

Regulations of Connecticut State Agencies

TITLE 15. Navigation and Aeronautics

Agency

Department of Transportation

Subject

Aircraft Registration

Inclusive Sections

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Aircraft Registration

Sec. 15-41-1—15-41-9. Repealed

Repealed May 16, 1973.

Airmen's Licenses

Sec. 15-41-10—15-41-16. Repealed

Repealed May 16, 1973.

Sec. 15-41-17. Repealed

Repealed November 5, 1999.

Airports

Sec. 15-41-18. Establishment

Any municipality or other political subdivision, or officer or employee thereof, or any person, company or association of persons, acquiring property for the purpose of constituting or establishing an airport shall, in order to insure that the property and its use shall conform to minimum standards of safety and shall serve the public interest, make application to the department for approval setting forth the general purpose or purposes for which the property is to be acquired. The applicant shall state in clear and concise language the exact location of the proposed airport, making reference to known and established landmarks, the extent and ownership of the property, including metes and bounds, the size of the proposed landing area and airport environs, the nature of the terrain, whether the adjacent area is free from obstructions based on the glide ratio set forth hereinafter, and any other pertinent data which will enable the department to evaluate the proposal. In addition, the applicant shall furnish a detailed plan of the proposed facility, showing the possibilities for future expansion.

Sec. 15-41-19. Alteration or extension of an existing airport

No person shall make any alteration to, or extension of, any existing licensed airport without first having secured approval for such alteration or extension from the department. Alteration or extensions, as used herein, shall include any of the following: (1) Any material change in length, width, direction or surface of runways or landing strips; (2) construction or installation of any building or other obstruction within one hundred fifty feet of the longitudinal center line of a landing strip; (3) planting or permitting any natural growth or placement of any other obstacle on the property subject to control by the airport, which would extend above any approach slope, transition slope or turning zone; (4) any change in location of the lighting facilities; (5) any change in the listed facilities of a commercial airport.

Sec. 15-41-20. Application for approval

Application for approval of a proposed airport site or for permission to alter or extend an existing facility shall be made on forms provided by the department and shall be filed in the office of the department in Hartford. No charge shall be made for any such approval and a notice of such approval shall be issued without charge to any person requesting the same. The department may, after notice and opportunity for hearing to holders of such approval, revoke such approval when it reasonably determines: (1) That there has been a failure, within the time prescribed or, if no time was prescribed, within a reasonable length of time to develop the site as an airport or to comply with the conditions of the approval; (2) that because of a change of physical or legal conditions or circumstances the site is no longer usable for aeronautical purposes for which the approval was granted.

Sec. 15-41-21. Airport classifications

All airports shall be classified as follows:

(1) Commercial airports: Those airports consisting of landing area(s) with or without paved runway(s) suitable for servicing either, or both, air commerce (common carriers-scheduled and large irregular carriers) and general aviation (executive, agricultural, charter, corporate, instructional, industrial, commercial and special, etc.) which have at least the minimum services for commercial operation as set forth in these regulations. For the purpose of these regulations, all commercial airports in this state shall be further differentiated accordance with the current "Airport Design" manual published by the federal aviation agency of its successors;

(2) Restricted landing areas: Those airports which are prohibited for use by the public, except in emergency.

(Effective April 13, 1971)

Sec. 15-41-22. Airport licenses

No municipality or other political subdivision, or officer or employee thereof, or any person, company or association of persons shall use or operate any airport for which a license has not been issued by the department.

Sec. 15-41-23. Application for airport license. Fees

Each application for an airport license shall be on a form supplied by the department and shall be accompanied by the following fees: (1) Commercial, twenty-five dollars; (2) private, fifteen dollars; (3) municipal, no fee. The airport license shall continue effective for one year from date of issuance thereof and shall be renewed annually.

Sec. 15-41-24. License renewal

Applications for renewal shall be made thirty days before the expiration of the current license. Fees for the renewal of a license shall be: (1) Commercial, ten dollars; (2) restricted landing area, two dollars; (3) municipal, no fee.

(Effective April 13, 1971)

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Sec. 15-41-25. Temporary license

A temporary license, not to exceed the time set forth therein, may be issued to permit commercial operations from a restricted landing area, subject to the following requirements: (1) That application for the license has been filed with the department at least seven days prior to the date the applicant wishes to use the field; (2) that such application is accompanied by a fee of ten dollars; (3) that such field is of such size and nature, in the opinion of the department, as to be safe for use by the type of aircraft that will be used in the operation.

Sec. 15-41-26. Seaplane base

A license for the operation of a seaplane base on any body of water in this state may be granted when all the conditions required for the establishment of an airport, as set forth in section 15-41-18, have been complied with and, in addition thereto, the following requirement has been met: When the body of water to be used for landings and takeoffs is under the jurisdiction of any federal, state, municipal, port or other authority, the flight operations on such body of water shall be in conformity with the marine traffic rules and regulations of such authority.

Sec. 15-41-27. Revoking of license

The department may, after notice and opportunity for hearing to the licensee, revoke any license or renewal thereof, or refuse to issue a renewal, when it reasonably determines: (1) That there has been an abandonment of the airport, or restricted landing area, as such; (2) that there has been a failure to comply with the conditions of the license or renewal thereof, or (3) that because of change of physical or legal conditions, or circumstances, the airport, or restricted landing area, has become unsafe or unusable for the aeronautical purpose for which the license or renewal was issued.

Sec. 15-41-28. Marking of unsafe landing areas and closed airports

Any part of the landing area which has become temporarily unsafe or which for any reason is not available for use shall be marked or, if the entire airport, for any reason, becomes dangerous or is not usable, the landing areas shall be properly marked in accordance with federal technical standard orders. Upon issuance of an order by the department closing an airport, prior to voluntary surrendering of a license, or prior to expiration of a license when the license is not being renewed, all signs and markings which might indicate that the facility is still operative as an airport shall be obliterated and, in addition, unless the facility is or is proposed to be operated as a private airport or a restricted landing area, the airport shall be declared closed in accordance with the federal technical standard order covering closed airport marking.

Sec. 15-41-29. Minimum requirements for commercial airports

Minimum requirements for commercial airports shall be:

- (a) **Facilities.** (1) Facilities for supplying aircraft with fuel, oil and water; (2) potable

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drinking water and sanitary toilets, available to the public; (3) a telephone at, or within reasonable distance of, the airport; (4) approved fire extinguishes available at fuel pumps, on the flight line and in the hangars; (5) if other than a standard left-hand pattern is approved for an airport, a circle marker shall be installed to indicate the traffic pattern, and a map showing the airport traffic pattern shall be posted in the airport office in a prominent place; (6) the boundary of the airport, when deemed necessary, shall be clearly indicated by boundary markers as approved by the department; (7) wind direction indicator, so located as to show a true indication of the wind and the landing area readily visible to aircraft approaching the airport from any direction, except when the airport has licensed air traffic controllers on duty.

(b) **Responsible person.** A designated person, who shall be called the airport manager, responsible for the proper operation of the airport and operation of the aircraft at the airport, in conformance with the Connecticut laws and regulations governing aeronautics.

Sec. 15-41-30. Minimum seaplane base facilities for commercial operation

Each commercial seaplane base shall have, in addition to the facilities required for a commercial airport as set forth in section 15-41-29, the following service facilities: (1) At least one life preserver of the ring or throwing type with sufficient line attached, kept available on the ramp, dock or float; (2) a boat, approved by the department, immediately available at all times that flights are in progress; (3) a dock, or float, suitable for the type of seaplane using the base, so located as to afford the maximum degree of safety in taxiing; (4) suitable beaching facilities for the type of aircraft using the base. Where an adequate ramp is maintained, the dock or float may be omitted; (5) an adequate supply of lines for heaving, towing, securing or rescue operations.

Sec. 15-41-31. Repealed

Repealed November 5, 1999.

Sec. 15-41-32. Minimum requirements for restricted landing areas

A restricted landing area shall provide a landing area sufficient for safe operation, taking into consideration the type of aircraft proposed to be used and the skill of the pilots proposing to use the facility.

(Effective April 13, 1971)

Sec. 15-41-33. Responsibility of licensee

The following are the responsibility of the holder of a restricted landing area license: (1) To enforce the restrictions, if any, placed thereon by the department; (2) to supervise or cause the supervision of all aeronautical activity in connection with and in conformity with the prescribed limitations; (3) to maintain the landing area so as to permit safe operation; (4) to notify the department by the most expeditious means of any condition existing on the landing area or in connection therewith which might affect its safe use and to further notify the department when the reported condition has ceased to exist; (5) to furnish the

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department, upon request, with information concerning the aircraft using the field as an operation base and the nature and extent of aeronautical activity occurring at the airport.

(Effective April 13, 1971)

Sec. 15-41-34. Restriction on use

The following operations shall not be conducted on a restricted landing area: Carrying of passengers for hire other than the carrying of passengers for hire under a continued bilateral contract or contracts; student instruction; rental of planes; rental of storage hangar space; rental of tie downs; air meets and exhibitions; sale of gasoline and oil, and advertising.

