of any disabled aircraft on the Airport shall be responsible for its prompt removal and disposal; subject, however, to any requirements or direction by the National Transportation Safety Board, FAA, or the Authority, that the removal or disposal be delayed pending an investigation of an accident.
- 4.8.2. Any owner, lessee, operator or other person having control, or the right of control, of any aircraft does, by use of the Airport, agree and consent, notwithstanding any provision in any agreement, lease, permit or other instrument to the contrary, that:
- 4.8.2.1. the Authority may take any and all necessary action to effect the prompt removal and disposal of disabled aircraft that obstruct any part of the Airport utilized for aircraft operations;
  - 4.8.2.2. any costs incurred by or on behalf of the Airport for the removal or disposal of any aircraft shall be paid to the Authority;
  - 4.8.2.3. any claim for compensation against the Authority, for any and all loss or damage sustained to any disabled aircraft by reason of any removal or disposal, is waived; and
  - 4.8.2.4. the owner, lessee, operator or other person having control, or the right of control, of an aircraft shall indemnify, hold harmless and defend the Authority, against any and all liability for injury to or the death of any person, or for any injury to any property arising out of the removal or disposal of disabled aircraft.

#### 4.9. Derelict Aircraft

4.9.1. Any aircraft parked on the public aircraft apron for a period in excess of 45 days and not flown during that period of time may be declared a derelict unless arrangement for extended parking has been made with the Authority. Derelict aircraft may be subject to removal and impoundment by the Authority with any and all costs incurred being the responsibility of the aircraft owner.

#### 4.10. Liability for Damages

- 4.10.1. The operator, pilot or other person causing damage to airfield lighting or other Airport facilities shall be responsible for the cost of repair or replacement.
- 4.11. Aircraft Deicing
  - 4.11.1. Aircraft deicing or anti-icing application must be performed by a commercial or general aviation deicing operator holding an Airport Permit or Agreement authorizing the storage and application of deicing or anti-icing fluids.
  - 4.11.2. Effective October 1, 2024, airline and cargo operators shall utilize a commercial deicing operator for the application of deicing or anti-icing fluids.
  - 4.11.3. Application of deicing or anti-icing fluids is prohibited in the terminal area without authorization of the Authority.
  - 4.11.4. No general aviation deicing operator may perform deicing or anti-icing operations at the south cargo deicing pad without coordination with the commercial deicing operator.
  - 4.11.5. No person shall apply or store deicing or anti-icing chemicals to aircraft outside of the areas designated for those operations in the Airport's storm water pollution prevention plan or as approved by an Airport Permit.
  - 4.11.6. No aircraft awaiting departure may be deiced on a taxiway or runway outside of areas designated for the capture of deicing fluid.
  - 4.11.7. Commercial and general aviation deicing operators are fully responsible for any cleanup costs associated with the application of aircraft deicing chemicals outside the areas strictly authorized for their use.
  - 4.11.8. The Airport Authority may perform any cleanup related to aircraft deicing application and any charges related to said cleanup will be payable to the Airport operator in addition to any environmental fines levied by the Airport Authority.
- 4.12. Aerial Spraying, Crop Dusting, and Aerial Fire Suppression Operations
  - 4.12.1. No person shall conduct crop dusting operations from any part of the Airport.
  - 4.12.2. No person shall conduct aerial spraying or aerial fire suppression operations from any part of the Airport without proper permitting from the Executive Director to conduct such operation. The Executive Director will assign a specific area, if available, from which to conduct the operation. The permittee shall demonstrate that the storage and handling of toxic chemicals, the methods for washing aircraft and their chemical tanks, and the procedures established for recovering, storing and disposing of the contaminated wash water shall be in accordance with Federal, State and local laws and regulations. Additionally, all facilities and procedures shall be inspected and approved by Airport Operations. Spillage of such materials on Airport grounds or pavement shall be reported immediately to Airport operations, and the operator shall be fully liable for the removal of said materials and/or the restoration of grounds or pavements damaged by the spillage.
- 4.13. Flying Clubs
  - 4.13.1. A flying club is not a commercial aeronautical activity serving the public but is an organization for the purpose of providing its members with one or more aircraft for their personal use and enjoyment. The club is considered as an individual aircraft owner. Since flying clubs are not commercial aeronautical activities

serving the public, they shall be exempt from the Airport Minimum Standards upon satisfactory fulfillment of the conditions contained herein.

- 4.13.2. The club shall be an entity (corporation, association, or partnership) that is not-for-profit and is organized for the express purpose of providing its members with one or more aircraft for their personal use and enjoyment only. Each member shall be a bona fide owner of the aircraft or stockholder in the corporation. Paying a fee to join a club is not considered ownership. The aircraft access rights of all the members of the club shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance and replacement of its aircraft including avionics/aircraft upgrades as well as acquisitions, and engine reserves.
- 4.13.3. Flying clubs may not offer or conduct commercial aeronautical activities including, but not limited to: charter, air taxi, or rental or aircraft operations. They may not conduct aircraft flight instruction, except for regular members, and provided that such instruction is offered by another member of the club owning the aircraft and in compliance with FAA Order 5190.6 or by a flight instructor as set forth in the Airport Minimum Standards. Flight instructor compensation will be in accordance with FAA Order 5190.6. Member-to-member flight instruction is limited to forty (40) hours total per aircraft on a monthly basis. Only members of the flying club may operate the aircraft. Any qualified mechanic who is a registered member and part owner of the Aircraft owned and operated by the flying club, shall not be restricted from doing maintenance work on aircraft owned by the club, and the club may compensate the mechanic in accordance with FAA Order 5190.6.
- 4.13.4. All flying clubs and their members are prohibited from leasing or selling any goods or services whatsoever to any person or firm other than a member of such club at the Airport except that said flying club may sell or exchange its capital equipment.
- 4.13.5. The flying club, with its Airport Permit request, shall furnish the Executive Director a copy of its charter and by-laws/articles of association, partnership agreement or other documentation supporting its existence, its roster or list of members including names, address, and telephone numbers of officers, the number and type of aircraft, evidence that aircraft are properly certified, evidence that ownership is vested in the club, and the operating rules of the club. This information shall be updated on an annual basis by the club and/or within ten (10) days of any substantial change. Any and all records of the club, including flight instruction given, shall be available for review at any reasonable time by the Executive Director or his authorized agent in the event a formal written complaint is filed against the club.
- 4.13.6. The flying club shall comply with all applicable Federal statutes and all regulations including, but not limited to, those promulgated by the FAA and TSA.
- 4.13.7. The flying club shall comply with all applicable state and local statutes, Rules and Regulations including, but not limited to, those relating to tax, fire, building, and safety matters.
- 4.13.8. The flying club shall comply with all applicable local, state, and Federal



environmental statutes and regulations including, but not limited to, requirements for the disposal of waste oil and other potentially hazardous substances and for the refueling of all aircraft when authorized.

- 4.13.9. The flying club shall submit with its application proof of adequate public liability and property damage insurance covering legal liabilities resulting from its activities. Proof of insurance shall be updated annually by the Club.
- 4.13.10. In order to be recognized as a flying club by the Authority, the club shall certify in writing that it will comply at all times with the Airport Rules and Regulations established by the Authority for flying clubs.
- 4.13.11. A flying club which violates any of the foregoing, or permits one or more members to do so, will be required to terminate all operations at the Airport.

#### 4.14. Landing Fees

- 4.14.1. Aircraft shall not land or take off from the Airport unless the Aircraft Operator has paid the fees and charges that may be assessed from time to time by the Authority for such uses, unless the Aircraft Operator is exempt from payment of certain fees, or unless the Aircraft Operator is entitled to use the Airport without making such payment as stipulated in an agreement with the Authority.

#### 4.15. Commercial Charters

- 4.15.1. Aircraft conducting commercial charter operations at the Airport without a signatory Airline Operators Agreement are subject to all operating Rules and Regulations outlined in the current signatory Airline Operators Agreement in addition to all insurance and fee requirements.

#### 4.16. Aircraft Towing

- 4.16.1. Any non-flight crew member who taxis, tows, or otherwise moves an aircraft across a movement area must:
  - 4.16.1.1. Be appropriately trained by their company;
  - 4.16.1.2. Successfully complete Authority training course and display a "T" marking on their Authority Issued Airport Security Identification Medium indicating they are authorized as a non-movement area trained individual with towing credentials, at least one individual on a towing crew must have completed this requirement;
  - 4.16.1.3. Be escorted by Authority operations personnel;
  - 4.16.1.4. Shall ensure use of non-movement area and perimeter roads once Authority escort has concluded.
- 4.16.2. Any person who taxis, tows, escorts, or otherwise moves an aircraft shall do so at a reasonable and safe speed not to exceed 10 miles per hour within aircraft apron areas.
- 4.16.3. Aircraft wingtip lights and tow vehicle lights must be illuminated during hours of darkness, while taxiing or towing an aircraft. If wingtips are unable to be lighted, alternative safety measures must be in place such as providing wing guides.
- 4.16.4. Aircraft must be pushed or towed from the concourse terminal gate position with proper push or tow equipment operated by properly trained air carrier personnel.
- 4.16.5. Aircraft shall not be towed, other than for push-backs, or otherwise moved on any

part of non-movement areas until specifically cleared to do so by Authority operations.

- 4.16.6. All aircraft being towed, or otherwise moved on movement areas shall adhere to company policies and best practices, as described in FAA Advisory Circular 00-65. No aircraft shall be towed, or otherwise moved on any aircraft movement area using a conventional tow vehicle without a trained and authorized person attending the controls and the aircraft braking system.
- 4.16.7. No aircraft shall be towed, or otherwise moved on the airport in a careless or negligent manner or in disregard of the rights and safety of others or without due caution and circumspection, or in a manner which endangers persons or property, and at a speed that cannot ensure complete control at all times.
- 4.16.8. No aircraft shall be moved or towed on the airport except by a vehicle of a type recommended or approved for such purpose.
- 4.16.9. All aircraft being taxied or towed shall proceed with navigational lights illuminated during the hours between sunset and sunrise or during periods of low visibility.

## 5. Vehicle and Ground Support Equipment Operations

### 5.1. Authority

- 5.1.1. The laws of the State of Iowa and the City of Des Moines relating to the operation of vehicles on public highways apply, where applicable, to the operation of vehicles on the Airport's streets and roadways that are open to the public.
- 5.1.2. Law enforcement officials and designated Authority employees are authorized to determine when a violation of the Rules and Regulations regarding the operation of a vehicle or ground support equipment occurs on the Airport.
- 5.1.3. Persons found to be in violation of the Rules and Regulations regarding the operation of a vehicle or ground support equipment on the Airport are subject to penalties, fines, suspension and revocation of access to the Airport.

### 5.2. Vehicle and Operator License and Insurance

- 5.2.1. No person shall operate vehicles or ground support equipment of any kind on the Airport unless in possession of valid operator's license as required by the state of Iowa for the type of vehicle being operated.
- 5.2.2. No person shall operate a vehicle on the Airport without maintaining at least the minimum level of liability insurance in the amounts and coverages required by Authority Insurance Requirements.
- 5.2.3. No person shall operate a vehicle, except for emergency vehicles, in a restricted area without displaying a valid vehicle permit as is required by the Authority.
- 5.2.4. No person shall operate a vehicle, ground support equipment, or as a pedestrian within the restricted areas of the Airport unless he or she has been authorized or unless he or she is under the direct escort of a person who is authorized to conduct an escort.

### 5.3. Rules of Operation

- 5.3.1. No person shall operate a vehicle or ground support equipment of any kind on the Airport in a reckless, negligent or incautious manner or in a manner that endangers or is likely to endanger persons or property. The Executive Director, or designee, and law enforcement officials may determine when a vehicle or other ground support equipment is being operated in a reckless, negligent or incautious manner or in a manner that endangers or is likely to endanger persons or property.
- 5.3.2. Vehicle operators shall comply with any lawful order, signal or direction given by Authority personnel. When traffic is controlled by signs or by mechanical or electrical signals, vehicle operators shall obey those signs or signals unless directed otherwise by Authority personnel.
- 5.3.3. The Authority may place and maintain traffic signs, signals, pavement markings, construction barricades, and other traffic control devices upon Airport roadways, parking facilities and other Airport property to carry out the provisions of these Rules and Regulations and to guide and control traffic.
- 5.3.4. No person shall operate a vehicle or other ground support equipment of any kind on any portion of the Airport in excess of 20 miles per hour, unless otherwise posted or authorized by the Authority.
- 5.3.5. No person shall fail to give pedestrians and aircraft the right-of-way over

vehicular traffic.

