

8800.1400 GENERAL AIRPORT LICENSING PROVISIONS.

Subpart 1. **Approval and licensing; exemptions.** Every airport, before operating as an airport, must be approved and licensed by the commissioner, except as set forth in items A and B:

A. airports owned or operated by the Metropolitan Airports Commission, organized and existing under Minnesota Statutes, chapter 473;

B. personal-use airports located more than five miles from the nearest public airport.

Subp. 2. **Application and fee.** Application for license must be made on forms supplied by the commissioner, accompanied by the appropriate fee, and renewed annually or triennially.

Subp. 3. **Inspection.** The applicant for any license shall offer full cooperation in respect to any inspection which may be made of the airport premises upon proper demand at reasonable hours by any authorized representative of the commissioner, prior to or subsequent to the issuance of a license.

Subp. 4. **Ownership.** The applicant shall show right of access to and control of the land, or right of access to the water area to be licensed, as owner, coowner, tenant, or by any other right of entry.

Subp. 5. **Agency approvals.** No airport shall be licensed unless the applicant meets the requirements of other federal or state government agencies or their political subdivisions.

Subp. 6. **License display.** The license issued under this part shall be posted in a prominent place at the airport.

Subp. 7. **Nontransferability.** Licenses shall not be transferable.

Subp. 8. **Restricted operation.** A letter of authority granting temporary or restricted operation may be issued pending full compliance with the provisions of these rules and shall have an expiration date.

Subp. 9. **Change of operational status.** The licensee shall immediately notify the commissioner of any proposed construction, alteration, or change in the operational status of the airport. The licensee is also responsible for properly notifying the Federal Aviation Administration of such alterations or changes.

Subp. 10. **Danger area or closed airport.** Any part of the landing strip or runway which has become temporarily unsafe, or for any reason is not available for use, shall be marked by suitable warning flags and/or flares which shall clearly show the boundaries of the danger area. Upon the closing, abandonment, or cessation of any airport the licensee

shall immediately notify the commissioner, return the current license, and mark the landing area in a manner that clearly indicates that the airport is closed to air traffic. All markings indicating a usable runway must be obliterated. An "X" must be placed at a central location, the minimum size to be 3 feet by 30 feet, and of contrasting colors to the surrounding surface where the "X" is placed. In the event that the licensee fails to do the above, then and in such case, and without excusing the licensee, the commissioner may go upon the premises and remove the markings that indicate a usable runway and may also mark the airport as indicated above.

Statutory Authority: *MS s 360.015; 360.018; 360.03; 360.90*

History: *17 SR 1279; 30 SR 215*

Published Electronically: *October 2, 2007*