(Effective April 13, 1971)

Sec. 15-41-35. Waiver. Hearing

The department may, at its own discretion, reduce the physical standards stated in section 15-41-31 upon finding, after a hearing, that exceptional circumstances or conditions exist. The applicant shall initiate the hearing by filing a petition for such a reduction of standards or the department may, on its own motion, request the applicant to file a petition. Any such petition shall be filed by the applicant along with the request for approval of an airport or alteration or extension of any existing airport. Any petition for a reduction of standards shall be sworn to by the applicant and shall contain a clear and concise statement of the facts, together with a plea that such standards be reduced and that the proposed airport or alteration or extension of an existing airport be approved in the public interest.

General Flight Regulations

Sec. 15-41-36. Minimum safe altitudes

Except when necessary for take-off or landing, no person shall operate an aircraft below the following altitudes:

(1) Anywhere: An altitude which will permit, in the event of the failure of a power unit, an emergency landing without undue hazard to persons or property on the surface;

(2) Over congested areas: Over the congested areas of cities, towns or settlements, or over an open-air assembly of persons, an altitude of one thousand feet above the highest obstacle within a horizontal radius of two thousand feet from the aircraft. Helicopters may be flown at less than the minimum prescribed herein if such operations are conducted without hazard to persons or property on the surface and in accordance with subdivision (1) of this section; however, the department, in the interest of safety, may prescribe specific routes and altitudes for such operations, in which event helicopters shall conform thereto. This regulation recognizes the special flight characteristics of the helicopter which can accomplish an emergency landing within a relatively small space. However, if a helicopter is flown over the congested area of a city, town or settlement at less than one thousand feet above the highest obstacle, the pilot is required to fly with due regard to places in which an emergency landing can be made with safety and, further, to maintain an altitude along the

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flight path thus selected from which such an emergency landing can be effected at any time;

(3) Over other than congested areas: An altitude of five hundred feet above the surface, except over open water. In such event the aircraft shall not be operated closer than five hundred feet to any person, vessel, vehicle or structure. The limitation of five hundred feet above the surface shall not apply when making an occasional landing at other than a licensed airport or restricted landing area. Helicopters may be flown at less than the minimums prescribed herein if such operations are conducted without hazard to persons or property on the surface and in accordance with subdivision (1) of this section. When flight is necessary at an altitude of less than five hundred feet above the surface, the pilot shall avoid creating any hazard to persons or property on the surface which may result from such flight. In no event shall the pilot expose his passengers to unnecessary hazard while engaging flight at low altitude. The maneuverability of the helicopter permits safe flight below the minimums required, if good judgment and caution are exercised by the pilot.

(Effective April 13, 1971)

Sec. 15-41-37. Dropping of objects

No person piloting an aircraft shall permit any object to be dropped from such aircraft in flight if a hazard to persons or property is thereby created. The dropping of periodicals, circulars or objects of any kind is not prohibited, provided reasonable precautions shall be taken to avoid injury or damage to persons or property and if local regulations do not prohibit such operations.

Sec. 15-41-38. Traffic over games, races, etc.

There shall be no flying under an altitude of two thousand feet over or in the vicinity of any game, contest, celebration or outdoor gathering unless a waiver has been granted by the department. All aerial traffic shall be counter-clockwise (all turns to the left).

Sec. 15-41-39. Hunting from aircraft

No person shall, while an aircraft is in flight, discharge firearms for the purpose of hunting as defined by section 26-1 of the general statutes.

Sec. 15-41-40. Air shows, air races or demonstrations

No person shall engage in or take part in any air show, air race or demonstration which may be in conflict with Connecticut or federal laws and regulations governing aeronautics unless a waiver has been obtained from the department. Application for such waivers shall be made at least seven days in advance of the proposed show, race or demonstration and shall be accompanied by written permission from the manager of the airport at which the show, race or demonstration is to be held.

Sec. 15-41-41. Photographic permit

For any photographic flight necessitating flying at an altitude less than that required by law or regulation, the pilot shall obtain a photographic permit from the department. A permit

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issued for this purpose does not waive any federal law or regulation.

Sec. 15-41-42. Repealed

Repealed May 23, 1986.

Parachute Jumps

Sec. 15-41-42a. Definitions

(a) “Drop zone” means an unobstructed, radial area of land within the drop zone area used for parachute jumping which contains a clearly defined target point.

(b) “Drop zone area” means a parcel or parcels of land used for parachute jumping for which written permission has been obtained from the property owner or owners, containing a clearly defined drop zone and target point.

(c) “Free fall parachute jump” means a parachute jump in which the parachute is deployed by means other than a static line (manual or automatic deployment).

(d) “Jumpmaster” means the parachutist in command of student parachutists from the time they enter until the time they exit the aircraft; a parachutist who possesses a current USPA jumpmaster rating.

(e) “Obstructions” means trees, ditches, telephone and power lines, towers, buildings, highways, automobiles or any other object reasonably deemed a hazard to the parachutist by the commissioner of transportation.

(f) “Parachute jump” means the descent from an aircraft in-flight of a person who uses a parachute during all or part of such descent.

(g) “Parachute jump center” means any land or water area containing a drop zone area, drop zone, target point and operations base which has been duly licensed by the commissioner of transportation and a description of and Class D survey has been filed with the Department of Transportation.

(h) “Parachute jump center operator” means any individual, club or organization who owns, operates, or otherwise controls a duly licensed parachute jump center.

(i) “Parachute license” defines the level of expertise, proficiency acquired and training received by the parachutist. Individual license requirements shall be as defined in the current USPA published standards for Class A, B, C and D parachutists.

(j) “Parachutist” or skydiver means a person who engages in an intentional parachute jump.

(k) “Static line parachute jump” means a parachute jump in which the parachute is deployed by means of a static line attached to the aircraft.

(l) “Student parachutist” means a person engaging in parachute jumping who has not qualified for a USPA Class A license.

(m) “Target point” for student parachutists means that point on the surface located in the center of the drop zone containing a clearly defined marking of at least ten yards in diameter. The target point for licensed parachutists will be located within the drop zone with an unobstructed radial free distance as required for the class of jumper.

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(n) “Temporary drop zone” means any land or water area other than a parachute jump center which is used for parachute jumping for a demonstration jump, air show, skydiving exhibit or other special event.

(o) “USPA” means United States Parachute Association, a division of the National Aeronautic Association.

(Effective May 23, 1986)

Sec. 15-41-42b. Waiver

No person shall make an intentional parachute jump from an aircraft unless a waiver has been issued by the commissioner of transportation or the parachute jump is made onto a licensed parachute jump center except as follows:

(1) Jumps made necessary because of an aircraft in-flight emergency.

(2) Military jumps under the control and direction of the United States Department of Defense or the Connecticut Military Department.

Applications for a waiver shall be made on appropriate forms supplied by the Department of Transportation and shall include a signed letter of permission from the property owner upon whose property is located the drop zone area. Application for a waiver shall be made at least fourteen days in advance of the proposed event.

(Effective May 23, 1986)

Sec. 15-41-42c. Parachute manufacturers

Annual waivers may be requested from the Department by Connecticut based parachute manufacturers for parachute jumps made by licensed parachutists to demonstrate or test the product, the sale of which is an integral part of the manufacturers’ business. The request for a waiver shall include a description of the drop zone area and written permission of the property owner.

(Effective May 23, 1986)

Sec. 15-41-42d. Parachute jump center

(a) **License.** A parachute jump center shall be required to have an annual license from the commissioner of transportation. A parachute jump center license may be issued by the commissioner of transportation if the following requirements are met:

(1) The designated drop zone shall be unobstructed and with a radial distance of at least the following for the various classes of jumpers:

<i>Classification</i>	<i>Using Round Canopy</i>	<i>Using Ram Air Canopy</i>
(A) Student parachutists	300 meters	100 meters*
(B) Class A license holders	200 meters	100 meters
(C) Class B & C license holders	100 meters	50 meters
(D) Class D license holders	unlimited	unlimited

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*with ground to air communications to assist the student in canopy control.

(2) The parachute jump center operator shall ascertain that all parachutists and all instructors who use the parachute jump center are qualified as to experience, ability, responsibility and physical fitness in accordance with these regulations.

(3) Each parachute jump center shall maintain a master log book or other suitable record system which will reflect all jumps made daily at the parachute jump center.

(4) Manned surface-to-air communications, e.g. radios, panels, smoke, lights, must be present on the drop zone during parachuting operations. Before any parachute jump, the pilot of the aircraft must establish communications with the parachute jump center.

(5) A method of determining wind drift must be used which shall satisfy the commissioner of transportation. The winds aloft and at the surface shall be determined prior to conducting any parachute jump. The wind drift indicator must be of such construction that inadvertent landing off-site will cause no harm to person or property.

(6) A fee for the initial license to operate a parachute jump center shall be one hundred dollars. Such fee shall accompany the application for the license.

(7) The license for a parachute jump center will be issued annually after an applicant's request and subsequent satisfactory inspection by Department of Transportation. The fee for the renewal license to operate a parachute jump center shall be ten dollars and shall accompany the application.

(b) Use of Parachute Jump Centers.