- 5.3.6. All ground vehicles shall pass to the rear of taxiing aircraft, unless otherwise directed by the Tower.
  - 5.3.7. No person under the influence of alcohol or drugs shall operate a vehicle on the Airport.
  - 5.3.8. No person shall drive or park a vehicle on the air carrier ramp between an aircraft and its loading gate or under a passenger loading bridge, unless performing authorized maintenance.
  - 5.3.9. The Authority may tow or otherwise move a vehicle that is in violation of these regulations at the operator's expense and without liability for damage that may result in the course of or because of such moving.
  - 5.3.10. No person escorting a vehicle shall fail to remain with the vehicle being escorted.
  - 5.3.11. No person may operate a vehicle unless the driver and all passengers are properly seated in the vehicle.
  - 5.3.12. No person shall operate a vehicle or ground support equipment without a guide whenever the operator's vision is restricted.
  - 5.3.13. No person shall park a vehicle or ground support equipment outside the area specifically designated for vehicle and ground support equipment parking.
  - 5.3.14. No person shall park or leave unattended a vehicle or ground support equipment that interferes with the use of any facility, walkway, crosswalk, or emergency exit, or that prevents movement or passage of aircraft, emergency vehicles or other vehicles or ground support equipment.
  - 5.3.15. No person shall utilize mobile telephones while operating a vehicle or ground support equipment on the AOA while in motion.
- 5.4. Training
- 5.4.1. No person shall operate a vehicle or ground support equipment, or otherwise be present within any movement area or non-movement area prior to receiving authorization from the Authority and completing all training administered by the Authority as is required under FAR Part 139 for such activities, unless under authorized escort by a person who has completed the required training. Training must be maintained in a current status and the appropriate marking present on the persons airport security identification medium.
- 5.5. Radio Requirements
- 5.5.1. All persons who operate a vehicle on a runway, taxiway, or associated safety area must be in continuous communication with the Tower unless under direct escort by a vehicle whose operator is in continuous communication with the Tower.
  - 5.5.2. All pedestrians on a runway or taxiway, or associated safety area under the control of the Tower, must be in continuous communication with the Tower unless under the direct escort of a person who is in continuous communication with the Tower.
  - 5.5.3. In the event of a loss of communications with the Tower when operating a vehicle on a runway, taxiway or associated safety area, the driver shall:
    - 5.5.3.1. proceed without crossing a runway into the nearest safety area clear of all runways and taxiways;



- 5.5.3.2. turn the vehicle toward the Tower and flash the head lights; and
- 5.5.3.3. remain at that location until authorized personnel respond to the location to escort the driver out of the movement area.

### 5.6. Pedestrians

- 5.6.1. Pedestrians in marked crosswalks have the right-of-way at all times over vehicular traffic.
- 5.6.2. Enplaning and deplaning passengers have the right-of-way at all times over vehicles and ground support equipment.
- 5.6.3. Pedestrians shall yield to moving aircraft.

### 5.7. Maintenance

- 5.7.1. No vehicle is permitted on the Airport unless it is in sound mechanical order and has adequate lights, horn, brakes, and clear vision from the driver's seat.
- 5.7.2. No person shall operate a vehicle or ground support equipment in a mechanical condition that could endanger persons or property.
- 5.7.3. No trailers or semitrailers are allowed on the Airport unless they are equipped with reflector buttons and proper brakes so that, when disengaged from a towing vehicle, neither aircraft propeller blast, jet stream blast, nor wind will cause them to become free rolling. Positive lock and couplings are required for all towed equipment.
- 5.7.4. No person shall operate a vehicle or ground support equipment in any hangar or building used for aircraft maintenance unless the exhaust is protected by suitable screens, baffles or other devices to prevent the escape of sparks or other propagation of flame.
- 5.7.5. No person shall clean or make any repairs to a vehicle or ground support equipment anywhere on the Airport other than in designated shop areas, except for minor repairs that are necessary to remove it from the Airport.
- 5.7.6. No person shall move, interfere, or tamper with any vehicle or ground support equipment or put in operation the engine or take or use any part, instrument, or tool without permission of the owner.

### 5.8. Lighting Requirements

- 5.8.1. All vehicles and ground support equipment operated on the Airport, except motorcycles or scooters equipped with one light, must be equipped with two headlights and one or more red taillights.
- 5.8.2. Vehicles and ground support equipment must be equipped with headlights of sufficient brilliance to ensure safety while driving at night. Headlights and taillights must be lighted during inclement weather and between the hours of sunset and sunrise when operating on roadways and within the restricted areas of the Airport.
- 5.8.3. Any vehicle being operated on an open runway, taxiway, or associated safety area between the hours of sunset and sunrise must display headlights, taillights, and an approved rotating beacon visible to Tower personnel.
- 5.8.4. All fueling and aircraft deicing vehicles must be equipped with an operating amber rotating beacon visible from 360 degrees around the vehicle. The beacon

must be operational at all times while operating airside.

- 5.8.5. Carts and non-motorized equipment being towed or moved after darkness must display reflectors, taillights or reflective tape visible from 360 degrees around the vehicle.

#### 5.9. Illegal Parking on Airport

- 5.9.1. No person shall park a vehicle, for loading, unloading, or any other purpose, on the Airport other than in the areas specifically designated for parking, loading and unloading, and in the manner prescribed by signs, lines or other means.
- 5.9.2. Except persons operating Authority or public safety vehicles in performance of their assigned duties, no person shall park a vehicle at any point on Cowles Drive or at any point on an Airport service road.
- 5.9.3. The Executive Director, or designee, may consider a vehicle parked in an assigned public area for more than 60 calendar days as abandoned and the vehicle may be impounded.
- 5.9.4. No person shall park a vehicle:
  - 5.9.4.1. in an area requiring payment for parking without paying the required parking fee;
  - 5.9.4.2. in a manner so as to obstruct adjacent parking stalls, aisles, or roadways;
  - 5.9.4.3. in aircraft parking areas; or
  - 5.9.4.4. on grass areas.
- 5.9.5. Public parking rates are set by the Board; parking customers are charged the posted rate in effect at the time and date of entry into the parking garage or a surface parking lot. Charges are calculated for the duration of stay from the time of entry until the time of exit. Payment is due upon exit, regardless of whether the vehicle exits under its own power or is towed from the parking facility. A tow truck operator shall pay the outstanding parking charges for any vehicle being towed from a parking facility prior to removing the vehicle from such facility, unless the tow is being conducted at the direction of the Airport.
- 5.9.6. Parking violations at the Airport may be charged on a simple notice of fine as provided in the City of Des Moines Municipal Code. A person who violates any provision of this chapter shall pay the fine applicable at the time notice is served. Unpaid parking tickets may be charged as a misdemeanor or municipal infraction as provided in the City of Des Moines Municipal Code.
- 5.9.7. Whenever a rental vehicle is involved in a parking violation committed by a customer or employee of the rental company, the company may be charged with the violation and shall pay any parking fine resulting from the violation if not paid by the violator.
- 5.9.8. Vehicles displaying appropriate insignia issued by state authorities may park in designated handicapped parking areas as indicated by appropriate signs or markings.

#### 5.10. Vehicle and Ground Support Equipment Accidents

- 5.10.1. Operators of vehicles and ground support equipment involved in an accident on the Airport that results in personal injury or property damage shall:
  - 5.10.1.1. Immediately stop and remain at the scene of the accident;

- 5.10.1.2. Render reasonable assistance, if capable, to any person injured in the accident;
- 5.10.1.3. Report the accident to the Airport operations center;
- 5.10.1.4. Provide the following personal information to law enforcement or Authority personnel:
  - (1) name;
  - (2) address;
  - (3) Airport identification card;
  - (4) state driver's license; and
  - (5) any other related information requested concerning the accident.
- 5.10.2. No person shall tamper with an accident scene or fail to comply with any directive issued by the Executive Director, or designee, or any other person or agency having jurisdiction over the accident scene.
- 5.10.3. Unauthorized entry into the Airport to gain access to an accident scene is strictly prohibited.

#### 5.11. Tenant and Employee Parking

- 5.11.1.1. Employees of tenants shall park only in those areas assigned by the Authority for employee parking.

#### 5.12. Motorcycles and Bicycles

- 5.12.1.1. Persons riding a motorcycle or bicycle upon an Airport landside roadway shall be granted all rights and shall be subject to all duties made applicable to the driver of a vehicle, except as to Rules and Regulations which by their nature can have no application.

#### 5.13. Vehicle Hangtags

- 5.13.1. Each authorized vehicle shall display, in the dashboard or frontmost portion of the vehicle, a current year approved tag and/or transponder in the vehicle that enters the AOA.
- 5.13.2. An authorized tag will be issued upon completion of the FAA approved training course as required for the access granted. The displayed tag shall correspond with the approved area authorized.
- 5.13.3. Vehicles may be exempt from hangtag requirements as approved by the Authority.
- 5.13.4. Expired tags must be returned to the Authority upon termination of need for privileges and/or expiration of the tag.

#### 5.14. Airfield Vehicle and Ground Support Equipment Operator Regulations

- 5.14.1. All vehicles and ground support equipment operating on the airfield are subject to Section 5.3 Rules of Operation.
- 5.14.2. The Airport Certification Manual, Airport Security Program, and the Airport's Pedestrian and Vehicle Training Program shall govern the manner in which vehicles and ground support equipment may be driven on the Airport Operations

Area (AOA).

- 5.14.3. Only persons that have completed the training per Section 5.4 and hold a current Authority issued SIDA airport security identification medium have access to work in or pass through the Airport Secured Area located on the air carrier apron. If an Operator does not possess a valid SIDA airport security identification medium they must be escorted by approved escort privileged airport security identification medium holder.
- 5.14.4. No vehicle or ground support equipment shall be permitted on the AOA unless specific permission has been granted by the Executive Director, or designee.
- 5.14.5. Permitted vehicles shall be identified with the company name or company logo displayed on both sides of the vehicle while in the AOA.
- 5.14.6. Ground support equipment necessary for the support of aircraft operations are permitted on the AOA without a vehicle hangtag and/or transponder. Authorized ground support equipment must be identified with the company name, logo, or other marking as approved by the Authority.
- 5.14.7. Vehicle owners shall have the minimum required liability insurance coverage specified in the Authority Insurance Requirements to operate on the AOA. The vehicle owner shall be required to furnish the Authority verification from the insurance carrier that the vehicle is insured when being operated on an AOA.
- 5.14.8. Any person causing a violation of the Airport Security Program adopted pursuant to 49 CFR 1542, and/or 14 CFR Part 139, for which civil penalties are levied against the Authority, shall reimburse the Authority the amount of the civil penalty.
- 5.14.9. No person shall drive a vehicle or ground support equipment in a manner that would impede an aircraft in active pushback.
- 5.14.10. Vehicles and ground support equipment shall follow marked roadways when available and shall only deviate when necessary.
- 5.14.11. Aircraft taxiing on any runway, taxiway, or AOA shall have the right-of-way over vehicular and ground support equipment traffic.
- 5.14.12. All persons operating vehicles or ground support equipment on the AOA are required to participate in an FAA approved initial and recurrent training courses for the operation of vehicles or ground support equipment on the Airport as provided by the Authority in accordance with 14 CFR Part 139. All persons operating vehicles and ground support equipment are required to sign a statement to be kept on file by the Authority that they are familiar with these Rules and Regulations, including the consequence of non-compliance with safety procedures for ground vehicles, and that they agree to abide by such Rules and Regulations.
- 5.14.13. Any person in violation of any of the procedures for the safe and orderly access to, and operation of a vehicle or ground support equipment on the AOA shall be subject to disciplinary actions, including removal from the Airport or termination of any authorizations, lease, use agreement, or other permits as may be deemed appropriate by the Executive Director, or designee.

## 6. Safety

### 6.1. General

- 6.1.1. The operator of each hangar or shop building where vehicle or aircraft maintenance is performed at the Airport shall provide and be responsible for the constant maintenance of a suitable first aid kit.
- 6.1.2. All floors of hangars, buildings, and apron ramp areas must be kept clear of oil, grease, and other materials or stains except as may be provided to the contrary in any specific lease or contract. The use of volatile flammable liquids or solids for cleaning floors is prohibited.
- 6.1.3. Routes of ingress and egress and aisles, corridors, and stairways leading to exits from buildings on the Airport must not be obstructed in any manner.
- 6.1.4. No item may be stored under or in building stairwells or in any area not designated for storage of materials.
- 6.1.5. No person shall dig, excavate, probe, or otherwise penetrate turf or paved surfaces on the Airport without first registering a completed Airport Permit authorizing digging with Airport Operations.

### 6.2. Explosives

- 6.2.1. Except for explosives maintained by the Iowa Air National Guard or authorized law enforcement agencies, explosives unacceptable for air transportation under federal regulations are not permitted on the Airport.
- 6.2.2. Compliance with all applicable regulations governing the handling and transport of explosives is required.
- 6.2.3. Persons authorized to handle explosives or to access explosive storage areas shall not introduce or have on their person any flame or spark-producing materials.
- 6.2.4. Persons authorized to handle explosives or to access explosive storage areas must be properly trained and comply with all federal, state, and local standards for proper handling and transport of explosive materials.

### 6.3. Radioactive and Biological Hazards

- 6.3.1. Handling or transport of radiological and biological material unacceptable for air transportation under federal regulations is not permitted on the Airport.