(1) Wind limitations: The maximum ground wind limitation for parachute jumps shall not exceed the following:

	<i>Ram Air Canopy</i>	<i>Round Canopy</i>
Student parachutist	14 MPH	10 MPH
Licensed parachutist	unlimited	unlimited

(2) Reports on the number of jumps, injuries, damage incurred and any off-site landings of parachutists or equipment shall be submitted monthly to the commissioner on the approved Department of Transportation form.

(3) Notification of a fatal accident shall be reported to the commissioner of Transportation as soon as possible but no later than 4 hours after the fatality.

(4) Intentional off-site landings are prohibited

(5) Spectators shall not be allowed within the hazard free radial area as required for the various classes of jumpers as noted under Sec. 15-41-42d(a)(1).

(6) The minimum age for persons engaging in parachute jumping is 18 years of age. However, a person who is at least 16 years of age may be permitted to participate in parachute jumping upon presentation to the parachute jump center operator notarized consent of a parent or legal guardian.

(Effective May 23, 1986)

Sec. 15-41-42e. Off-center demonstration jumps

Only licensed parachutists as defined by USPA shall be permitted to make off-center demonstration jumps at a temporary drop zone who, in addition to the regulations herein contained, comply with the following provisions:

(a) **The parachutist shall:** (a) possess a current Class D license; (b) a USPA exhibition rating and meet all requirements of Part 118 of the USPA demonstration jump guidelines.

(b) **The minimum landing area.** The target point shall be at least 150 feet from the designated spectator area for Class D jumpers and for exhibition rated jumpers as required by the FAA for Level 1 or Level 2 jumps.

(c) Adequate police and/or assigned security protection shall be provided to keep the target area clear of spectators.

(d) **Wind limitations.** Ground winds allowable for demonstration jumps shall not exceed 15 MPH.

(e) Parachutists shall not exit aircraft directly over crowds or spectators.

(f) Radio communications or visual signals shall be provided between jump aircraft and drop zone.

(g) The applicant requesting a waiver for a parachute jump shall submit with the application written proof of authorization from the property owner (owners) to use the area described as a temporary drop zone. The application for waiver shall include a complete description of the drop zone area.

(Effective May 23, 1986)

Sec. 15-41-42f. Minimum opening altitude

Minimum opening altitude for non-emergency parachute jumps shall be as follows:

(a) Tandem Jumps – 3,000' above the ground or water

(b) All Static Line Jumps – 2,800' above the ground or water

(c) All Free Fall Students – 3,000' above the ground or water

(d) A & B License Holders – 2,500' above the ground or water

(e) C & D License Holders – 2,000' above the ground or water

Static line or other positive parachute opening devices will be so designed or adjusted to conform to this requirement.

(Effective May 23, 1986)

Parachute Equipment

Sec. 15-41-42g. Safety devices, altimeter

Each parachutist is to be equipped with:

(a) For accelerated free fall students, a piggy back harness/container that has ripcord activated, spring loaded, pilot chute deployed main and reserve parachute and is equipped with an automatic activated device on the reserve parachute.

(b) A light when performing night jumps.

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- (c) For students (not including tandem passengers) a rigid helmet.
- (d) For each individual free fall student and jumpmaster, his/her own visually accessible altimeter.
- (e) Supplementary oxygen for all jumps over 15,000 feet above mean sea level (AMSL).
- (f) Flotation gear when the exit point, opening point or landing point of a parachutist is within one mile of an open body of water.

(Effective May 23, 1986)

Sec. 15-41-42h. Hazards to air traffic, persons or property

No person shall make a parachute jump, and no pilot in command of an aircraft shall allow a parachute jump to be made from that aircraft, if that jump creates a hazard to air traffic or to persons or property on the surface.

(Effective May 23, 1986)

Sec. 15-41-42i. Violation of federal or state statutes or local ordinances or regulations

No person shall make a parachute jump, and no pilot in command of an aircraft shall allow a parachute jump to be made from that aircraft in violation of any Federal or State statutes or local ordinances or regulations.

(Effective May 23, 1986)

Sec. 15-41-42j. Airport jumps

No person shall make a parachute jump and no pilot in command of an aircraft shall allow a parachute jump to be made from that aircraft onto any airport without prior approval of that airport management.

(Effective May 23, 1986)

Sec. 15-41-42k. Medical certificate

All parachutists engaging in parachute jumping shall maintain a valid Class I, II or III Federal Aviation Administration medical certificate or a certificate of physical fitness for parachuting from a licensed physician or have a completed USPA medical certificate. Such evidence of medical fitness must be made available upon proper demand to any law enforcement officer or employee of the Department of Transportation charged with enforcement of the provisions of Aeronautic laws or regulations of the State.

(Effective May 23, 1986)

Sec. 15-41-42l. Parachute jumps

(a) No person shall make an intentional parachute jump from an aircraft without being equipped with a Federal Aviation Administration Technical Standard Order (TSO) dual pack parachute.

(b) Student parachutists are permitted to jump only at licensed parachute jump centers.

(c) A student parachutist shall have a course of training to properly prepare him for his

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first parachute jump. Training shall include but is not limited to, exit techniques, landing techniques, emergency procedures, canopy manipulation and equipment familiarization. All student instruction is to be under the supervision of a currently and appropriately rated USPA instructor.

(d) A student parachutist's first five jumps must be static line sport parachute jumps. In addition, they must successfully pull a dummy rip cord on three successive static line jumps without loss of stability or control prior to being cleared for freefall or; successfully complete all learning objectives of USPA accelerated freefall levels I thru VII prior to being cleared to jump without direct supervision. All student jumps must be made under the direct supervision of a jumpmaster from a fourplace or larger aircraft.

(Effective May 23, 1986)

Sec. 15-41-42m. Approved aircraft

All aircraft from which parachute jumps are made shall be of the type approved by the Federal Aviation Administration or its successor for this purpose.

(Effective May 23, 1986)

Sec. 15-41-42n. Waiver of regulations

Any of the above regulations may be waived for good cause by the commissioner of transportation.

(Effective May 23, 1986)

Sec. 15-41-42o. Compliance with federal regulations

In addition to the above regulations, all parachutists are required to comply with any applicable Federal Aviation Administration regulations affecting parachute jumping.

(Effective May 23, 1986)

Use Of State Airports

Sec. 15-41-43. Repealed

Repealed June 28, 1989.

Sec. 15-41-43a. Definitions

(a) "Air Carriers" means domestic or foreign air carriers certificated by the Secretary of the U.S. Department of Transportation.

(b) "Business or Corporate Aircraft" means aircraft owned by or leased to a person, corporation, partnership or other entity used solely in its own business, and not for hire, lease, charter or otherwise carrying passengers or cargo for consideration.

(c) "Fixed Base Operator" means any person, corporation, partnership or other entity which offers to the public, subject to state and federal regulation, the use of revenue producing aircraft and aviation related services for carrying on certain mandatory and

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optional commercial activities on a regular basis. The mandatory activities shall include the sale of aviation fuel and aircraft maintenance and the provision of a public lounge and may at the option of the State also include acting as an agent for the State in the collection of aircraft landing fees and aircraft parking charges according to the terms and conditions of an agreement with the State.

(d) “Flying Club” means any corporation, partnership or other entity, other than an individual which, neither for profit nor commercial use, owns, leases or uses one or more aircraft for the purpose of instruction or pleasure or both.

(e) “Multiple Services Operator” means any person, corporation, partnership or other entity which offers to the public, subject to state and federal regulation, revenue producing aviation related services and uses a state airport as a base or terminal for those services and operations.

(f) “Non-revenue Producing Aircraft” means aircraft not used for compensation, hire, commercial purpose or profit and military aircraft, publicly-owned aircraft and aircraft owned by flying clubs which are not used for compensation or profit by the owners or co-owners of such aircraft.

(g) “Revenue Producing Aircraft” means aircraft owned by or leased to any person, corporation, partnership or other entity which rents, leases, demonstrates, charters or otherwise uses such aircraft in commerce, including but not limited to, the carrying of passengers, property or mail for consideration.

(h) “State Airport” means any airport owned and operated by the Connecticut Department of Transportation.

(Effective June 28, 1989)

Sec. 15-41-44. Repealed

Repealed October 19, 1971.

Sec. 15-41-44a. Use and operation of state airports and facilities

(a) Fixed base operators, multiple services operators, air carriers and other persons, corporations, partnerships or other entities shall not use any state airport as a base or terminal for carrying on any commercial (revenue-producing) operation except under the following terms and conditions:

(1) A fixed base operator operating under an agreement for such operation with the State of Connecticut.

(2) A multiple services operator operating under an agreement for such operation with the State of Connecticut. Notwithstanding any agreement that a multiple services operator has or may have with the fixed base operator for use of space necessary for carrying on the business of a multiple services operator, the multiple services operator shall enter into an agreement with the State which agreement shall specify the fee or other consideration due the State for such operation.

(3) An air carrier under an agreement with the State of Connecticut.

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(4) Other persons, corporations, partnerships or other entities operating under a lease or other agreement for such operation with the State of Connecticut.

(5) Other persons, corporations, partnerships or other entities operating under a sublease or other agreement for such operation which sublease or other agreement has received prior written approval from the State.

(b) The commissioner shall establish and administer the conditions under which any of the state airports shall be made available for use as a base or terminal for operations by fixed based operators, multiple services operators or others.

(1) The commissioner shall determine the terms, conditions and limitations under which multiple services operators, fixed base operators and others will be permitted to engage in commercial operations at such airports.

(2) The commissioner shall determine the rates, fees and charges he shall charge for the use of any state airport as a base or terminal for carrying on commercial operations.

(c) Aircraft shall be parked on state airports only in locations approved by the commissioner or his designated representative at each airport.

(d) Motor vehicles, except vehicles regularly employed in maintenance and operation of the airport, shall stay within the limits of the parking area and roads provided.

(e) When a state airport is closed by a notice to airmen filed with the federal aviation administration flight service station or when standard markers such as a white "X," are placed on the runway or when the runway lights, lighted wind indicators, and the rotating beacon are not operating at night, it shall be unlawful for an airplane to land or take off, except in an emergency situation.

(f) Flying clubs shall annually file with the commissioner or his designated representative of each state airport at which the club is based documentation regarding the organization's operating structure. This information is due on or before March 1 of each year.

(g) All aircraft fueling servicing shall be conducted in accordance with that part of the National Fire Protection Association publication, "Aircraft Fuel Servicing," standard no. 407, vol. 10, 1982 or any subsequent amendment.

(h) No ultra light aircraft will operate at any state airport without first having complied with the following requirements:

(1) All ultra light pilots, FAA certified flight instructors or Air Safety Foundation examiners shall have proof of competency or endorsement by an FAA-approved ultra light air safety program or have proof of having graduated from an ultra light manufacturers school and present the same to the airport manager upon request;

(2) At state airports with an FAA control tower, no ultra light shall operate unless the aircraft is equipped with a two-way radio;

(3) If there is a designated ultra light aircraft operating area established at a state airport, all ultra light aircraft operations shall be conducted from that area.

(i) The commissioner or his designated representative may issue reasonable directives or instructions regarding operating procedures at state airports necessary to implement the

intent of this section to maximize aircraft and airman safety.

(Effective June 28, 1989)

Sec. 15-41-45. State airport fees

(a) As used in subsection (i) of this section for the purpose of determining the rents, fees and charges to be paid by all Air Carriers under the Short Term Lease at Bradley International Airport effective July 1, 2011, the following definitions apply:

(1) “Air Carrier” means an entity engaged in the business of providing air transportation of persons or property for compensation or hire that has been issued the proper air carrier operating certificate by the US Department of Transportation, Federal Aviation Administration.

(2) “Airfield Area” means those portions of Bradley International Airport, and related facilities, exclusive of the Terminal Building, Apron Area, hangars, hangar ramps, cargo buildings, cargo ramps, buildings and building areas (other than the crash, fire and rescue building and the control tower), all as more fully delineated in the most current approved Airport Master Plan or Airport Layout Plan.

(3) “Airport Audit” means the audited annual financial statements of Bradley International Airport required, under the terms of the Indenture and applicable State law, to be audited by a firm of independent certified public accountants of recognized standing selected by the State, prepared in accordance with applicable State law and relevant accounting standards, and to be completed within 120 days of the end of each Airport Fiscal Year.

(4) “Airport Fiscal Year” means the twelve (12) month period commencing on July 1 of each year and expiring on June 30 of the following calendar year or such other period as designated by the Commissioner of Transportation.

(5) “Airport Operating Budget” means the budget of Bradley International Airport costs and expenses adopted, with respect to each Airport Fiscal Year pursuant to the Indenture and Chapter 266 of the Connecticut General Statutes and shall consist of the Operating Expense Budget and the Capital Improvement Budget.

(6) “Annual Debt Service” means the sum of principal, amortization requirements (including premium, if any) and interest payments being or becoming due and payable by the state during any Airport Fiscal Year with respect to the Bonds including debt service coverage required pursuant to applicable provisions of the Indenture. The amount of coverage Properly Allocable shall be equivalent to ten percent (10%) of budgeted Air Carrier revenues from Terminal Building Rentals, Landing Fees, Baggage Claim Area Charges and Apron Rent determined in accordance with subdivisions (3) through (6) of subsection (i) of this section.

(7) “Apron Area” means the aircraft parking and maneuvering areas adjacent to the Terminal Building as designated by the Commissioner of Transportation. The term Apron Area shall not include areas associated with Terminal Building(s), or portions thereof, which have been decommissioned by the Commissioner of Transportation in anticipation of

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demolition pursuant to the Capital Improvement Program.

(8) “Apron Area Rentals” means the rental fees imposed on the Signatory Airlines with respect to their use of the Apron Area as provided in subdivision (6) of subsection (i) of this section.

(9) “Baggage Claim Areas” means those portions of the Terminal Building and related facilities as designated by the Commissioner of Transportation providing for the collection, transport, handling and distribution of passenger baggage and related items.

(10) “Baggage Claim Area Charges” means the charges imposed on the Signatory Airlines with respect to their use of the Baggage Claim Areas as provided in subdivision (5) of subsection (i) of this section.

(11) “Bonds” means all debt obligations of the State of Connecticut, or of any agency, authority, commission or subdivision thereof, or of any public or private corporation, issued to finance (or issued to refund other obligations issued to finance) (A) the Construction Costs of the Capital Improvement Program, and (B) the Construction Costs of other Capital Improvements authorized by the State, including all outstanding Bradley International Airport General Airport Revenue Bonds including Series 2001A, Series 2001B and Series 2004 bonds and such additional General Airport Revenue Bonds and related financing agreements the State may issue or enter into in support of the Capital Improvement Program.

(12) “Capital Improvement” means for any Airport Fiscal Year, (A) any item purchased or constructed for use in the Airfield Area Cost Center or Apron Area Cost Center which has a useful life of five (5) years or more, or which can extend the useful life of any existing asset included within the Airfield Area Cost Center or Apron Area Cost Center for a period of five (5) years or more, and (B) any item purchased or constructed for use in the Terminal Building Cost Center which has a useful life of three (3) years or more, or which can extend the useful life of any existing asset included within the Terminal Building Cost Center for a period of three (3) years or more. The Construction Costs incurred with respect to the Capital Improvements shall be capitalized and thereafter amortized as Operating Expenses over the useful life of the items purchased or constructed.

(13) “Capital Improvement Budget” means the portion of the Airport Operating Budget reflecting Capital Improvement costs to be expensed during an Airport Fiscal Year, adopted in conjunction with the Airport Operating Budget for such Airport Fiscal Year.

(14) “Capital Improvement Program” means those expansions, improvements and renovations to the Bradley International Airport described in the most recent Airport Master Plan or Master Plan Update.

(15) “Construction Costs” means the necessary and desirable costs and expenses pertaining or incident to the acquisition or construction of Capital Improvements, including all costs and expenses of the Capital Improvement Program.

(16) “Cost Accounting System” means any accounting and financial management system(s) used by the State to allocate Bradley International Airport operating expenses, depreciation and amortization, and debt service to the Airport’s Landing Area, Terminal Area and Apron Area cost centers including the collection, allocation and reporting of the

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capital expenditures, revenues, operating expenses, assets and liabilities of the State with respect to the Airport and its operations. The Cost Accounting System shall be established and operated pursuant to generally accepted accounting principles consistently applied.

(17) “Cost Center” means any one of the Bradley International Airport cost areas identified in connection with the Cost Accounting System.

(18) “Gross Space” means all space within the Terminal Building, including but not limited to all leased, leasable and unassigned space and all public space. The extent of such space shall be determined utilizing “as built” drawings and physical measurements taken from inside dimensions of the exterior walls of the Terminal Building. The term Gross Space shall not include areas associated with Terminal Building(s), or portions thereof, which have been decommissioned by the Commissioner of Transportation in anticipation of demolition pursuant to the Capital Improvement Program.

(19) “Indenture” means the Trust Indenture Between State of Connecticut and State Street Bank and Trust Company (or its successor) as Trustee Dated as of March 1, 2001 relating to State of Connecticut Bradley International Airport General Airport Revenue Bonds, or such supplemental, replacement or additional indentures or related financing agreements as the State may enter into in undertaking the Capital Improvement Program or refunding the Bonds.

(20) “Landing Fees” means the fees imposed on the Signatory Airlines, Air Carriers and Users with respect to the operation of the Airfield Area, as provided in subdivision (4) of subsection (i) of this section, and based upon the Landing Fee coefficient, frequency factor and weight factor as described in such subdivision (4) of subsection (i) of this section.

(21) “Majority-in-Interest” as of any date means at least fifty percent (50%) in number of the Signatory Airlines which account for more than fifty percent (50%) of aggregate Revenue Aircraft Arrival weight landed at the Airport during the immediately preceding calendar year.

(22) “Maximum Landing Weight” means the maximum certified landing weight approved by the Federal Aviation Administration in accordance with 14 CFR 21 for aircraft landing at the Airport.