### 6.4. Hazardous Materials

- 6.4.1. Except those tenants operating within an agreement between the Authority and the tenant authorizing use of hazardous material, each tenant involved with the handling of hazardous materials must provide a hazardous material handling plan acceptable to the Authority.

### 6.5. Fire Safety

- 6.5.1. The Authority hereby adopts the most current edition of the International Fire Code and regulations that pertain to fire code compliance, aircraft fueling and fuel service vehicle operations and the handling of flammables on the Airport.
- 6.5.2. Any operationally unnecessary equipment which could pose a potential fire safety



- hazard, such as gas grills, must be approved by the Authority after conducting an internal fire safety analysis.
- 6.5.3. Aircraft fueling and fuel service vehicle operations must be conducted in accordance with Federal Aviation Regulations and the municipal code. Whenever the municipal code conflicts with a Federal Aviation Administration requirement, the Federal Aviation Administration requirement governs.
  - 6.5.4. Smoking is prohibited airside and where not allowed per Section 3.7.
  - 6.5.5. Open flames are not allowed within 50 feet of an aircraft or fuel storage area.
  - 6.5.6. No person shall operate an oxyacetylene torch, electric arc, or similar flame or spark-producing device on any part of the Airport except either in areas within leased premises approved and specifically designed for such use or in compliance with a completed Airport Permit authorizing hot work registered with Airport operations.
  - 6.5.7. Anyone observing unattended or uncontrolled fire on Airport premises shall immediately contact 911 and report the incident as an emergency followed by a call to the Operations Center.
  - 6.5.8. Heating of engine oil to promote easier cold weather operation is restricted to steam, hot water, hot air, or approved electrical heaters.
  - 6.5.9. Motor fuel dispensing facilities and repair garages must meet the requirements stated within the municipal code.
  - 6.5.10. Flammable and combustible liquids must be stored in accordance with municipal code or as required by agreement or directive of the Authority.
  - 6.5.11. Dip tanks or bench-washing vats using flammable or combustible solvents must be of metal construction, equipped with self-closing lids and a fusible link. Lids must not be wired or propped in the open position.
  - 6.5.12. Storage of flammable gases in buildings, hangars, inside rooms, or outside areas must be in accordance with the municipal code.
  - 6.5.13. All compressed gas cylinders, full or empty, must be properly secured.
  - 6.5.14. Fire Equipment
    - 6.5.14.1. The operator of any Airport hangar or building shall be responsible for furnishing and maintaining adequate fire equipment meeting the minimum requirements of the municipal code.
    - 6.5.14.2. All fire doors and other fire prevention apparatus must be accessible and completely unobstructed at all times.
  - 6.5.15. No person shall keep or store any flammable or combustible liquids or gases or other similar material in the hangars or in any building on the Airport, except as provided below:
    - 6.5.15.1. Such materials may be kept in an aircraft in the proper receptacles installed in the aircraft for such purpose, or in rooms or areas specifically approved for such storage in accordance with municipal code.
    - 6.5.15.2. No person shall store fuels such as gasoline or diesel fuel in a hangar without prior approval from the Authority.
    - 6.5.15.3. The storage of waste oil is prohibited. Waste oil must be removed from the Airport and disposed of in accordance with environmental regulations.
  - 6.5.16. No person shall keep or store more than forty-eight quarts of lubricating oil in aircraft storage hangars. Lubricating oils must be stored in the manufacturer's

- unopened containers and stored in accordance with the municipal code.
- 6.5.17. No person shall fail to use suitable metal receptacles with self-closing covers for the storage of waste, rags, and other rubbish. All waste, rags and other rubbish must be removed not less than once each week.
  - 6.5.18. No person shall store aircraft anti-icing fluid, gasoline, oil, and solvent drums or receptacles on apron and ramp areas in excess of amounts actually needed for regular operations. All material must be stored in the manufacturer's unopened container and stored in accordance with municipal code.
  - 6.5.19. No person shall store bulk fuel without prior approval from the Authority.
  - 6.5.20. No person shall install or modify an existing bulk fuel storage facility without prior approval from the Authority.
  - 6.5.21. "Into plane" servicing may only be conducted from fuel tankers or tanks approved for such servicing by the Authority. All fuel deliveries to the Airport must be made into approved fuel storage tanks.
  - 6.5.22. No person shall dump or dispose of fuels, oils, dopes, paints, de-icing fluids, solvents, acids, or hazardous wastes in drains, basins, or ditches or elsewhere on the Airport.
- 6.6. Aircraft Gate, Hangar and Ramp Area Safety
- 6.6.1. No person shall start or attempt to start an aircraft engine inside any hangar.
  - 6.6.2. Good housekeeping practices must be observed and practiced in and around all aircraft gates, hangars, and ramps.
  - 6.6.3. Lighting in hangars must be electric.
  - 6.6.4. Cleaning of aircraft parts and other equipment with materials other than non-flammable cleaning agents must be conducted using liquids having a flash point in excess of 100 degrees Fahrenheit and in compliance with the municipal code.
  - 6.6.5. Aircraft washing must be performed within the requirements of the Airport's and tenant's applicable storm water pollution prevention plan approved by the Iowa Department of Natural Resources.
  - 6.6.6. Only tenants who are pre-approved to conduct paint, varnish, or lacquer spraying operations may perform such operations. All such operations must be in accordance with the municipal code.

## 7. Security

### 7.1. Restricted Areas

- 7.1.1. No person shall enter a restricted area except:
  - 7.1.1.1. A person holding and displaying an Airport approved airport security identification medium and assigned to duty there.
  - 7.1.1.2. A passenger who is entering the restricted area to enplane or deplane an aircraft under escort.
  - 7.1.1.3. Any person authorized by the Authority or by a tenant under escort.
- 7.1.2. No person shall fail to stop and present all required personal airport security identification medium, access media, vehicle permits, and any other required documents at any point of entry into any restricted area or sterile area.
- 7.1.3. No person may enter or be present in the restricted area or sterile area without complying with the systems, measures, or procedures used to control access to the area.
- 7.1.4. No person shall tamper or interfere with, compromise, modify, attempt to circumvent, or cause a person to tamper or interfere with, compromise, modify, or attempt to circumvent any security system, measure or procedure implemented within the Airport security program.
- 7.1.5. No person shall allow or permit any gate, gate chain, door, or other security device that controls access to a restricted area that has been opened, unlocked, or unsecured, or that has been found to be opened, unlocked or unsecured to remain unlocked or unsecured except while in use for purposes of ingress and egress.
- 7.1.6. Any person who opens any secured portal, such as a door, gate, overhead door, ticket counter baggage belt door, elevator door, window, or any other opening, to any restricted area shall:
  - 7.1.6.1. monitor the opening and prevent access by unauthorized individuals;
  - 7.1.6.2. re-secure the opening after passing through or when the opening is no longer required to be open;
  - 7.1.6.3. ensure that such access portal is returned to a locked or secured status; and
  - 7.1.6.4. immediately notify Airport operations or a law enforcement personnel of any attempt to access or actual access by an unauthorized person.
- 7.1.7. No person shall allow or permit any other person to use or have access to a security device such as a door key, access code, combination to a door lock, or gate access card not issued to that other person.
- 7.1.8. Piggybacking is prohibited except:
  - 7.1.8.1. a person is under proper escort as outlined above;
  - 7.1.8.2. as otherwise authorized by the Authority.

### 7.2. Sterile Areas

- 7.2.1. Access to or entry to the Sterile Area via the security checkpoint is limited to persons who have been screened by TSA personnel and possess a valid boarding pass/ticket, authorized sterile area airport security identification medium, SIDA airport security identification medium, Airport or Airline issued gate pass, or other means of access approved by the Executive Director, or designee.

### 7.3. Vehicle and Ground Support Equipment Inspection

- 7.3.1. No person shall fail to stop, and submit to inspection, any vehicle or ground support equipment they are operating at any location on the Airport posted as an inspection point and staffed by personnel assigned to such duties. Such inspection may include opening any compartment of the vehicle to allow for inspection of the contents, and opening or moving any package, container, or other item within the vehicle to allow further inspection of the vehicle and its contents. Persons who do not consent to inspection of any vehicle, inspection of any compartment of the vehicle, or inspection of the contents, or any package or container shall not be permitted entry beyond the point of inspection. If the contents of the vehicle present safety or security concerns to others or the air transportation system, the vehicle may not be permitted entry beyond the point of inspection.
- 7.3.2. Any vehicle or ground support equipment operating on the restricted area is subject to random inspection by the Authority.

### 7.4. Airport Security Program

- 7.4.1. All persons present on or using the Airport are subject to the provisions of the Airport Security Program (ASP).
- 7.4.2. Information contained in the ASP is sensitive security information (SSI) and its release is governed by Transportation Security Regulation 49 CFR Part 1520.

### 7.5. Authority Issued Airport Security Identification Medium

- 7.5.1. All persons requiring unescorted access authority within the restricted areas of the Airport must possess and display an Authority issued, or approved, identification medium.
- 7.5.2. Persons issued airport security identification medium, as provided by the ASP, that are not authorized unescorted access authority within restricted areas of the Airport, are subject to the Rules and Regulations that apply to proper handling, use, and display of Airport issued airport security identification medium for those persons with unescorted access to a restricted area or the sterile area.
- 7.5.3. Airport security identification medium are issued by the Authority, at its sole discretion, upon application according to the procedures outlined in the ASP.
- 7.5.4. All airport security identification medium issued by the Authority are the property of the Authority and must be surrendered upon the demand of a representative of the Authority or voluntarily upon cessation of the need to have access to authorized areas.
- 7.5.5. Authority issued airport security identification medium are subject to reasonable fees for initial issuance, renewal and associated badging services. In addition, lost, stolen or unreturned airport security identification medium are subject to the payment of a fee or forfeiture of the security deposit held by the Authority. Failure to return a airport security identification medium may result in a civil penalty as provided in the Rates and Charges.
- 7.5.6. No person may:
  - 7.5.6.1. use another person's approved airport security identification medium on the Airport;

- 7.5.6.2. allow anyone to use the airport security identification medium issued to the person; or
- 7.5.6.3. direct a person to use, allow to be used, or cause to be used, any other person's Airport-issued or Airport-approved security identification medium or access medium.
- 7.5.7. In areas identified as a restricted area, all persons present in the area must hold unescorted access authority to the area and properly display an Authority approved identification medium or be under authorized escort. Proper display of an airport security identification medium requires that it be visible outside the outermost garment and above the waist, regardless of weather or job-related activity.
- 7.5.8. All persons with unescorted access authority to a restricted area shall challenge any other person present in the area who is not displaying an Authority issued or approved security identification medium.
- 7.5.9. Airport security identification medium are issued for use in designated areas only and persons are restricted to those designated areas.
- 7.5.10. Any attempt to use an security identification medium in a restricted area other than the area for which the medium is designated is prohibited.
- 7.6. Sterile Area Escort
  - 7.6.1. No person intending to board a commercial passenger air carrier flight subject to federal screening requirements may be escorted into the sterile boarding area unless otherwise allowed by federal law.
  - 7.6.2. Persons escorted into a sterile area must remain under continuous escort while in the sterile area.
  - 7.6.3. Persons under escort in the sterile area may be in possession of and use prohibited items only when:
    - 7.6.3.1. the prohibited item is necessary for the performance of the person's authorized duties;
    - 7.6.3.2. the authorized escort closely monitors the use of the prohibited item by the individual; and
    - 7.6.3.3. the prohibited item is not readily accessible to any passenger.
  - 7.6.4. Only those persons with a demonstrated need to be within the sterile area, or are being provided a tour, may be escorted into the sterile area.
- 7.7. Secured Area Escort
  - 7.7.1. Restricted area escort procedures per Section 7.8 shall apply to secured area escorts.
  - 7.7.2. Only persons with a demonstrated need to be within a secured area, including authorized tours, may be escorted into a secured area.
- 7.8. Restricted Area Escort
  - 7.8.1. No person shall escort into a restricted area unless that person has been authorized escort access privileges with current training and the appropriate marking present on the persons airport security identification medium.
  - 7.8.2. Person providing the escort will notify airport operations of the escort prior to



- initiating the escort.
- 7.8.3. Escorted vehicles will be issued a temporary vehicle permit prior to entry to the restricted area upon completion of a vehicle inspection and must display the permit on the dash or front window of the vehicle while within the restricted areas. The temporary vehicle permit must be returned to the Authority or authorized personnel prior to exiting the restricted area.
  - 7.8.4. Persons escorted into, and while present in, a restricted area shall remain under continuous escort of an authorized person until he or she is escorted from the area.
  - 7.8.5. Only persons with a demonstrated need to be within a restricted area, or are being provided a tour, may be escorted into a restricted area.
  - 7.8.6. Escorting within the restricted area of the Airport is restricted to tenants, employees, and subtenants of persons and organizations with an operational need to perform authorized activities and to access aircraft parked, stored, or maintained in these areas. Escort authorization may be restricted to certain activities at the sole discretion of the Authority.
  - 7.8.7. Restricted area escorts are limited to a single 24 hour period unless authorized by the Authority in advance.
  - 7.8.8. Person providing the escort will notify airport operations at the conclusion of the escort.
- 7.9. Security at Exclusive Leased or Assigned Areas
- 7.9.1. An Airport tenant or a person leased or assigned the use of an area on the Airport shall be solely responsible for the control and proper use of all gates, gate chains, doors, and other security devices that are located on an area of the Airport under their exclusive control.
- 7.10. Tenant Responsibilities
- 7.10.1. No tenant of the Airport shall:
    - 7.10.1.1. direct any of his or her employees to disregard any local, state or federal rule, regulation, ordinance or laws governing the Airport;
    - 7.10.1.2. fail to inform any of his or her employees of applicable local, state or federal rules, regulations, ordinances or laws governing the Airport;
    - 7.10.1.3. allow any of his or her employees to disregard any local, state or federal rule, regulation, ordinance or law governing the Airport.
  - 7.10.2. No tenant of the Airport shall fail to:
    - 7.10.2.1. control access to each restricted area leased to the tenant;
    - 7.10.2.2. control movement of persons and ground vehicles within each restricted area leased or assigned to the tenant;
    - 7.10.2.3. promptly detect and take action to control any penetration or attempted penetration of the restricted area leased or assigned to the tenant by a person whose entry is not authorized.
- 7.11. Reporting Responsibility
- 7.11.1. All persons issued Airport approved airport security identification medium are required to immediately report to Airport operations the following occurrences:
    - 7.11.1.1. suspicious persons and circumstances;

- 7.11.1.2. possible surveillance of Airport facilities or security procedures;
- 7.11.1.3. security violations by any person;
- 7.11.1.4. unsecured or unsafe conditions.
- 7.11.2. No person shall fail to immediately report any malfunctioning or broken gate, gate chain, door, or other security device to Airport operations or Airport police.
- 7.11.3. No person shall fail to immediately report to Airport operations a lost or stolen identification card or access medium.
- 7.11.4. No person shall fail to immediately return to Airport operations or the security badging office an identification card or access medium if the person is no longer authorized to have an identification card or access medium.

#### 7.12. Perimeter Fence Clear Zones

- 7.12.1. No person may place, or cause to be placed, any vehicle, equipment or other object, including snow piles, trash piles or other debris within ten feet of the Airport perimeter fence on either the landside or the airside.

#### 7.13. Unattended Baggage

- 7.13.1. No person may leave any bag, parcel, package or other property, including any item of checked baggage unattended in any public area of the Airport at any time, regardless of whether or not security screening has been performed on the item.

#### 7.14. False Statements Concerning Contents of Luggage

- 7.14.1. No person shall make a false statement to another person, or in the presence of or within the hearing of an air carrier representative, Airport employee, police officer or security personnel at the Airport, concerning the presence or existence of a weapon, bomb, incendiary or explosive device either on their person, in their luggage or in their possession while on Airport property.

#### 7.15. Screening Point Restrictions

- 7.15.1. A person shall not fail to stop and submit to screening of his or her person and property in accordance with federal requirements for the security screening checkpoint before entering the sterile area beyond the security screening checkpoint. If a person does not consent to screening, the person will not be permitted entry past the security screening checkpoint.
- 7.15.2. A person shall not fail to stop and submit to screening of his or her person, clothing, and property in accordance with Airport requirements for airport worker screening checkpoints when airport worker screening operations are in effect unless an individual is exempt as defined in federal security policy. If a person does not consent to screening, the person will have their airport security identification medium immediately revoked.
- 7.15.3. A person shall not present, carry, or introduce for inspection, either on their person, in their luggage or in their belongings, any explosive, incendiary, weapon, or item prohibited by an agency of the federal government at the passenger security screening checkpoint. This restriction shall not apply to persons authorized and permitted by federal regulations to carry weapons through the

security screening checkpoint.

- 7.15.4. A person shall not present, carry, or introduce for inspection, either on their person, in their bag, or in their belongings, any explosive, incendiary, weapon, or item prohibited by the Airport at an airport worker screening checkpoint. This restriction shall not apply to persons authorized and permitted by federal regulations to carry weapons, or for tools required to perform work functions as defined in Airport policy, through an airport worker screening checkpoint.

## 8. Environmental

### 8.1. Storm Water Pollution Prevention

- 8.1.1. The storm water pollution prevention plan (SWPPP) for the Airport is required by the Airport's National Pollution Discharge Elimination System (NPDES) Permit.
- 8.1.2. This section does not relieve any air carrier of any liability it may have if the release of propylene glycol and ethylene glycol in de-icing products causes a violation of the National Pollutant Discharge Elimination System permit, the Federal Clean Water Act (33 U.S.C. section 1251 et seq) and its implementing regulations or Iowa Code chapter 455B, Division III, and its implementing regulations.
- 8.1.3. All persons shall comply with all applicable federal, state and local environmental laws and regulations ("Environmental Laws") while operating on the Airport. All persons operating on the Airport shall:
  - 8.1.3.1. apply for, obtain, and maintain any and all necessary permits, licenses, identification numbers and notices required by applicable law, making timely and full payment of any fees;
  - 8.1.3.2. maintain and implement an updated SWPPP compatible with the Airport's SWPPP and which is sufficient to comply with the NPDES permit requirements for co-permittees, the Authority or, alternatively, utilize the Airport's SWPPP by submitting co-permittee specific best management practices;
  - 8.1.3.3. maintain full compliance with the applicable requirements of the NPDES permit for the Airport;
  - 8.1.3.4. ensure compliance by its employees, contractors, subcontractors, and agents with the terms and conditions of the NPDES permit and SWPPP;
  - 8.1.3.5. conduct weekly inspections and maintain records, in accordance with the NPDES permit, for the organization, its contractors and subcontractors;
  - 8.1.3.6. fully cooperate with the Authority officials during the annual co-permittee inspections;
  - 8.1.3.7. not cause or permit any hazardous substance to be generated, manufactured, refined, treated, disposed of, produced or released on the Airport except in the ordinary course of the organization's authorized business activities and in compliance with applicable law;
  - 8.1.3.8. upon request of the Authority officials, provide a list of all hazardous substances utilized in material quantities in connection with the organization's operations;
  - 8.1.3.9. upon request of the Executive Director, discontinue the use of certain hazardous substances to the extent that suitable replacement materials can be utilized at comparable costs.

### 8.2. General Practices

- 8.2.1. Each tenant on the Airport is responsible for keeping the AOA free of debris and foreign objects.
- 8.2.2. Persons who allow contaminants to enter the storm water system, either

- intentionally or unintentionally, may be held liable for the clean-up of contaminants and for any fines levied. Tenant operations that do not comply with this section may result in the termination of the agreement between the Authority and the tenant and the tenant prohibited from operating on the Airport.
- 8.2.3. Drip pans must be placed under aircraft whenever necessary to contain oil, hydraulic fluid or other contaminants.
  - 8.2.4. No commercial trash disposal container may be placed closer than fifty feet from a combustible wall or building ventilation in-take system.
  - 8.2.5. The operator of any hangar or occupant of exclusive lease space shall be responsible for the prompt and proper disposal or removal of any trash, rubbish, garbage or debris from the Airport.
  - 8.2.6. No person shall increase the use of processed water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with pollutant specific limitations.
- 8.3. Floor Drains
- 8.3.1. All shop and hangar installations where any engine, mechanical equipment or vehicle is maintained, cleaned or painted must be equipped with proper disposal facilities. This includes floor drains equipped with properly maintained traps to collect grease, sediments, and fuel. Tenants shall dispose of trapped materials in accordance with applicable state and federal regulations.
- 8.4. Sanitary Sewers
- 8.4.1. Disposal of high grease content, fibrous materials, bulky solids or sediment into the sanitary sewer system is prohibited.
- 8.5. Detergents
- 8.5.1. All tenants who use detergents in their operations are required to utilize only biodegradable detergents that are not harmful to the environment. Upon demand, tenants shall provide information about the detergents used on the Airport to the Authority officials.
- 8.6. Waste Petroleum
- 8.6.1. Approved fuel separators, grease and fuel traps or other receptacles must be utilized and maintained for collection of waste petroleum products. These systems must be inspected periodically, and the waste products disposed of in accordance with applicable regulations. Proof of proper disposal methods shall be provided to the Authority officials upon demand.
- 8.7. Triturator
- 8.7.1. No tenant or operator shall utilize the triturator without ensuring that they return the triturator room, triturator apparatus, and surrounding areas to a clean and orderly condition upon each use. Failure to operate the triturator in accordance with this section will result in the Authority cleaning the triturator facilities and billing the tenant or operator at a rate established in the Rates and Charges to





clean the facility.

## 9. Commercial Vehicle Operations

### 9.1. Purpose

9.1.1. These Rules and Regulations are promulgated to provide for the safe and efficient movement of commercial vehicles on the roadway system at the Airport and to establish a source of revenue to offset the expenses associated with the operation and maintenance of the roadways and associated commercial vehicle facilities.

### 9.2. Applicability

9.2.1. The provision of ground transportation services at the Airport is governed by, and shall comply with, all applicable laws and ordinances (federal, state, and local), agreements and permits, in addition to these Rules and Regulations and Authority policies.

9.2.2. All persons operating a commercial vehicle at the Airport, whether as operator, driver, employee or representative of an operator, or otherwise, shall at all times comply with the provisions of these Rules and Regulations. Any person who in any capacity operates a commercial vehicle at the Airport in such a manner as to violate any provision of these Rules and Regulations is subject to enforcement actions as herein provided, in addition to any civil, criminal, or administrative sanctions otherwise established.

### 9.3. Use of the Airport for Commercial Purposes

9.3.1. No person shall operate a commercial vehicle at the Airport without first obtaining an Airport Permit authorizing the specific activity to be engaged in and without paying the commercial vehicle fees established for such operation. The Authority reserves the right to reclassify the commercial vehicle and impose fees as may be applicable to the commercial activity offered or engaged in. Persons operating a commercial vehicle under the provisions of a parking management contract with the Authority are exempt from the payment of commercial vehicle fees.

### 9.4. Licenses/Permits/Certificates

9.4.1. Each commercial vehicle operator shall obtain all licenses, permits, and authorizations required by any other governmental agency prior to applying for a permit with the Authority. Failure to obtain or maintain any required license, permit or authorization required by any other governmental agency, or failure to remit all payments to the Authority in a timely manner, is grounds to revoke or deny privileges to operate a commercial vehicle at the Airport. Additionally, the Authority may issue a service charge for failure to remit payments to the Authority in a timely manner.

### 9.5. Authority Permit Issuance

9.5.1. Each commercial vehicle operator shall comply with the following requirements.

9.5.1.1. A person shall not operate a commercial vehicle at the Airport without first obtaining an Operating Permit authorizing the specific activity to be

engaged in and paying the commercial vehicle fees established for such operation.

- Taxis, limousines, courtesy vehicles, off-Airport parking shuttles, and tour/charter buses shall be issued an Operating Permit in the form of an Automatic Vehicle Identification (AVI) transponder.
- TNC drivers shall install an Authority approved geo-fence before obtaining an Operating Permit in a form provided by the Authority.

9.5.1.2. Each commercial vehicle operator shall:

- Pay all required fees and charges required to obtain an operating permit.
- Ensure the AVI transponder or geo-fence is fully functional at all times while operating on the Airport.
- Immediately report to the Authority and resolve any discrepancy or malfunction associated with the AVI transponder or geo-fence.
- Immediately report a lost, stolen, or otherwise unaccounted for AVI transponder.
- Pay all required charges and fees associated with replacement of an AVI transponder.
- Have the required decals, AVI transponders or trade dress, issued by Authority, commercial operator, or TNC affixed to the commercial vehicle at all times in the manner prescribed by the Authority.

9.5.2. Radio Frequency Identification (RFID) system:

9.5.2.1. Each commercial vehicle operator, other than TNCs, will be responsible to ensure each of their company's commercial vehicles that operate at the Airport have been assigned and have installed an AVI transponder prior to operation of that vehicle at the Airport.

- A fixed electronic Radio Frequency Identification (RFID) system will be used in conjunction with an AVI transponder assigned to each commercial vehicle to identify commercial vehicle operations at the Airport.
- The AVI transponder assigned to each commercial vehicle will serve as the commercial vehicle operating permit. Each commercial vehicle operator, except TNCs, shall obtain from the Authority an AVI transponder for each commercial vehicle it operates on the Airport.

9.5.2.2. The commercial vehicle Operator's Permit will provide a unique identification code to each commercial vehicle that will include the operator's company name and a unique vehicle identification number. The operator's permit/AVI transponder will be read by the RFID system upon entry to the Airport.

9.5.2.3. TNC drivers that do not install an AVI transponder must install and use an Authority approved geo-fence to monitor and track TNC vehicles using the TNC digital platform.