(23) “Operating Expense Budget” means the budget of Operating Expenses for an Airport Fiscal Year adopted in conjunction with the Airport Operating Budget, all as provided in subdivision (13) of subsection (i) of this section.

(24) “Operating Expenses” means the reasonable, necessary and verifiable current expenses of the state, paid or accrued in accordance with the Cost Accounting System in administering, operating, securing, maintaining, and repairing Bradley International Airport. Without limiting the generality of the foregoing, the term Operating Expenses shall include (A) costs of collecting Bradley International Airport revenues and of making any refunds therefrom lawfully due others; (B) engineering, audit reports, legal and other overhead expenses directly related to the administration, operation, maintenance and repair of the Bradley International Airport; (C) costs of salaries, wages and other compensation of officers and employees with respect to Bradley International Airport, including all legally

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required payments to pension, retirement, health and hospitalization funds and other insurance, including self-insurance, if any, for the foregoing; (D) costs of routine maintenance, repairs, replacements, renewals and alterations not constituting Capital Improvements occurring in the usual course of business, which may include expenses not annually recurring; (E) taxes, assessments and other governmental charges, or payments in lieu thereof, lawfully imposed on Bradley International Airport or any part thereof or on the operation thereof, subject to any right the Airline may have to protest the same; (F) costs of utility services; (G) the costs and expenses of management services and general administrative overhead of the State allocable to Bradley International Airport; (H) costs of equipment, materials and supplies used in the ordinary course of Bradley International Airport business not constituting Capital Improvements, including ordinary and current rentals of equipment or other property; (I) costs of fidelity bonds, or a properly allocable share of the premium of any blanket bond, directly pertaining to Bradley International Airport its revenues or any other moneys held under the Indenture, as amended or supplemented from time to time, or required to be held or deposited thereunder; (J) costs of carrying out the provisions of the Indenture, as amended or supplemented from time to time to permit the acquisition and construction of Capital Improvements or the Capital Improvement Program, including trustee's and paying agent's fees and expenses, costs of insurance required thereby, or a properly allocable share of any premium of any blanket policy pertaining to the Airport or Airport revenues, and costs of recording, mailing and publication; (K) Annual Debt Service; (L) all other costs and expenses of administering, operating, maintaining and repairing the Airport arising in the routine and normal course of business including depreciation and amortization of Capital Improvements not funded with Bonds; (M) any costs and expenses related to the Airport required to be paid (and reserves required to be kept) in accordance with the Cost Accounting System; and (N) any other cost or expense permissible by applicable law, agreement or regulation. Operating Expenses shall not include depreciation on those facilities financed with Bonds or capital contributions.

(25) "Preferential Use Agreement" means an agreement between the State Department of Transportation and an Air Carrier providing for the use and occupancy of terminal and related areas at Bradley International Airport that distinguishes areas that may be used exclusively by such Air Carrier from areas that may be used on a preferred or common use basis with other Air Carriers.

(26) "Properly Allocable" or "Allocable" means properly allocable in accordance with the Cost Accounting System.

(27) "Revenue Aircraft Arrival" means the landing at the Airport of any and all aircraft owned, leased or operated by any Air Carrier or airline, that arrives at or departs from the Bradley International Airport with passengers, cargo or mail, including without limitation, all sightseeing trips, but specifically excluding (A) ferry, test, courtesy and inspection flights as permitted herein, for which no monetary consideration has been, shall be or should be received by the Air Carrier in connection therewith, (B) re-arrivals of aircraft of anyone

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including the Signatory Airlines that, having previously departed from Bradley International Airport, have returned to Bradley International Airport for emergency or precautionary reasons, and (C) training flights; provided, however, that to the extent that the number of training flights operated by an Air Carrier during any calendar year exceeds five percent (5%) of the total number of Revenue Aircraft Arrivals of such Air Carrier during such calendar year, such excess shall be treated as Revenue Aircraft Arrivals.

(28) “Short Term Lease” means month to month term lease agreement between the state, through the Department of Transportation, and Air Carrier providing for the use and occupancy of the Airfield Area, Terminal Building and Apron Areas at Bradley International Airport.

(29) “Signatory Airlines” means all certificated Air Carriers providing scheduled passenger service at the Airport and occupying space within the Terminal Building under Short Term Leases or as subtenants thereof, and all air cargo carriers with direct agreements with the State Department of Transportation providing for the development and use of cargo facilities at Bradley International Airport and subtenants thereof.

(30) “Terminal Building” means the Airport Terminal Building as it now exists and as it hereafter may be enlarged, improved or renovated, all as more fully described in the Airport Master Plan.

(31) “Terminal Building Rentals” means the rental fees imposed on the Signatory Airlines with respect to their use of Terminal Building facilities, as provided in subdivision (3) of subsection (i) of this section.

(32) “User” means with respect to Bradley International Airport facilities, any Signatory Airline and any other person or entity having the right to utilize such facilities by virtue of applicable law, regulation, a lease or other arrangement, but shall not include passengers, patrons, visitors or guests.

(b) **Landing area fees.** Landing area fees, as set forth on Exhibits A(1), A(2), and A(3) apply to all aircraft with the following exemptions:

(1) Air Carriers under agreement with the State of Connecticut and operating from and to the airport in question;

(2) Aircraft either owned by or leased to and operated by a fixed base operator or a multiple services operator at the state airport which aircraft are covered by the operators agreement with the State;

(3) All aircraft operated by students on recognized cross-country training flights for a private or commercial pilot’s certificate;

(4) All aircraft making use of the airport for official business with the Connecticut Department of Transportation, Bureau of Aeronautics;

(5) Non-revenue producing aircraft piloted by an individual holding a Recreational Pilot Certificate issued pursuant to 14 CFR 61.5(a)(1)(ii) or Private Pilot Certificate issued pursuant to 14 CFR 61.5(a)(1)(iii), respectively, and which is engaged in the exercise of Recreational Pilot privileges and limitations as defined in 14 CFR 101 or Private Pilot privileges and limitations as defined in 14 CFR 113;

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(6) Any aircraft making use of the airport for maintenance or overhaul service by the fixed base operator or multiple services operator;

(7) All aircraft owned or operated by persons, corporations, partnerships or other entities or their affiliates who have lease or other agreements with the State for the use of State airports which lease or other agreements contain provisions that govern or exempt landing area use fees;

(8) Any aircraft making use of the airport for maintenance or overhaul service by persons, corporations or companies who have lease or other agreements with the State which aircraft have been manufactured by said persons, corporations or companies or their affiliates.

Exhibit A (1)

Landing Fees by Airport for all business, corporate, or revenue producing aircraft. See Notes 1 and 4.

FAA Approved Max. Land- ing Weight Class	Bradley In- ternational Airport Each Land- ing Area Use Fee See Note	Hartford-Brainard Groton-New Lon- don Oxford Each Landing Area Use Fee	Windham Danielson Each Landing Area Use Fee
Up to 5,999 lbs.	(2)	8.00	8.00
6,000 lbs. to 12,499 lbs.	(2)	8.00	8.00
12,500 lbs. to 24,999 lbs.	(2)	10.00	10.00
25,000 lbs. to 29,999 lbs.	(2)	12.00	12.00
30,000 lbs. to 39,999 lbs.	(2)	14.00	14.00
40,000 lbs. to 49,999 lbs.	(2)	16.00	16.00
50,000 lbs. to 74,999 lbs.	(2)	22.00	22.00
75,000 lbs. to 99,999 lbs.	(2)	30.00	30.00
100,000 lbs. to 129,999 lbs.	(2)	40.00	40.00
130,000 lbs. to 149,999 lbs.	(2)	45.00	45.00
150,000 lbs. to 199,999 lbs.	(2)	60.00	60.00
200,000 lbs. and up See Notes	(2)	(3)	(3)

NOTE: (1) Fees shall be determined by weight listed in FAA type certificate data sheet.

(2) (a) The itinerant landing fees at Bradley International Airport for those Air Carriers which do not have written agreements with the State Department of Transportation or

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business, corporate or other revenue producing aircraft shall be levied at a 60% higher rate than the rates set forth in the executed long term agreements with Air Carriers which expire on June 30, 2011, and effective July 1, 2011, at a 60% higher rate than the rates established in accordance with subdivision (4) of subsection (i) of this section. In either case, the Department of Transportation shall publish the itinerant rates not less than 30 days before the effective date of any new rates.

(b) Air Carriers with agreements other than those expiring on June 30, 2011 shall pay no more than 150% nor less than 110% of the rates applicable to those Air Carriers with agreements expiring on June 30, 2011. Each such agreement shall be negotiated with the State.

(c) Effective July 1, 2011, after expiration of said long term agreements with the State, all Landing Fees for Bradley International Airport shall be established in accordance with subdivision (4) of subsection (i) of this section.

(3) Fifty cents per 1,000 lbs. Certified Maximum Gross Landing Weight.

(4) Aircraft requiring services from the State not normally available at the airport or after normal working hours shall be billed for the direct costs of the required services. These fees can be obtained from the airport manager and the required services should be arranged for at least 8 hours in advance.

Exhibit A (2)

Use of the international facilities at Bradley International Airport by supplemental, charter, international and diversion flights and all Air Carriers using the international facility that do not have agreements with the State Department of Transportation. See Notes (1), (2) and (3).

FAA Approved Max. Landing Weight	Landing Fee	Ramp Gate Area Use & Facility Charge Arrive or Depart	Ramp Gate Area Use & Facility Charge Arrive and Depart
12,000 lbs. or less	See A (1)	\$ 25.00	\$ 40.00
Over 12,500 lbs. but less than 50,000 lbs.	See A (1)	40.00	50.00
50,000 – 99,999 lbs.	See A (1)	270.00	355.00
100,000 lbs. - 149,999 lbs.	See A (1)	320.00	410.00
150,000 lbs. - 249,999 lbs.	See A (1)	410.00	540.00
250,000 lbs. - 349,999 lbs.	See A (1)	480.00	670.00
350,000 lbs. - 499,999 lbs.	See A (1)	570.00	760.00

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500,000 lbs. and up	See A (1)	670.00	890.00
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NOTE: (1) Fees shall be determined by weight listed in FAA type certificate data sheet.

(2) All International arrivals shall use International facilities.

(3) Ramp gate area & facility charge arrive and depart – shall be charged when inbound flights depart with new outbound passenger load.

Exhibit A (3)

Use of international facilities, Bradley International Airport. See Notes (1), (2), (3) and (4).

Fees for Air Carriers with agreements at Bradley International Airport that are required to use the international facilities for international flights.

FAA Approved Max. Landing Weight	Landing Fee	Ramp Gate Area Use & Facility Charge Arrive or Depart	Ramp Gate Area Use & Facility Charge Arrive and Depart
12,500 lbs. or less	Per Lease Agreement	\$ 16.00	\$ 35.00
Over 12,500 lbs. but less than 49,999 lbs.	Per Lease Agreement	24.00	50.00
50,000 – 99,999 lbs.	Per Lease Agreement	242.00	400.00
100,000 lbs. - 149,999 lbs.	Per Lease Agreement	258.00	460.00
150,000 lbs. - 249,999 lbs.	Per Lease Agreement	338.00	520.00
250,000 lbs. - 349,999 lbs.	Per Lease Agreement	443.00	600.00
350,000 lbs. - 499,999 lbs.	Per Lease Agreement	483.00	690.00
500,000 lbs. and up	Per Lease Agreement	564.00	770.00

NOTE: (1) Fees shall be determined by weight listed in FAA type certificate data sheet.

(2) All International arrivals shall use the International facilities.

(3) Domestic and international Air Carriers that lease space in, or enter preferential use agreements for, the international facilities shall be exempt from the exhibit A (3) schedule, but shall be required to pay fees according to the terms of their specific lease or preferential

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use agreement. All other Air Carriers with lease agreements shall conform to exhibit A (3).

(4) Ramp gate area use and facility charge arrive and depart — shall be charged when inbound flights depart with new outbound passenger load.

(c) **Parking area use fee (short term) Bradley International Airport.**

See Note (1), (2) and (3).

Weight Class	Business, Corporate or Revenue Producing Aircraft 24 Hour Rate or Fraction Thereof	Non-Revenue Produc- ing Aircraft 24 Hour Rate or Fraction Thereof
Up to 5,000	\$20.00	\$17.00
5,000 to 12,500	\$35.00	\$30.00
12,500 to 25,000	\$50.00	\$40.00
25,000 to 30,000	\$75.00	\$50.00
30,000 to 40,000	\$100.00	\$60.00
40,000 to 50,000	\$125.00	\$70.00
50,000 to 60,000	\$150.00	\$80.00
60,000 to 70,000	\$175.00	\$90.00
over 70,000	\$200.00	\$100.00
All Helicopters	\$40.00	\$35.00

(1)

NOTE: (1) All non-revenue aircraft up to 5,000 lbs. – one hour free parking.

(2) Air Carriers with long term agreements with the State, which expire on June 30, 2011 shall be allowed parking away from their gates without a fee for up to 24 hours, or in the event of a mechanical problem.

(3) Effective July 1, 2011, Air Carriers requiring parking away from their gates shall enter into agreement with the State Department of Transportation providing for same. In the absence of such agreement, the parking area use fee (short term) for Bradley International Airport stated in the above exhibit shall apply.

(d) **Parking area use fee (long term—one month or more) Bradley International Airport.**

Monthly parking rate for non-revenue producing aircraft.

Weight Class	<u>Monthly Rate Per Plot</u>	
	Unpaved	Paved
Up to 5,000	\$ 65.00	\$ 75.00
5,000 to 12,500	75.00	105.00

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12,500 to 25,000	105.00	145.00
25,000 to 30,000	125.00	175.00
30,000 to 40,000	145.00	205.00
40,000 to 50,000	175.00	235.00
50,000 to 60,000	210.00	260.00
60,000 to 70,000	325.00	375.00
Over 70,000	475.00	625.00
All helicopters	100.00	150.00

(e) Parking area use fee (long-term—one month or more) Hartford-Brainard, Oxford, Groton-New London, Windham, Danielson Airports

Monthly parking rate for non-revenue producing aircraft.

Monthly Rate Per Plot

Hartford-Brainard Oxford

Weight Class	Groton-New London		Danielson Windham	
	Unpaved	Paved	Unpaved	Paved
Up to 5,000	\$ 40.00	\$ 55.00	\$ 25.00	\$ 40.00
5,000 - 12,500	50.00	75.00	30.00	50.00
12,500 - 25,000	60.00	85.00	40.00	60.00
25,000 - 30,000	75.00	100.00	50.00	75.00
30,000 - 40,000	90.00	115.00	55.00	85.00
40,000 to 50,000	105.00	140.00	65.00	95.00
Over 50,000	130.00	165.00	75.00	105.00

(f) Parking area use fee (short-term) Hartford-Brainard, Groton-New London, Waterbury-Oxford, Windham, Danielson Airports.

Weight Class	<u>24-Hour Rate or Fraction Thereof</u>	Danielson Windham
	<u>Hartford-Brainard Oxford</u>	
	Groton-New London	
Up to 5,000	\$7.00	\$5.00
5,000 to 12,500	8.00	6.00
12,500 to 25,000	10.00	7.50
25,000 to 30,000	12.00	10.50
30,000 to 40,000	18.00	15.00

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40,000 to 50,000	20.00	16.50
Over 50,000	28.00	25.00
All Helicopters	15.00	10.00

(g) **Ramp gate area limitations.** Aircraft shall use designated gate parking positions for the unloading or loading of passengers and/or cargo and are subject to parking limitations as follows:

- (1) If a combination of unloading and loading passengers and/or cargo—one hour.
- (2) If only unloading passengers and/or cargo—40 minutes.
- (3) If only loading passengers and/or cargo—40 minutes.

(4) Penalties—The operator of said aircraft shall be charged for parking at said locations at the rate of \$ 70.00 for each thirty minutes or fraction thereof beyond the period provided for in subdivisions (1), (2) and (3) of subsection (f) of this section unless an extension of time is granted by the commissioner or his designated representative.

(h) **Aircraft refueling diversions**—Bradley International Airport. Air Carriers using aircraft in the over 90,000 pound gross landed weight category and not having an agreement with the State Department of Transportation shall be charged \$ 350.00 for ramp space during the refueling process plus applicable landing fees. (see Exhibit A (1)).

Air Carriers using aircraft in the 0—90,000 pound gross landed weight category and not having an agreement with the State Department of Transportation shall be charged \$ 200.00 for ramp space during the refueling process plus applicable landing fees (see Exhibit A (1)).

(i) **Rates and Charges for use of Bradley International Airport effective July 1, 2011.**

(1) The State shall not consent to a hold over tenancy of any Air Carrier under the terms of the Air Carrier Operating Agreement between the State and certain Signatory Airlines expiring June 30, 2011 (Signatory Agreement). Effective July 1, 2011, each Air Carrier providing scheduled passenger service at Bradley International Airport shall be permitted to enter into short term (month to month) lease agreements with the State, through its Department of Transportation, providing for the use and occupancy of the Airfield Area, Terminal Building and Apron Areas it occupies as of that date, or at the discretion of the Commissioner of Transportation, such other areas designated by the Commissioner of Transportation, hereinafter the “Short Term Lease”. The rents, fees and charges due under such Short Term Lease shall be as set forth in subsection (i) of this section, and such rents, fees and charges, and budget development procedures set forth in subdivision (12) and (13) of subsection (i) shall remain in effect until such time as the State and the Air Carriers agree to terms, including appropriate rents, fees and charges for said areas, and execute new Preferential Use Agreements.

(2) Air Carriers providing scheduled passenger service at Bradley International Airport pursuant to the Short Term Lease shall pay the Terminal Building Rentals, Landing Fees, Baggage Claim Area Charges, Apron Area Rentals, Jet Bridge, Baggage Conveyor and Tenant Fit Out charges set forth below. Upon execution of the Preferential Use Agreements to include Terminal Building Rentals, Landing Fees, Baggage Claim Area Charges, Apron

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Area Rentals, Jet Bridge, Baggage Conveyor and Tenant Fit Out charges, said Preferential Use Agreements shall be controlling and subsection (i) of this section shall have no force or effect.