9.5.3. Commercial Vehicle Operating Permit Issuance:

9.5.3.1. Commercial vehicle operating permits are issued by the Airport Authority in the Airport Administration Office located in the main terminal building:

Address: Des Moines International Airport  
Airport Authority Administration Office, Suite 207  
5800 Fleur Drive  
Des Moines, Iowa 50321

- Office Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m.
- Information: 515-256-5100
- Replacement of damaged or lost operating permits may be arranged outside office hours by appointment. Contact Airport Operations: 515-256-5000 (24 hrs)

9.5.3.2. Fees for commercial vehicle operators are established by the Airport Authority Board, and may be amended from time to time. Commercial vehicle operators will be provided a minimum 30-day advance notice of a fee rate increase.

9.6. General

9.6.1. Each commercial vehicle operating at the Airport shall possess the minimum liability insurance coverage in the amounts and coverage required by any local, state, or federal governmental agency or the Authority Insurance Requirements.

9.6.2. No driver shall receive or discharge passengers in the roadway.

9.6.3. No driver shall load or unload passengers or luggage at an intersection or crosswalk or at any other location where it will interfere with the orderly flow of vehicle or pedestrian traffic.

9.6.4. All commercial vehicles must be attended while parked in front of the terminal building, in the designated commercial vehicle lane, or along the passenger loading and unloading areas.

9.6.5. Any commercial vehicle left unattended in front of the terminal building, in the designated commercial vehicle lane, or along the passenger loading and unloading areas is subject to tow and impound.

9.6.6. Any commercial vehicle that is disabled in the commercial vehicle lane or along the passenger loading and unloading areas must be promptly removed.

9.6.7. Commercial vehicles must be parked only in designated parking areas assigned by the Authority.

9.6.8. Commercial vehicles, other than TNC drivers' personal vehicles, must comply with all procedures established by the Authority with respect to the use of an AVI system installed by the Authority.

9.6.9. No commercial vehicle driver may loiter or sleep on any part of Airport property.

9.6.10. Commercial vehicles must display trade dress on the vehicle of a type and in a location approved by Authority that is visible outside the vehicle from a distance of 50 feet.

9.6.11. All vehicle traffic flow in front of the terminal building is signed for authorized direction of flow.

9.6.12. The front curb of the terminal building is reserved for loading and unloading

- private vehicles operated by the general public; unloading taxi cabs, limousines, and TNCs; loading and unloading charter/tour buses, but only in the designated area at the south end of the terminal.
- 9.6.13. Commercial vehicles are prohibited from loading persons along the front curb of the terminal, unless otherwise exempted as follows:
- 9.6.13.1. loading and unloading passengers with disabilities;
  - 9.6.13.2. loading and unloading of TNC's in designated areas.
- 9.6.14. The east traffic lane of the two commercial vehicle lanes is the designated through-lane for commercial vehicles.
- 9.6.15. No commercial operator shall block, park within, load or unload persons or luggage, or otherwise interfere with the operation of the commercial vehicle through-lane unless temporarily stopped to give way to pedestrians or vehicles.
- 9.6.16. The Authority maintains a diagram of the specific loading, unloading, and parking areas assigned to commercial vehicles (Commercial Vehicle Diagram) based on the type of transportation service offered. This map is made a condition of commercial vehicle operations and copies are available at the Airport Administration office.
- 9.6.17. Commercial vehicle operators shall obey directives given by Des Moines police officers and Authority officials. Such directives may deviate from this policy to accommodate special events, unforeseen circumstances, or other needs.
- 9.6.18. No operator of a commercial vehicle may spit on any surface or object, use profane language, make obscene gestures, or act belligerently toward others.
- 9.6.19. Commercial vehicle operators shall ensure that their drivers' dress, hygiene, appearance, and actions are professional in nature and reflective of a quality business establishment providing direct services to the public. The Executive Director is the final authority in determining what constitutes acceptable dress, hygiene, appearance and actions to meet this requirement.
- 9.7. Courtesy Vehicles
- 9.7.1. Courtesy vehicles, which includes hotels, off-Airport parking operators, and off-Airport rental car operators, must be identified with the name and logo of the business on the exterior of the vehicle.
  - 9.7.2. Courtesy shuttle operators shall park, load, and unload only in designated area(s) located in the commercial vehicle lanes as specified in the Commercial Vehicle Diagram.
  - 9.7.3. Courtesy shuttles shall not dwell in a designated parking, loading, or unloading area for a period greater than fifteen minutes.
- 9.8. Limousines
- 9.8.1. Limousine operators shall park, load, and unload only in designated area(s) located in the commercial vehicle lanes as specified in the Commercial Vehicle Diagram.
  - 9.8.2. All limousines picking up passengers at the Airport by prior appointment must



pick up passengers in one of the following manners:

- 9.8.2.1. upon arrival at the Airport, if the limousine driver has pre-arranged to meet the passenger(s) within 15 minutes of the passenger(s) arrival, the driver may proceed to the commercial vehicle lanes to meet and load passengers; or
  - 9.8.2.2. upon arrival at the Airport, the limousine driver shall proceed to a parking lot or garage and park the limousine in any unrestricted area. The driver may then proceed to the appropriate location to contact the passenger(s). After contacting the passenger(s), the driver may arrange to load the passenger(s) either in the parking lot, in the garage, or in the commercial vehicle lane.
  - 9.8.3. Limousines may drop off passengers along the passenger loading curb but may not remain any longer than necessary to unload passengers and baggage.
  - 9.8.4. Drivers of limousines shall not solicit fares at the Airport.
- 9.9. Charter Bus Service
- 9.9.1. Charter bus operators shall park, load and unload only in designated area(s) located in the commercial vehicle lanes as specified in the Commercial Vehicle Diagram.
  - 9.9.2. Charter bus operators engaged in unloading passengers shall park and unload at the designated end of the commercial vehicle lanes in the area signed for bus parking.
  - 9.9.3. Charter bus operators engaged in loading passengers shall park at the designated end of the terminal front curb located south of bag claim.
  - 9.9.4. Unless otherwise provided within an agreement or lease with the Authority, no bus driver shall solicit fares at the Airport.
  - 9.9.5. Charter bus operators shall not dwell in a designated parking, loading or unloading area for a period greater than forty-five minutes without specific authorization from the Executive Director, or designee.
- 9.10. Taxicabs
- 9.10.1. Taxicab service from the Airport may only be provided by Airport Taxicabs that are operating pursuant a current Airport Taxicab Services Agreement Permit issued by the Executive Director.
  - 9.10.2. Permitted Taxicab operator must display an Airport Authority issued permit to operate and maximum fee charge summary within the taxicab and visible to the passenger(s).
  - 9.10.3. All other Taxicabs are prohibited from conducting commercial operations that originate at the Airport and from soliciting fares at the Airport.
  - 9.10.4. Rates and charges must be posted at all times in a manner and place clearly visible to the person requesting the service prior to the service being booked or performed.
  - 9.10.5. Airport Taxicab drivers shall not refuse to transport a passenger to the destination he or she requests.
  - 9.10.6. Airport Taxicab drivers must provide the most direct route on any trip, unless the passenger specifically requests otherwise.
  - 9.10.7. Airport Taxicab drivers shall not refuse a passenger who wants to pay their fare

- using a credit card or refuse to accept a credit card to pay a fare.
- 9.10.8. Taxicab holding areas are assigned, and restricted, to all taxicab operations per the Commercial Vehicle Diagram.
- 9.10.9. Taxicab movement from one holding area to another:
- 9.10.9.1. Taxicabs arriving at the Airport to wait for employment shall proceed to the back of the line of the forward most taxicab holding area with a vacant position.
- 9.10.9.2. Taxicabs shall proceed in a safe and orderly manner through the line to the front of the holding area until a vacant position in the next forward holding area becomes available.
- 9.10.9.3. The driver in the most forward position of the holding area in the commercial vehicle lane shall monitor the signal light located ahead of the holding area under the skywalk to determine when a vacant position at the stand located at baggage claim is available to pick up a passenger.
- When the signal light illuminates green, the first available taxicab in the holding area located in the commercial vehicle lane shall proceed to the taxi stand located at bag claim to be the next available taxicab to pick up a passenger.
  - When the signal light illuminates amber, the first available van in the taxicab holding area located in the commercial vehicle lane should proceed to the stand located at bag claim to pick up multiple passengers.
- 9.10.10. Passenger Loading/Unloading:
- 9.10.10.1. Passengers who walk directly to a taxicab located in a holding area may choose any cab in any position in the area.
- 9.10.10.2. Passengers have the right to refuse a taxicab even if it is in the forward position of a holding area.
- 9.10.10.3. Taxicab drivers may not refuse a passenger's request for service. Taxicab drivers must take all trips that are requested, regardless of distance or destination.
- 9.10.10.4. Taxicab drivers may not direct passengers to other taxicabs, hotel shuttles, or limousines.
- 9.10.10.5. Taxicab drivers must exit their vehicle to assist customers with luggage or to open the vehicle door or trunk as the passenger approaches their taxicab.
- 9.10.10.6. Taxicab drivers should notify their passenger of any damage to luggage before it is loaded into the vehicle. The passenger should acknowledge the damage or the driver should show the passenger the damage before proceeding on the trip.
- 9.10.10.7. Taxicab drivers must provide the most direct route on any trip, unless the passenger specifically requests otherwise. Taxicab drivers should ask the passenger if they wish to take a particular route to their destination. Drivers should make every effort to follow the passenger's requested route.
- 9.10.10.8. The taxicab steward will advise the Executive Director of taxicab operators who fail to follow the requirements of operation contained in this policy.

9.11. Transportation Network Companies (TNC):

- 9.11.1. TNC drivers shall park, load and unload only in designated area(s) located in the commercial vehicle lanes as specified in the Commercial Vehicle Diagram.
- 9.11.2. TNCs and all TNC drivers, employees, and agents shall at all times comply with the terms set forth in the Operating Permit issued by the Authority regarding entrance into and exit from the geo-fence area at the Airport. TNCs shall use the geo-fence to monitor and track TNC drivers' personal vehicles using the TNC digital network to serve passengers at the Airport. TNCs shall ensure that each TNC driver leaves the geo-fence area expeditiously after discharging or picking up a passenger.
- 9.11.3. A TNC shall at all times be able to demonstrate to the Authority that it has installed Authority-approved geo-fence monitoring software that is triggered by or with a TNC digital network that allows the Authority to track TNC drivers' personal vehicles upon entrance into and travel within the geo-fence area of the Airport.
- 9.11.4. TNC drivers may drop off passengers along the passenger loading curb but may not remain longer than necessary to unload passengers and baggage.
- 9.11.5. TNC drivers shall not use or loiter in the designated areas while waiting for booking of transportation services, but instead shall wait outside of the limits of the geo-fence as designated in the Commercial Vehicle Diagram.
- 9.11.6. TNC drivers that have accepted a pre-arranged trip may proceed to the commercial vehicle lanes to meet and load passengers but may not remain longer than necessary to load passengers and baggage.
- 9.11.7. TNC drivers shall not solicit fares at the Airport.
- 9.11.8. TNC drivers must remain logged into the digital network while on Airport property.

9.12. Car Sharing and Off-Site Rental Car Operators

- 9.12.1. Car sharing and off-site rental car operators shall at all times comply with the terms set forth in the Operating Permit issued by the Authority regarding the provisioning of vehicles to passengers at the Airport. In no case shall a car sharing or off-site rental car operator provide services at the Airport without a valid permit issued by the Authority.
- 9.12.2. Upon arrival at the Airport, car sharing and off-site rental car operators shall utilize the hourly parking lot for temporary storage of the rental vehicle. The operator or renter is responsible for all parking fees associated with parking the vehicle.
- 9.12.3. Car sharing or off-site rental car operators shall submit percentage of gross revenue fees to the Authority, as established in the Airport Rates and Charges for the rental of vehicles at the Airport to the Authority as required in the operating permit.

9.13. Violations and Disciplinary Actions for Commercial Vehicle Operators

- 9.13.1. Commercial vehicle operators, or their employees, driver, or operators who violate these Rules and Regulations or Authority policies, are subject to one or

more of the following administrative actions:

- 9.13.1.1. ejection from Airport property;
- 9.13.1.2. suspension or revocation of privileges to pick up fares at the Airport for a period to be determined by the Executive Director;
- 9.13.1.3. a per occurrence fee as provided in **Schedule A** of these Rules and Regulations.

## 10. Non-party air carrier operations

### 10.1. Purpose

10.1.1. This non-party air carrier operations regulation establishes the terms for non-party air carriers use of Airport facilities and services and authorizes the Executive Director to issue letters of authorization to non-party air carriers that request to operate at the Airport.

### 10.2. Application

10.2.1. The provisions of this operating regulation apply to every non-party air carrier that uses the Airport and is not a designated affiliate, as that term is defined in the operating and use agreement, of an air carrier that has entered into an airline operating and use agreement with the Authority.

### 10.3. Conditions to Operating at Airport

10.3.1. Prior to beginning service at the Airport, each non-party air carrier shall:

- 10.3.1.1. present the certificates of insurance and endorsements required of airlines in the airline operating and use agreement;
- 10.3.1.2. provide the payment security set out in section 10-9; and
- 10.3.1.3. receive a letter of authorization from the Executive Director.