(3) Terminal Building Rentals.

(A) In establishing Terminal Building Rentals with respect to each Airport Fiscal Year, the State shall divide Gross Space into total budgeted Operating Expenses Properly Allocable to the Terminal Building Cost Center for such year, and the resulting value shall be multiplied by a factor of 1.10 to determine a cost per square foot of Gross Space in the Terminal Building, provided, however, that the rate for major functional sub-components of the Terminal Building including, but not limited to unit terminals, concourses, gate areas and areas occupied exclusively by the Signatory Airlines, as determined by the Commissioner of Transportation, may include the Annual Debt Service incurred with respect to the Construction Cost of such sub-components as determined by the Commissioner of Transportation and provided further that Annual Debt Service incurred with respect to the Construction Cost of such sub-components as may be decommissioned by the Commissioner of Transportation in anticipation of demolition pursuant to the Capital Improvement Program shall be Properly Allocable to the sub-components that remain in use. The applicable cost per square foot so calculated shall be multiplied by the total Terminal Building space to be occupied and used by each Signatory Airline during such year in order to determine the Terminal Building Rentals due from each Signatory Airline.

(B) Effective July 1, 2011, any Air Carrier or User that has a written agreement with the State Department of Transportation referring to the Signatory Agreement as the basis upon which terminal building rental rates are computed under the terms of such agreement shall pay the Terminal Building Rentals in accordance with subdivision (1) of subsection (i).

(4) Landing Fees.

(A) The Landing Fees payable by each Signatory Airline shall be determined by multiplying the Landing Fee coefficient defined below for the then current Airport Fiscal Year times the Signatory Airline's total landed weight at Bradley International Airport (i.e., the total Revenue Aircraft Arrivals times Maximum Landing Weight for each such arrival). The Landing Fee coefficient for each Airport Fiscal Year shall be calculated as follows, based on the estimated figures included in the Airport Operating Budget for such Airport Fiscal Year:

(i) Total aircraft arrivals for all Signatory Airlines shall be stated as a percentage of total aircraft arrivals for all Users of the Airport (the "frequency factor");

(ii) Total gross landed weight (i.e., total aircraft arrivals times Maximum Landing Weight for each such arrival) for all Signatory Airlines shall be stated as a percentage of total gross landed weight for all Users of the Airport (the "weight factor");

(iii) The total costs and expenses properly allocable to the Airfield Area Cost Center under the Airport Operating Budget shall be multiplied by the expression $[.35 \times \text{weight factor} + .65 \times \text{frequency factor}]$, to arrive at the Signatory Airlines' total share of such costs and expenses Allocable Cost");

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(iv) The allocable cost shall be divided by the total landed weight for all Signatory Airlines and the resulting value multiplied by a factor of 1.10 to arrive at the Landing Fee coefficient.

(B) Mid Year Adjustment Provision. If, in any Airport Fiscal Year, actual Landing Fees received shall be at least 10% lower than the amount budgeted therefore for the period ending October 31st, then the Commissioner shall adjust the Landing Fee coefficient determined above by such amount as may be necessary to correct such shortfall in Landing Fees. Any adjusted Landing Fee coefficient shall be effective as of January 1st during such fiscal year.

(C) Itinerant Landing Fees. Unless otherwise stated in a written agreement with the State Department of Transportation, all Air Carriers and Users that are not Signatory Airlines shall pay Itinerant Landing Fees. Itinerant Landing Fees shall be established at Bradley International Airport for those Air Carriers which do not have Short Term Leases or Preferential Use Agreements with the State Department of Transportation. Itinerant Landing Fees shall be levied at a 60% higher rate than the rates set forth in subdivision (4) of subsection (i) of this section.

(D) Effective July 1, 2011, any Air Carrier or User that has a written agreement with the State Department of Transportation referring to the Signatory Agreement as the basis upon which landing fees are computed under the terms of such agreement shall pay the applicable landing fee in accordance with subdivision (4) of subsection (i) of this section.

(5) Baggage Claim Area Charges. The total Baggage Claim Area Charges for each Baggage Claim Area shall be determined by multiplying the total square footage of such Baggage Claim Area times the cost per square foot of Gross Space calculated pursuant to subdivision (3) of subsection (i). Each Signatory Airline shall be responsible for a share of such costs allocable to each Baggage Claim Area which it utilizes based on the following formula: Twenty percent (20%) of the total costs allocable to each such Baggage Claim Area shall be divided equally among all Users of such Baggage Claim Area and the remaining eighty percent (80%) of such costs shall be allocated to such Users in proportion to the number of enplaning passengers attributable to each User as a percentage of the total number of enplaning passengers attributable to all Users, for the preceding month.

(6) Apron Area Rentals. In establishing Apron Area Rental rates with respect to each Airport Fiscal Year, the state shall divide the total linear feet of the Apron Area, measured along a line located one hundred feet (100') perpendicularly from the face of the Terminal Building, into the total Operating Expenses properly allocable to the Apron Area Cost Center for such Airport Fiscal Year, and the resulting value shall be multiplied by a factor of 1.10 to determine a cost per linear foot of Apron Area space. Annual Debt Service incurred with respect to the Construction Cost of Apron Area decommissioned by the Commissioner of Transportation in anticipation of demolition pursuant to the Capital Improvement Program shall be Properly Allocable to the Apron Area that remains in use. The cost per linear foot so calculated shall be multiplied by the total linear feet of Apron Area to be used by each Signatory Airline during such Airport Fiscal Year.

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(7) Jet Bridge Charges. Each Signatory Airline occupying a jet bridge funded by the Airport's Series 2001 A General Airport Revenue Bonds shall pay to the State a Properly Allocable share of the debt service payments associated with such Series 2001 A General Airport Revenue Bonds ("Jet Bridge Charges"). Unless otherwise agreed in writing between the Commissioner of Transportation and a Signatory Airline, in establishing the annual Jet Bridge Charges, the state shall divide the total debt service Properly Allocable to the cost of acquiring and installing such jet bridges over the term of the Series 2001 A Bonds by a thirteen (13) year term for the collection of such debt service, the annual charge so calculated to remain in effect until such total debt service payments have been fully collected. In addition to such Jet Bridge Charges, each Signatory Airline shall pay the direct cost of electric service provided to all jet bridges at the Airport and the direct cost of all repair and maintenance service provided by the Airport for such jet bridges ("additional Jet Bridge Charges").

(8) Baggage Conveyor Charges. Each Signatory Airline using the baggage conveyor system funded by the Airport's Series 2001 A General Airport Revenue Bonds shall pay to the state a Properly Allocable share of the debt service payments associated with such Series 2001 A General Airport Revenue Bonds ("Baggage Conveyor Charges"). Unless otherwise agreed in writing between the Commissioner of Transportation and a Signatory Airline, in establishing the total annual Baggage Conveyor Charges, the state shall divide the total debt service payments Properly Allocable to the cost of acquiring and installing the baggage conveyor systems due over the term of the Series 2001 A Bonds by a thirteen (13) year term for the collection of such debt service, the annual charge so calculated to remain in effect until such total debt service payments have been fully collected. Each Signatory Airline shall be responsible for a share of such total Baggage Conveyor Charges based on the formula outlined in subdivision (5) of subsection (i) In addition to such Baggage Conveyor Charges, each Signatory Airline shall pay its proportionate share, based on the formula outlined in subdivision (5) of subsection (i), of the direct cost of all repair and maintenance service provided by the Bradley International Airport for baggage conveyor systems ("additional Baggage Conveyor Charges").

(9) Tenant Fit Out Charges. Each Signatory Airline occupying exclusive space, the finish and fit out of which was funded by Bradley International Airport's Series 2001A General Airport Revenue Bonds, shall pay to the state a Properly Allocable share of the debt service payments associated with such Series 2001A General Airport Revenue Bonds ("Tenant Fit Out Charges"). Unless otherwise agreed in writing between the Commissioner of Transportation and a Signatory Airline, in establishing the annual Tenant Fit Out Charges, the state shall divide the total debt service payments Properly Allocable to the cost of such finish and fit out work due over the term of the Series 2001 A Bonds by a fifteen (15) year term for the collection of such debt service, the annual charge so calculated to remain in effect until such total debt service payments have been fully collected.

(10) Monthly Payments and Reports.

(A) Each Signatory Airline shall pay to the state on the first (1st) day of each month in

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advance the Terminal Building Rentals, Apron Area Rentals, Jet Bridge Charges and Tenant Fit Out Charges payable to the State, in an amount equal to one-twelfth (1/12) of its annual charge for the current Airport Fiscal Year.

(B) Each Signatory Airline shall pay to the State on the fifteenth (15) day of each month, in arrears, the preceding month's Landing Fees. Such landing fee payment shall be transmitted along with a report including (i) the Revenue Aircraft Arrivals by type of aircraft and (ii) the number of enplaning passengers, for such preceding month. In addition, not less than one hundred and twenty (120) days prior to the commencement of each Airport Fiscal Year, each Signatory Airline shall provide the State with an estimate of its total landed weight for the next ensuing Airport Fiscal Year.