### 10.4. Non-party Air Carrier Obligations

10.4.1. Non-party air carriers shall comply with all obligations and requirements imposed upon airlines in the airline operating and use agreement.

### 10.5. Use of Facilities

10.5.1. Non-party air carriers are not entitled to exclusive rights in any Airport space or preferential rights in any Airport facilities, unless provided for in a separate agreement between the Authority and the air carrier.

10.5.2. Non-party air carriers must receive authorization to use a passenger holdroom, passenger loading bridge, or aircraft parking position from the Authority for each aircraft operation.

### 10.6. Rates, Fees, and Charges

10.6.1. Non-party air carriers shall pay, without deduction or set-off, the rates, fees, and charges for use of Airport facilities as provided in the rates and charges adopted by the Authority board. The Authority board may at any time review and adjust the rates, fees, and charges.

### 10.7. Monthly Activity Reports

10.7.1. In addition to the information required to be reported monthly to the Authority by the airline operating and use agreement, non-party air carriers shall report the number of RON aircraft apron uses for the preceding month.



### 10.8. Books of Account

- 10.8.1. By operating at the Airport, an air carrier is deemed to have consented to giving the Executive Director, or designee, access to the air carrier's books, in person or by agent, to examine the records of the air carrier for purposes of validating information required to be reported to the Authority.

### 10.9. Payment Security

- 10.9.1. To guarantee the faithful performance of its obligations and the payment of all rentals, fees and charges when due, a non-party air carrier shall, prior to beginning or continuing service at the Airport, provide the Authority with a performance bond, irrevocable standby letter of credit, or similar security acceptable to Authority in an amount equal to the estimate, as determined by the Authority, of three months' rentals, fees, and charges payable by the non-party air carrier. The security must be in a form and with a company acceptable to the Authority. In the event that the security will expire, or if the security is canceled, the non-party air carrier shall provide a renewal or replacement security at least 60 days prior to the date of the security's expiration or cancellation. The Executive Director may, in his or her discretion, waive or modify the requirements of this subsection.
- 10.9.2. The amount of the security is subject to review and adjustment by the Authority periodically. Upon review, the Authority may demand that the amount of the security be increased if: (1) the non-party air carrier's financial obligation to the Authority has increased, whether by rate adjustments or increased activity; (2) the non-party air carrier has failed to pay any rents, fees, or charges when due (unless the default in payment is the subject of a bona fide dispute); or (3) the non-party air carrier's financial condition has changed to such an extent that the Authority is reasonably concerned about non-party air carrier's ability to perform its obligations under these regulations.
- 10.9.3. If at any time, a non-party air carrier fails to make timely payment of any rent, fee, charge, or assessment (including, but not limited to, late payment charges and any and all costs of collection), then the Authority may, without prior notice to the non-party air carrier, draw upon the security or make a demand upon the issuer of the security for payment of the amount of the non-party air carrier's unpaid obligation. In that event, the non-party air carrier shall replace the total amount drawn and, at the Authority's option, shall deliver a supplemental security in an amount and in such form as Authority deems necessary to protect Authority against future defaults.
- 10.9.4. A non-party air carrier's failure to obtain and keep in force any required security may be grounds for cancellation of the non-party air carrier's letter of authorization.

### 10.10. Affiliates

- 10.10.1. Non-party air carriers shall not operate at the Airport through affiliates.

## 11. Fueling

### 11.1. Authorization

11.1.1. Only authorized personnel trained in the safe operation of the equipment being used and in the required procedures shall fuel aircraft. Refueling, defueling, and fuel storage on the Airport, including associated equipment, shall conform to all applicable Federal, State and local laws, and regulations. Fuels shall only be stored and dispensed on the Airport by those entities having written authorization from the Executive Director. All dispensed aviation fuel shall be subject to a fuel flowage and/or storage fee as set forth in the Airport's Schedule of Fees.

### 11.2. Compliance

11.2.1. Refueling, defueling, and fuel storage on the Airport, including associated equipment, shall conform to all applicable Federal, State and local laws, ordinances, rules, and regulations including, but not limited to the following:

11.2.1.1. Applicable provisions of 14 CFR Part 139

11.2.1.2. Applicable provisions of 40 CFR Part 112

11.2.1.3. Applicable FAA Advisory Circulars

- AC 00-34A, Aircraft Ground Handling and Servicing.
- AC 20-20, Flammability of Jet Fuel.
- AC 20-43, Aircraft Fuel Control.
- AC 150/5210-5B, Painting, Marking, and Lighting of Vehicles on an Airport.
- AC 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports.

11.2.1.4. Applicable NFPA guidelines including, but not limited to, the latest version of NEPA 407, Standard for Aircraft Fueling Servicing

- NFPA Publication #10, Standards For Portable Fire Extinguishers.
- NFPA Publication #30, Flammable and Combustible Liquid Code.
- NFPA Publication #70, National Electrical Code.
- NFPA Publication #77, Static Electricity.
- NFPA Publication #385, Tank Vehicles for Flammable and Combustible Liquids.
- NFPA Publication #407, Aircraft Fuel Servicing.
- NFPA Publication #410, Standard on Aircraft Maintenance.
- NFPA Publication #415, Aircraft Fueling Ramp Drainage.

11.2.1.5. Applicable American Petroleum Institute Publications

- API Bulletin 1500, Storage and Handling of Aviation Fuel at Airports.
- API Bulletin 1529, Aviation Fueling Hose.
- API Bulletin 1542, Aviation Fuels Identification and Airport Equipment
- Marking and Color-Coding 3rd Ed.
- API Bulletin 1581, Specification and Procedures for Jet Fuel Filter/Separators.

- API Bulletin 1800, Corrosion Control at Petroleum Storage/Dispensing Systems.
- 11.2.1.6. Applicable ASTM Standards
  - ASTM Standard D-190, AvGas.
  - ASTM Standard D-1655, Jet Fuel.
  - ASTM Standard D-439-58, MoGas.
- 11.2.1.7. Applicable provisions of Air Transport Association (ATA) Specification 103 – Jet Fuel Quality at Airports.
- 11.2.1.8. FAA Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, Training, and Dispensing on Airports (current edition).
- 11.2.1.9. Environmental Protection Agency (EPA) regulations.
- 11.2.1.10. Iowa State Law.
- 11.2.1.11. City of Des Moines Fire Department regulations.
- 11.2.2. These provisions shall also apply to self-fueling of aircraft.

### 11.3. Fueling Operation

- 11.3.1. Fueling operations shall only be performed in areas authorized by the Executive Director.
- 11.3.2. No Aircraft shall be fueled or defueled while one or more of its engines are running, except when accomplished under procedures approved by the FAA and consistent with proper safety procedures.
- 11.3.3. All fueling operations shall be conducted at least fifty (50) feet from any hangar or building, and fueling trucks shall be pointed away from fueled Aircraft and have a clear route of egress in the case of emergency.
- 11.3.4. Trained personnel shall be present during the entire fueling operation of any air carrier aircraft in accordance with 14 CFR Part 139.
- 11.3.5. No aircraft shall be fueled or defueled while inside any building, hangar, or enclosed space.
- 11.3.6. No air carrier aircraft shall be fueled or defueled while passengers are on board, unless a passenger loading bridge ramp, or portable stairs, is in place at the open and manned cabin door. Only persons authorized by the air carrier or Airport Operations, in pursuit of official duties, shall be permitted in the immediate vicinity of an aircraft while the aircraft is being fueled or drained of fuel.
- 11.3.7. No person shall engage in an Aircraft fueling or fuel draining operation without proper fire extinguishing equipment readily accessible at the point of fueling or fuel draining operation. Fuel service personnel shall be trained in the use of appropriate fire extinguishing equipment.
- 11.3.8. No person shall start any engine of an aircraft if there is any flammable or combustible liquid or other volatile fluid on the ground within fifty (50) feet of the Aircraft. Smoking or lighting of an open flame or any source of ignition is prohibited within fifty (50) feet of any fueling operation.
- 11.3.9. All fueling and fuel draining operations shall be suspended during lightning disturbances within a five (5) mile vicinity of the Airport unless a tenant or fueler's corporate policy providing appropriate and approved safeguards is in place.
- 11.3.10. Fuelers shall provide for the adequate handling and disposal of all trash,

waste, petroleum products, and other hazardous materials, including but not limited to, used oil, solvents, and other waste in accordance with Federal, State, and local laws.

- 11.3.11. Vehicles and other equipment shall be fueled on the Airport only from approved locations and dispensing devices.
- 11.3.12. Fuelers shall provide pumps for dispensing aviation fuels from a fixed location or dispensing truck. These pumps shall be equipped with metering devices that meet all safety standards of the aviation fueling industry and the FAA. The metering devices shall be inspected, checked, and certified by appropriate State and local agencies.
- 11.3.13. No fuel vehicle designed for, or that is employed in the transportation of fuel, shall be operated on a taxiway or runway at any time without prior permission from the Executive Director to operate that vehicle at that place and time.
- 11.3.14. All fueling vehicles shall be identified by the type of fuel and fuel octane when applicable, in addition to any other marking or placards required by Federal, State, or local law.
- 11.3.15. All hoses, funnels and appurtenances used in fueling and defueling operations, to include fuel carts, shall be equipped with a bonding device to prevent ignition of volatile gases or liquids. During fueling and defueling, the Aircraft and the dispensing apparatus shall both be bonded.
- 11.3.16. Fueling and defueling operations shall be conducted with adequate fire extinguishers that are immediately available. All extinguishers shall be inspected and certified as required by law and all personnel involved with fueling operations shall be properly trained in the use of fire extinguishers.
- 11.3.17. All other related provisions of these Rules and Regulations shall apply to fueling operations.

#### 11.4. Fuel Spills

- 11.4.1. Persons engaged in the fueling of Aircraft shall exercise care to prevent overflow or release of fuel and shall be responsible to promptly report any fuel spill and to immediately clean up any spillage. All costs associated with the spill shall be the responsibility of the person causing the spill.
- 11.4.2. Each fueling operator is responsible for keeping supplies including approved absorbent material, and a vacuum or other mechanical device in close proximity to possible spill areas. The operator is also responsible for training anyone involved in fueling to mitigate a spill.
- 11.4.3. Primary responsibility for the prevention of fuel spills rests with the airline, refueling operator, FBO, or other entity that caused the spill. They are also responsible for the clean-up of fuel spills, including the proper disposal of any contaminated material used in the process.
- 11.4.4. Disposal of pre-flight testing fuel shall be disposed of in compliance with all Federal, State, and local regulations and in containers designated for this purpose. It is the responsibility of the airline or entity performing pre-flight fuel testing to provide such containers and train personnel in their use.
- 11.4.5. Violations will be issued for failure to comply with fueling Rules and Regulations

- including the removal of individual's Airport issued airport security identification medium.
- 11.4.6. The spill prevention control and countermeasure plan (SPCC) for the Airport, referred to in this chapter was developed pursuant to 40 CFR Part 112.
- 11.4.7. In the event of a fuel spill:
- 11.4.7.1. The flight crew and passengers should be deplaned immediately if a large fuel spill occurs under or near an aircraft. Passengers must not be permitted to board the aircraft or enter a loading bridge to the aircraft until authorized by the incident commander or senior ARFF firefighter.
  - 11.4.7.2. The responsible party shall notify Airport operations at (515) 256-5000 or 911. If 911 is called first, the responsible party shall contact Airport operations as soon as possible.
  - 11.4.7.3. Fuel servicing must be terminated until the fuel spill is under control, as determined by the incident commander or senior ARFF firefighter.
  - 11.4.7.4. If there is no apparent danger of fire, fuel delivery units must not be moved until the spill is cleaned up.
  - 11.4.7.5. No aircraft or vehicle will be allowed in the area unless authorized by the incident commander or senior ARFF firefighter.
  - 11.4.7.6. All persons shall follow the directions given by the incident commander or senior ARFF firefighter until the scene is released to the responsible party or clean-up is completed.
- 11.4.8. Fuel spill clean-up procedures:
- 11.4.8.1. In coordination with Airport operations personnel, after the scene is released by the incident commander or senior ARFF firefighter, the responsible party conducting fuel servicing operations, or the aircraft operator when fuel servicing is not being conducted, shall take immediate action to clean up the fuel spill site.
  - 11.4.8.2. The tenant conducting the fuel servicing operation or the aircraft operator, when fuel servicing is not being conducted, is responsible for clean-up and disposal of spilled fuel and all materials used to contain and clean up the spill.
- 11.4.9. The operator of each loading and unloading station and each fueler must have a supply of absorbent cleaning materials on hand to sufficiently clean fuel spills up to an area six feet in diameter or to initially control a fuel spill in excess of six feet in any dimension.
- 11.4.10. Any person causing any spilled or dripped fuel, oil, grease, or other material that is flammable or detrimental to the pavement shall immediately clean up the spill.
- 11.4.11. Spilled fuel, oil, grease, or other material must not be washed, flushed, or allowed to flow into any storm intake, drain, or natural storm water conveyance.
- 11.4.12. Materials utilized to clean up spilled fuel, oil, grease, or other material must not be disposed of in any container used for disposal of other, non-contaminated, trash or garbage. Materials used to clean up fuel, oil, grease or other material must be disposed of by approved methods.
- 11.4.13. The tenant responsible for the spill shall notify the Iowa Department of Natural Resources (IDNR) within six hours after the occurrence or sooner if



otherwise specified by local, state, or federal requirement.

- 11.4.14. All costs associated with a fuel spill, clean-up, and disposal of waste products are the responsibility of the tenant fuel servicing agency or the aircraft operator when fuel servicing is not being conducted.

#### 11.5. Training

- 11.5.1. All personnel engaged in fueling shall be trained in accordance with Federal regulations and the Authorities Airport Certification Manual. Records of training and qualifications of those persons engaged in fueling operations shall be maintained as required by Federal regulation. Training records shall be available for review by Airport operations.

#### 11.6. Fuel Storage Tanks

- 11.6.1. No person shall install, maintain, or permit to be installed a fuel storage tank without a written agreement from the Executive Director. All approved tanks shall be installed and maintained in accordance with all Federal, State and local laws, regulations. All fuel storage tanks on the Airport shall be registered with the appropriate governing bodies.

#### 11.7. Non-Commercial Fuel Storage Dispensing and Handling Permit

##### 11.7.1. Purpose

- 11.7.1.1. Recognizing the need to provide individual aircraft owners with the right to service their own aircraft and that fuel trucks operating on the ramps or aprons and bulk fuel storage facilities must be professionally operated, managed, supervised, and controlled to minimize liability and assure optimum safety of operation, these Rules and Regulations are established to be followed by parties conducting non-commercial aircraft fuel dispensing service at the Des Moines International Airport. Such parties shall hereinafter be referred to as "Permittees."

- 11.7.1.2. All parties who dispense non-commercial aircraft fuel at the Des Moines International Airport must hold an Airport Permit authorizing fuel storage and dispensing with the Authority Board.

##### 11.7.2. Restriction from Commercial Aircraft Fuel Dispensing Service

- 11.7.2.1. Permittees holding a non-commercial Airport Permit authorizing Aircraft Fuel Dispensing shall be restricted from selling or dispensing aircraft fuel to other Airport users, including locally-based and transient aircraft. Fueling of any aircraft not owned by Permittee shall constitute a violation of the Airport Permit and consequently call for immediate revocation of said Permit. Prior to Airport Permit issuance, and also upon request by the Airport, Permittee shall provide evidence of ownership of any aircraft being fueled.

##### 11.7.3. Permit Application

- 11.7.3.1. Individuals and corporation's requesting the privilege to conduct non-commercial aircraft fuel storage, dispensing, and handling shall make said request in writing addressed to the Airport. The request will include the following information:

- Aircraft type, model, passenger size, fuel type and tank size, and the engine consumption rate in hours.
- Hours flown, total fuel consumption, and amount of fuel pumped for owned aircraft at the home base Airport for each of the three previous years.
- Non-commercial fuel storage, dispensing, and handling privileges and concept of operation requested to include:
  - Type of self fueling equipment
  - Size of tanks
  - Personnel Training Program

#### 11.7.4. Personnel

11.7.4.1. Personnel engaged in dispensing non-commercial aircraft fuel shall be properly trained in all fueling, handling, and associated safety procedures and shall conform to all of the best practices of such operations. Specific training, as set forth in FAA Advisory Circular 150/5230-4 shall be strictly adhered to and all fuel handling personnel shall be certified in accordance with Federal Aviation Regulation Part 139 and by the State of Iowa. Observation of practice to the contrary by Airport management or the City of Des Moines Fire Department and notification thereof to the Permittee will be cause for reevaluation of such personnel so qualified to perform the operation. Failure on the part of Permittee to correct malpractice of fueling and related safety procedures shall constitute a violation of the Airport Permit and consequently may call for revocation of said Permit.

#### 11.7.5. Fuel

11.7.5.1. Permittee shall provide aircraft fuel of the type(s) required by those aircraft which Permittee owns or leases and are based at Des Moines International Airport. The dispensing of fuel shall conform to applicable codes and regulations specified in this section.

#### 11.7.6. Bulk Fueling Facilities

11.7.6.1. Bulk fuel deliveries shall be delivered only into an Airport-approved fuel storage facility.

11.7.6.2. All bulk fueling facilities will be above ground fireproof tanks.

11.7.6.3. No gravity flow fueling shall be permitted. Pumps, either hand-powered or power operated, shall be used when aircraft is fueled.

11.7.6.4. Said facility shall be constructed to meet all City, State, Federal, International Fire Code, National Fire Protection Association, and Environmental Protection Agency Rules and Regulations.

11.7.6.5. Fuel storage tanks shall have a minimum fuel capacity of 10,000 gallons.

11.7.6.6. Fuel tanks shall be placed at the location compliant with the Airport's 20-Year Master Plan and located so damage by aircraft and surface vehicles is unlikely, or locations approved by the Board and subject to FAA approval.

11.7.6.7. Facility shall be fenced and signed to reduce the chance of unauthorized entry and/or tampering.

11.7.6.8. Facility shall be posted with "Flammable - No Smoking" signs.

11.7.6.9. Facility shall contain no feature which would allow introduction of any foreign material into fuel. Be free of materials, equipment, functions, and

- activities which would be ignition sources. Be constructed in such a manner as to prevent the introduction of the product into the wrong storage tank.
- 11.7.6.10. Facility shall be equipped with protection for electrical equipment and wiring. This shall provide reasonable protection from heat, abrasion, or other impact which could cause failure of insulation, open spark, or other ignition source.
- 11.7.6.11. Facility shall have proper markings in accordance with all local, state and Federal regulations, FAA Advisory Circulars, and NFPA codes and standards.
- 11.7.6.12. Bonding equipment should provide that piping, filters, tanks, and electrical components are electrically bonded together and interconnected for adequate electrical ground.
- 11.7.6.13. The required number of twenty (20) pound Class B fire extinguishers, as prescribed by National Fire Protection Association, shall be readily available to the operator of fueling equipment.
- 11.7.6.14. Permittee shall keep and Airport management shall have access to records of training of line service personnel and records of daily, weekly, monthly, semiannual, and annual inspections. Airport management will also make inspections of the facilities and items found not to be in compliance shall be corrected immediately. If said correction is not made, this may result in revocation of Permit.
- 11.7.6.15. All hoses, nozzles, filters, and connectors shall meet or exceed recommendations in FAA Advisory Circular 150/5230-4, current revision.
- 11.7.6.16. At such time as Permittee should leave the Airport, lease expires, or they no longer have a need for the fuel storage tank(s), the Authority Board may require the Permittee to remove all owned tank(s) from the Airport. Furthermore, the tank owner shall be completely responsible for clean-up of any contaminated soil, underground water supplies, or other areas as defined by the EPA caused by said tank(s) and must return the area back to its original condition and in a manner approved by the EPA or any other agency in control of this type of activity.
- 11.7.6.17. Fuel storage tanks shall comply with all current and future requirements or recommendations of the Environmental Protection Agency, Federal Aviation Administration, International Fire Code, and National Fire Protection Association.
- 11.7.6.18. Detailed plans and specifications for bulk fueling tank installation shall be presented to the Airport for approval prior to commencing construction of the facility.
- 11.7.6.19. After completion of the fuel tank(s) and prior to its initial use, the Airport and any other regulatory agency shall conduct an inspection of the facility to ensure all equipment, tanks, plumbing, etc. are in satisfactory condition and meet requirements.
- 11.7.6.20. Permittee shall be responsible for maintaining accurate records for product monitoring to ensure that there are no leaks in the tanks.
- 11.7.6.21. Metering devices acceptable to the Board shall be installed to monitor fuel farm activity.

### 11.7.7. Mobile Self-Fuelers Minimum Fueling Requirements

- 11.7.7.1. Fueling from vehicle fuel tanks into an aircraft is prohibited.
- 11.7.7.2. No gravity flow fueling shall be permitted. Pumps, either hand-powered or power operated, shall be used when aircraft is fueled.
- 11.7.7.3. All dispensing of fuel shall be performed by authorized employees of the Permittee meeting the training requirements set forth in these Rules and Regulations and licensed according to Department of Transportation requirements.
- 11.7.7.4. Fueling shall not take place within 50 feet of a structure or another aircraft. There shall be no ignition sources located within 100 feet of a fueling or defueling operation.
- 11.7.7.5. Fueling and defueling operations shall only be permitted in the area set forth by the Executive Director, or designee. Under no circumstances shall an operation take place within a hangar.
- 11.7.7.6. Mobile Fuel dispensing vehicle/equipment and aircraft shall be properly bonded during a fueling operation.
- 11.7.7.7. No container shall be allowed in a fueling operation that is not permanently affixed to a self-propelled transporting vehicle. Containers and transportation methods shall comply with applicable Federal, State, and Local Uniform Building Code Standards, Fire Codes, Airport Rules and Regulations and Recommendations of the National Fire Protection Association.
- 11.7.7.8. Each mobile fueler shall have a minimum and maximum capacity equal to, but no greater than 150% of the dry tank capacity in gallons of Permittee's maximum fuel tank capacity per single aircraft owned as reported under Section 11.7.3.1. However, in no instance shall any mobile fuel dispensing vehicle be less than 600 gallons capacity for Avgas and 1,000 gallon capacity for jet fuel; or exceed 2,500 gallons capacity or 18,000 pounds per axle, whichever is greater.
- 11.7.7.9. All fuel dispensing equipment shall only be operated with or by the "deadman" control system. The operator must maintain control of the "deadman" system at all times. Under no circumstances shall the "deadman" control be blocked in the "on" or "open" position.
- 11.7.7.10. Each mobile fueler shall be equipped with a brake interlock system such that any time the fueling nozzle is not in its storage saddle, the brake interlock system is activated and the vehicle will not move.
- 11.7.7.11. The required number of twenty (20) pound Class B fire extinguishers, as prescribed by National Fire Protection Agency, shall be readily available to the operator of fueling equipment, but in no case will there be fewer than two 20 pound Class B extinguishers available. Preferably, one on the left front side (driver's side) and one on the right rear corner of the vehicle.
- 11.7.7.12. Marking and color coding shall be required in accordance with FAA Advisory Circular 150/5230-4.
- 11.7.7.13. Aircraft using MOGAS must meet all requirements of applicable Supplemental Type Certificate (STC).
- 11.7.7.14. Self-fueling will be conducted in the area set forth by the Executive Director, or designee. Self-fueling areas are equipped with a bonding cable

and fire extinguisher. Under no circumstances shall an operation take place within a hangar. At no time shall fuel be stored inside a hangar or building.

11.7.7.15. Mobile fuelers will not be parked on the Airport when not in use for dispensing fuel, unless parked in authorized fueling vehicle parking areas as approved by the fueling permit. When not in use for dispensing fuel into the aircraft identified hereinabove, Permittee's mobile fueler shall be removed from the Airport or parked in its authorized parking area immediately following completion of all fueling operations. At no time shall the mobile fueler be parked or left unattended outside of a designated parking area while on the Airport.

11.7.7.16. Permittee shall use only the entrance, exit, and route designated by Airport management during the transportation and delivery of fuel onto and off of the Airport.

11.7.7.17. During fuel dispensing into the aircraft, the fueling vehicle shall be positioned with a clear exit path and shall not obstruct other aircraft or vehicular movements.

#### 11.7.8. General Rules for all Self-Fuelers

11.7.8.1. Permittee shall submit a fueling procedures manual/program to the Airport for approval prior to commencing fueling operations. Procedures for fuel quality control, personnel training, and an approved fuel spill control and countermeasure plan shall be included.

11.7.8.2. All systems and components used for refueling aircraft will be approved commercial systems designed specifically for aircraft servicing. Refueler tanks shall be epoxy coated (Jet) or constructed of aluminum or stainless steel.

11.7.8.3. Aviation jet fuel dispensed into aircraft must pass through two filtration systems from the bulk storage tanks to the aircraft. The initial filters may be a filter/separator, micron filter, a go-no-go or other "fuse-type" device. The final filtration of jet fuel must be through the filter/separator or fuel monitor.

11.7.8.4. Aviation gasoline dispensed into aircraft must pass through a minimum of one filtration system of a go-no-go type filter.

11.7.8.5. Approved meters shall be used for quantity determination of all fuel delivered to aircraft. Meters shall be calibrated as required by local, county, or federal regulations to an accuracy of +/- 0.2 percent by volume at normal flow rates. Where no such regulations are in force, the frequency of verification will be immediately prior to the beginning of a permit period.

11.7.8.6. All fuel spills shall be reported immediately to Airport Operations at (515) 256-5000. Permittee shall be responsible for proper clean up and removal of all fuel leakage from any fuel facilities or cost of same if conducted by outside agency as per applicable fire codes, EPA directives, and FAA Circulars. The clean up removal methods shall comply with applicable local, state, and/or Federal requirements. Any damage to pavement and other Airport facilities shall be repaired to the requirements of the Airport and Permittee shall be financially responsible for the same.