(C) Each Signatory Airline shall pay to the State, upon invoicing by the state each month in arrears, the preceding month's Baggage Claim Area Charges, Baggage Conveyor Charges and additional Baggage Conveyor Charges. Said charge shall be computed by the state based on the number of enplaning passengers included in each Signatory Airline's monthly report required under subparagraph (B) of subdivision (10) of subsection (i) of this section. In the event that figures as to the number of enplaning passengers for any month are unavailable then the state may compute the Baggage Claim Area Charges, Baggage Conveyor Charges and additional Baggage Conveyor Charges based on the number of enplaning passengers for the most recent month for which certified figures are available.

(D) Each Signatory Airline shall pay to the state, upon invoicing by the state each month in arrears, the preceding month's additional Jet Bridge Charges.

(E) Acceptance of any payment due to the state shall not preclude the state from questioning the accuracy of any data submitted by any Signatory Airline. The state shall be entitled, upon reasonable notice, to examine that portion of the books and records of any Signatory Airline as is relevant for the purpose of ascertaining the correctness of the amount paid or to be paid to the state.

(F) If any Signatory Airline shall fail to make any payment due not less than thirty (30) days after the date due and payable, then a late penalty at the rate of one and one-half percent (1 1/2%) per month for any month or part of a month shall be due and payable on the amount in arrears. Payments received when an arrearage exists shall be applied first to payment of the late penalty imposed under subparagraph (F) of subdivision (10) of subsection (i) of this section, then to payment of arrearages, and finally to the payment of current obligations.

(G) Each Signatory Airline shall make all payments to the state by check made payable to the "Treasurer, State of Connecticut" and addressed to the Connecticut Department of Transportation, Bureau of Finance & Administration, Revenue Accounting, Aviation & Ports, 2800 Berlin Turnpike, PO Box 317546, Newington, Connecticut 06131-7546.

(11) Annual Carry Forward of Expense Surpluses and Deficits. If in any Airport Fiscal Year the state shall fail through the imposition of the rates, rents, fees and charges provided for hereunder to recover the full amount of the actual Operating Expenses Properly Allocable to the Signatory Airlines during such Airport Fiscal Year on account of their use of the facilities of Bradley International Airport, then the state shall be entitled to carry

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forward the amount of this deficit as an additional item of allocable cost in computing the schedule of rates, rents, fees and charges for the Airport Fiscal Year following the Airport Fiscal Year during which the final Airport Audit is received which reflects such deficit. Conversely, if in any Airport Fiscal Year the state shall recover through the imposition of the rates, rents, fees and charges provided for hereunder actual revenues exceeding the full amount of the actual Operating Expenses properly allocable to the Signatory Airlines during such Airport Fiscal Year on account of their use of the facilities of Bradley International Airport, then the state shall be required to carry forward the amount of this surplus as an offset to allocable costs in computing the schedule of rates, rents, fees and charges for the Airport Fiscal Year following the Airport Fiscal Year during which the final Airport Audit is received which reflects such surplus.

(12) Capital Improvements Subject to Majority-in-Interest Approval.

(A) Subject to the provisions of Section 15-101nn of the General Statutes, the state may take into account all Properly Allocable costs and expenses incurred in effecting Capital Improvements at the Bradley International Airport in determining the schedule of rates, rents, fees and charges applicable to the Signatory Airlines; provided, however, that no such cost or expense shall be charged to the Signatory Airlines unless such Capital Improvements are approved as part of the procedure for Adoption of Airport Operating Budget outlined in subdivision 13 of subsection (i) of this section. The state shall provide formal notification of proposed Capital Improvements including a description of such proposed Capital Improvement (including preliminary drawings and cost estimates), a brief statement of the need for such expenditure, the allocation of the Construction Cost of such Capital Improvement to the various Cost Centers, and a projection of the impact of such Capital Improvement on the rates, rents, fees and charges assessed to the Signatory Airlines. The following shall not be subject to approval by the Signatory Airlines:

- (i) Capital Improvements included in the approved Capital Improvement Program;
- (ii) Capital Improvements required by law, including without limitation public safety improvements required by (1) the FAA or (2) any similar governmental authority having jurisdiction over the operations of the Airlines or over the safety aspects of airports generally;
- (iii) The repair and rehabilitation of existing Airport property including casualty damage to Airport property;
- (iv) When requested by a Signatory Airline or by a financially responsible third party, a special facility which such Signatory Airline or third party has agreed in writing to lease from the state and with respect to which such Signatory Airline or third party shall pay rentals to the State sufficient to permit the special facility to be acquired, constructed, renovated, remodeled, administered, operated, maintained and repaired without affecting the Operating Expenses allocable to the Signatory Airlines;
- (v) Any Capital Improvement to the Airfield Area Cost Center and Apron Area Cost Center, not included in the then applicable Airport Operating Budget, the cost of which does not exceed \$250,000, provided that the aggregate cost of Capital Improvements undertaken

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pursuant to this subparagraph shall not exceed \$500,000 in any Airport Fiscal Year;

(vi) Any Capital Improvement to the Terminal Building Cost Center, not included in the then applicable Airport Operating Budget, the cost of which does not exceed \$75,000, provided that the aggregate cost of Capital Improvements undertaken pursuant to this subparagraph shall not exceed \$150,000 in any Airport Fiscal Year;

(vii) Any passenger terminal and associated facilities and systems which are prudent and necessary to accommodate any additional airline company at the Airport.

(B) The State shall consult with the Signatory Airlines prior to undertaking any Capital Improvement under subparagraph (A)(i) through (A)(vii) but no approval of any Signatory Airline shall be required as a condition precedent thereto.

(13) Adoption of Airport Operating Budget.

(A) Not less than ninety (90) days prior to the beginning of each Airport Fiscal Year, the state shall provide each Signatory Airline with a copy of its proposed Airport Operating Budget for such ensuing Airport Fiscal Year, which proposed Airport Operating Budget shall incorporate (i) details of operating and non operating revenues and expenses including any carry forward of surplus or deficit required under subdivision (11) of subsection (i); (ii) a schedule of rates, rents, fees and charges for such Airport Fiscal Year; (iii) estimates made by the state of total arrivals, total Revenue Aircraft Arrivals and total enplaning passengers for each Signatory Airline and for all Users, for such Airport Fiscal Year; and (iv) a schedule of Capital Improvements subject to or not subject to Majority-In-Interest approval including the information outlined in subdivision (12) of subsection (i) of this section.

(B) The Signatory Airlines shall review such proposed Airport Operating Budget and provide their comments to the State not less than sixty (60) days prior to the beginning of the ensuing Airport Fiscal Year. In connection with such review, the state shall provide each of the Signatory Airlines with such reasonably detailed figures and estimates as they may request which serve as the basis for the proposed Airport Operating Budget and such schedule of rates, rents, fees and charges.

(C) Not less than forty-five (45) days prior to the beginning of each Airport Fiscal Year, the Signatory Airlines shall vote to approve or disapprove of the Airport Operating Budget. A Signatory Airline shall be deemed to have approved of the Airport Operating Budget in the absence of written disapproval provided to the Commissioner. If, within such forty-five (45) days, a Majority-in-Interest of the Signatory Airlines does not approve of the Airport Operating Budget, then such Signatory Airline or Airlines shall be entitled to meet with the Commissioner of Transportation to discuss such disagreement.

(D) Subject to the provisions of Section 15-101nn of the General Statutes, if, after a meeting held pursuant to subparagraph (C) of subdivision (13) of subsection (i) of this section, a Majority-in-Interest of the Signatory Airlines does not approve the resulting proposed Airport Operating Budget not less than thirty-five (35) days prior to the beginning of the Airport Fiscal Year, the Commissioner of Transportation may do one of the following:

(i) adjust the Airport Operating Budget including rates, rentals, fee and charges to a point

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where a Majority-in-Interest of the Signatory Airlines approve; or

(ii) adopt said Airport Operating Budget including rates, rentals, fees and charges, which shall be fully effective under regulation, and collected from the Signatory Airlines, and in such event, the Signatory Airlines may pursue their rights, if any, to any remedies they may have, and to protest, under applicable law, said rates, rentals, fees and charges.

(Effective June 28, 1989; Amended August 9, 2005; Amended March 9, 2011)

Sec. 15-41-46—15-41-50.

Reserved.

Sec. 15-41-51. Temporary use of International Wing at Bradley International Airport for domestic flights

The International Wing at Bradley International Airport shall be open to use by domestic carriers with the ramp gate area use and facility charge specified in Section 15-41-45 waived, if in the opinion of the Commissioner of the Department of Transportation such use is required in the interest of public health, welfare and safety. The normal domestic carrier charges will not be affected hereby.

(Effective May 10, 1974)

Sec. 15-41-52—15-41-60.

Reserved.

Regulations to Improve and Expand Safety and Security Measures at Bradley International Airport

Sec. 15-41-61—15-41-66. Repealed

Repealed November 5, 1999.