11.7.8.7. The Executive Director, or designee, may immediately suspend any fueling operation for violation of any of the terms and conditions of the Permit.



- 11.7.8.8. All equipment shall be maintained in a clean, non-leaking condition and subject to inspection at any time by the Airport. Upon request, Permittee shall certify any required inspection and its results to the Airport.
- 11.7.9. Fuel Flowage Fees and Permit Fees
- 11.7.9.1. Permittee shall pay the Authority an annual administrative permit fee as approved in the Airport Schedule of Fees. Said fee shall be payable in advance of the execution of the Airport Permit by Permittee. Failure to pay the annual fee invalidates the permit.
- 11.7.9.2. Permittees operating without the benefit of a metered bulk fuel storage facility on the Airport shall pay an inspection fee as approved in the Airport Schedule of Fees the first day of each month in which Permittee conducts self-fueling operations.
- 11.7.9.3. In addition to the permit fee provided herein, Permittee shall pay to the Authority for direct and indirect services and facilities received a fuel flowage fee as established in these Rules and Regulations and as may be changed from time to time for dispensing of fuel. Permittee shall keep accurate records reflecting the number of gallons of aviation or automotive fuel dispensed at the Des Moines International Airport each month and shall remit to the Authority by the 10th day of each month the flowage fee payable under this Section, together with copies of the petroleum product distributor's bill(s) of lading for the preceding month reflecting the number of gallons delivered to the Des Moines International Airport.
- 11.7.9.4. The term "dispensing of fuel", as used in this Paragraph shall mean all fuel dispensed by any means into the aircraft identified hereinabove.
- 11.7.9.5. Permittees will be required to pay a fuel farm storage fee as determined by the Authority as rental for the ground that the fuel tanks sit on.
- 11.7.9.6. The permit fee and the fuel flowage fees shall be subject to adjustment from time to time by the Authority and the Permittee shall be required to pay the adjusted fee.
- 11.7.10. Insurance and Indemnification
- 11.7.10.1. Permittee agrees to comply with all current Authority Minimum insurance requirements including general and environmental indemnification clauses.
- 11.7.11. Grant Agreement Covenants
- 11.7.11.1. Permittee agrees to comply with all current Federal grant agreement obligations and covenants which will become a condition of the permit issuance.
- 11.7.12. Compliance with Regulations, Codes, Publications and FAA Advisory Circulars and Orders
- 11.7.12.1. Permittee will be bound and follow all rules, regulations, and laws associated with the operation of fueling operations to include all other provisions outlined in these Rules and Regulations.
- 11.7.13. Failure to Conform to Requirements of Permit
- 11.7.13.1. If Permittee shall, at any time or times during the term of an issued Permit, fail to conform to the terms, conditions, and provisions herein specified, the Executive Director may give fourteen (14) days advance written notice of intent to revoke and terminate any and all rights and privileges granted herein.

Permittee shall have seven (7) days after the giving of said notice to either conform to the requirements of this Permit, or to file a written notice of appeal to the Executive Director's office. The decision of the Authority Board to revoke and terminate all permitted rights and privileges shall be final if no such appeal is timely filed, or if Permittee continues to fail to conform to the terms, conditions, or provisions of the Permit.

**12. Schedule A – Fines**

**12.1. Administrative Actions/Scheduled Fines.**

12.1.1. The scheduled fines set out in the following tables will be imposed for the corresponding violation of these Rules and Regulations and shall be levied upon the individual or operator incurring the violation:

<b>Rule/Section</b>	<b>Description of Violation</b>	<b>Fine Category</b>
3.4	Littering on Airport Property	B
3.11	Unmanned Aircraft, Model Aircraft, Rockets and Parachute Jumping	B
3.12	Lasers	C
3.14	Creating a disturbance or interfering with the operation of the Airport	B
3.17	Failure to report an accident or incident resulting in damage to property	B
3.29	Weapons and Explosives Prohibited	C
4.11	Aerial Spraying, Crop Dusting, and Fire Suppression Operations	C
5	Vehicle and Ground Support Equipment Operations	B
6	Safety	B
7	Accessing areas other than the area for which access had been approved	B
7.1	Entering a restricted area	C
7.1.4	Interfering with security procedures	B
7.1.4	Tampering with security equipment	C
7.1.8	Piggybacking	B
7.5.1	No airport security identification medium	B
7.5.6	Use of another person’s airport security identification medium	C
7.6.1	Commercial passenger escort	C
7.10	Failure to report unauthorized personnel	B
7.10.4	Failure to return airport security identification medium within 24 hours when it’s no longer required	B
7.13	False Statements Concerning Contents of Luggage	C
7.15	Screening	C
9.4	Operating a commercial vehicle at the Airport without an Airport’ issued operating permit authorizing the specific activity engaged in	C
9.4	Failure to pay commercial vehicle fees	C
9.5.1	Operating without AVI transponder issued by the Airport	C
9.6.1	Failure to maintain minimum liability insurance	B
9.6, 9.7, 9.8, 9.9, 9.10, 9.11	Loading and unloading passengers in any zones not designated for that purpose	B
9.6, 9.7, 9.8, 9.9, 9.10, 9.11	Soliciting fares at the Airport	B
9.6.5	Leaving a commercial vehicle unattended	B
9.6.8	Bypassing AVI system or failure to comply with AVI procedures	B
9.6.10	Operating without required trade dress or decal	B

9.11, 9.12	Violation of operating permit requirements	C
Not Listed	All not listed sections.	A

12.1.2. The scheduled fees for assigned individual fines will be imposed as follows:

Fine Category	First Offense	Second Offense	Third Offense
A	\$50	\$75	\$100
B	\$100	\$150	\$200
C	\$200	\$350	\$500

12.1. Tenant and Commercial Operator Administrative Actions/Scheduled Fines.

12.1.1. Fines may be levied to the tenant or commercial operator in addition to any individual fines levied for violations.

12.1.2. The scheduled fees for assigned tenant and commercial operator fines will be imposed as follows:

Fine Category	First Offense	Second Offense	Third and Subsequent Offense
Environmental Infraction	\$1,000	\$2,000	\$5,000
Unreturned Security Identification Medium	\$0	\$0	\$100
Vehicle Infraction	\$0	\$500	



**APPENDIX I – CUSTOMER FACILITY CHARGE**

Pursuant to the Real Estate Lease and Asset Transfer Agreement dated November 1, 2011, which transferred possession and control of all land, assets, buildings, fixtures, equipment and personal property comprising the Des Moines International Airport from the City of Des Moines to the Des Moines Airport Authority, these CFC regulations replace and supersede City of Des Moines resolution no. A08-143.

**I. CUSTOMER FACILITY CHARGE**

Customer Facility Charge (CFC) shall mean a charge imposed on each rental vehicle transaction, which shall be a fixed uniform amount applied to each Contract Day (as defined below), or fraction thereof, to each rental car contract and shall be added to the amount collected from the customer by each rental car company having a concession agreement with the Airport Authority. A Contract Day shall mean each twenty-four (24) hour period or fraction thereof within the rental period, each of which shall constitute a separate day for which the CFC shall be levied and collected.

The Airport Authority Board may impose a CFC, which shall be committed to support and finance the lawful operations of the Airport Authority in accordance with Iowa Code chapter 330A, including operational and capital costs and the repayment of debt for which the Authority is obligated. Each rental car company shall charge, collect, account for, and remit the CFCs required to be collected by this regulation and such remittance shall be made regardless of whether the CFCs are actually collected. A rental car company shall not be entitled to any right of offset and shall not otherwise reduce any CFC remittance. A rental car company shall remit all CFCs regardless of any amounts that may be owed or due to the rental car company by the Airport Authority. All CFCs collected by rental car companies shall be trust funds held for the benefit of the Airport Authority. Rental car companies shall have only a temporary, possessory interest and no legal or equitable interest in the CFCs. The CFC shall be charged, collected, accounted for, and remitted pursuant to procedures developed by the Executive Director in accordance with this regulation.

This document sets forth the procedures for charging, collecting, accounting for, and remitting the CFC required to be collected by rental car concessionaires at the Airport.

**II. Definition of Terms**

Unless specifically defined otherwise elsewhere herein, or unless a different meaning is apparent from the context, the terms used in this document shall have the following meanings:

A. "Airport" means the Des Moines International Airport.

B. "Airport Authority Board" means the Des Moines Airport Authority Board.



C. "Executive Director" means the director of the Airport, or his or her duly authorized representative, who is designated by Airport Authority Board to exercise functions with respect to the rights and obligations of Airport Authority under this Agreement.

D. "Concessionaire" means an owner or operator of a rental vehicle concession at the Airport.

E. "Contract Day" means each twenty-four (24) hour period or fraction thereof within the rental period, each of which shall constitute a separate day for which the CFC shall be levied and collected.

F. "Customer" means the actual individual listed on the signed Rental Agreement as the driver of the vehicle delivered at, rented to, or picked up at the Airport regardless of who pays a portion or all of the rental charges.

G. "Customer Facility Charge" or "CFC" means that fee established by Airport Authority Rules and Regulations and collected per Contract Day for each motor vehicle rental entered into by Concessionaire through its operations at the Airport, the proceeds of such charge to be remitted to the Airport Authority by the Concessionaire to fund the lawful operations of the Airport Authority in accordance with Iowa Code chapter 330A, including operational and capital costs and the repayment of debt for which the Authority is obligated.

H. "Rates and Charges" means the Des Moines Airport Authority Rates and Charges document which sets forth various Rates and Charges to be imposed for commercial transactions, as approved by the Des Moines Airport Authority Board.

I. "Rental Agreement" means the contract between Concessionaire and Customer.

J. "Rules and Regulations" means the Des Moines Airport Authority Rules and Regulations.

### III. Imposition of CFC

A. Concessionaire shall charge, collect, account for, and remit the CFCs required to be collected by the Airport Authority Rules and Regulations and such remittance shall be made regardless of whether the CFCs are actually collected. The specific amount of the CFC shall be identified in the Airport Authority's Rates and Charges, which may be amended from time to time at the discretion of the Airport Authority Board.

B. Concessionaire shall not be entitled to any right of offset and shall not otherwise reduce any CFC remittance. Concessionaire shall remit to the Airport Authority or its designee all CFCs regardless of any amounts that may be owed or due to Concessionaire by the Airport Authority. All CFCs collected by Concessionaire shall be trust funds held for the benefit of the Airport Authority and Concessionaire shall have only a temporary,

possessory interest and no legal or equitable interest in the CFCs and Concessionaire shall not commingle CFC receipts with other funds.

C. The CFC is a usage fee for each rental car Contract Day from each customer entering into a Rental Agreement with Concessionaire at the Airport. Concessionaire shall collect the CFC on behalf of the Airport Authority from each rental car Customer and will remit all collected fees to the Airport Authority.

D. Concessionaire shall list the CFC as a separate line item entitled "Customer Facility Charge" on all Rental Agreements and other communications with Customers.

E. The CFC collected by the Concessionaire shall be the amount established by the Airport Authority's Rates and Charges, which may be amended from time to time at the discretion of the Airport Authority Board. The CFC shall be collected for each rental car Contract Day. The CFC shall be collected from all customers, including customers receiving complimentary or discounted car rental under the Concessionaire's bona fide marketing plans. The Concessionaire shall remit to the Airport Authority the revenue collected each month no later than the 30 days after the conclusion of the month. Any payment not received in full within the 30 day period shall be subject to a delinquency charge of \$100 plus interest at the rate of 18% per annum on the unpaid amount until paid. At the same time the CFC collections are remitted, Concessionaire shall deliver to the Airport Authority an activity report, signed by a person in Concessionaire's management, reflecting total Contract Days, total CFCs collected and total CFCs remitted for the month.

F. Each twenty-four (24)-hour period, or fraction thereof within the rental period, shall constitute a separate rental car Contract Day for which Concessionaire shall levy and collect the CFC.

G. Concessionaire shall maintain records and controls that are sufficient to meet the requirements set forth in this document and to demonstrate the correctness of the CFC revenue required to be collected by the Concessionaire and the amount of CFC revenue paid to the Airport Authority. Concessionaire's records shall be kept and made available in accordance with the requirements of its On-Airport Automobile Rental Concession and Lease Agreement between the Airport Authority and Concessionaire.

H. The CFC is not required to be included in the calculation of Gross Concessionable Receipts under the On-Airport Automobile Rental Concession and Lease Agreement between the Airport Authority and Concessionaire.

#### IV. Use of CFC

A. The Airport will account for the remitted CFC proceeds separately from other Airport Authority funds.



## APPENDIX I – CUSTOMER FACILITY CHARGE

B. Proceeds of the CFC may be used to support and finance the lawful operations of the Airport Authority in accordance with Iowa Code chapter 330A, including operational and capital costs and the repayment of debt for which the Authority is obligated.