

CHAPTER 6

AIRPORTS

§101. Categories

All airports in this State shall be categorized as follows under this section. [PL 1977, c. 678, §33 (NEW).]

1. Commercial airports.

A. Air carrier airports are those airports regularly served by an air carrier airline and which meet Federal Air Regulation, Part 139, or subsequent revisions or amendments. [PL 1977, c. 678, §33 (NEW).]

B. Commuter air carrier airports are those airports regularly served by commuter air carriers, which airports shall also meet such provisions of the federal air regulations, Part 139, as are duly adopted by the commissioner. [PL 1977, c. 678, §33 (NEW).]

C. General Aviation I airports are those airports not regularly served by an air carrier or a commuter air carrier and can be classified as publicly or privately owned and can be further subdivided as:

(1) Land; or

(2) Seaplane. [PL 1977, c. 678, §33 (NEW).]

[PL 1977, c. 678, §33 (NEW).]

2. Utility airports.

A. Utility airports are airports that are publicly or privately owned and open to the public and subdivided into 2 classes:

(1) Land; or

(2) Seaplane. [PL 1999, c. 131, §12 (AMD).]

B. Utility airports may not conduct commercial activities. [PL 1999, c. 131, §12 (NEW).]
[PL 1999, c. 131, §12 (AMD).]

3. Heliports.

A. A heliport is an area, either at ground level or elevated, that is used for landing and taking off of helicopters. They are further subdivided into 2 categories:

(1) Commercial; or

(2) Noncommercial. [PL 1977, c. 678, §33 (NEW).]

[PL 1977, c. 678, §33 (NEW).]

4. Landing area; temporary.

A. A temporary landing area is an area open to the agency for the purpose of conducting aeronautical business for a limited period of time. [PL 1977, c. 678, §33 (NEW).]

[PL 1977, c. 678, §33 (NEW).]

5. Private airport with commercial activity.

A. A private airport with commercial activity is an airport that is not open to the public, but supports a commercial activity. [PL 1999, c. 131, §13 (NEW).]

[PL 1999, c. 131, §13 (NEW).]

SECTION HISTORY

PL 1977, c. 678, §33 (NEW). PL 1999, c. 131, §§12,13 (AMD).

§102. Minimum airport standards; airport managers; fire equipment and safety

1. Minimum standards.

A. Classification of airports by the commissioner.

(1) All airports shall be classified by the commissioner based on the published operating characteristics and limitations of the aircraft to be accommodated. All airports shall meet the appropriate minimum physical design criteria as set forth in the latest State or Federal Aviation Administration Advisory Circular and Federal Aviation Regulations for the airport's classification.

(2) The commissioner shall establish, maintain and periodically publish the current minimum physical design criteria and the criteria used as this section applies in the classification of "category" airports in the State.

(3) Waivers of any physical requirements may be given by the commissioner if the commissioner finds the action to be consistent with safety and public interest. [RR 2023, c. 1, Pt. C, §32 (COR).]

[RR 2023, c. 1, Pt. C, §32 (COR).]

2. Airport managers.

A. All air carrier and commuter air carrier airports shall designate a person generally available who has administrative responsibility for operation and management of the airport. All general aviation commercial airports, as defined under chapter 6, shall have at least a part-time airport manager. [RR 2019, c. 2, Pt. A, §10 (COR).]

B. All airport managers shall perform the following duties.

(1) The airport manager, or the airport manager's authorized representative, shall be available during all hours of operation. A current telephone number must be on file with the department.

(2) The airport manager shall file a notice to air missions with the Federal Aviation Administration designating any changes in airport conditions that may affect safety. A "notice to air missions" file must be maintained at the airport.

(3) The airport manager shall display the local traffic pattern, airport traffic safety rules, any noise abatement procedures and any special orders relating to the airport and its operations at a prominent location on the airport.

(4) The airport manager shall submit a list of federal aviation registration numbers twice yearly to the department in May and November of all aircraft based at the airport manager's airport. [RR 2023, c. 1, Pt. C, §33 (COR).]

C. [PL 2011, c. 610, Pt. A, §3 (RP).]
[RR 2023, c. 1, Pt. C, §33 (COR).]

3. Fire equipment and safety.

A. [PL 1999, c. 131, §14 (RP).]

B. There shall be fire extinguishers of adequate size, type and amounts in locations as recommended by the National Fire Protection Association. [PL 1977, c. 678, §33 (NEW).]
[PL 1999, c. 131, §14 (AMD).]

SECTION HISTORY

PL 1977, c. 678, §33 (NEW). PL 1999, c. 131, §14 (AMD). PL 2007, c. 76, §1 (AMD). PL 2011, c. 610, Pt. A, §§2, 3 (AMD). RR 2019, c. 2, Pt. A, §10 (COR). RR 2023, c. 1, Pt. C, §§32, 33 (COR).

§103. Physical description of airports and minimum airport facilities

1. Commercial airports.

A. There shall be adequate toilet facilities approved by the proper authority in the community in which the commercial airport is located, an operation area contained in a building which has an interior floor area measuring no less than 6 feet by 8 feet, and a public telephone. [PL 1977, c. 678, §33 (NEW).]

B. [PL 1999, c. 131, §15 (RP).]

C. There shall be a wind direction indicator consisting of either a wind sock, a tetrahedron or a wind tee. [PL 1977, c. 678, §33 (NEW).]

D. All paved runways shall be marked in accordance with the latest State or Federal Aviation Administration Advisory Circular. [PL 1977, c. 678, §33 (NEW).]

E. All lighted runways shall be lighted in accordance with the latest State or Federal Aviation Administration Advisory Circular. [PL 1977, c. 678, §33 (NEW).]

[PL 1999, c. 131, §15 (AMD).]

2. Commercial airports; seaplanes.

A. A commercial seaplane base shall be deemed to be a commercial airport as defined in section 3, subsection 18-A, except that a commercial seaplane landing area shall not be considered to be a commercial seaplane base. The Commissioner of Transportation may make rules and regulations pertaining to the use and operation of commercial seaplane landing areas. [PL 1979, c. 80, §4 (AMD).]

B. In case the body of water to be used for landing and taking off is under the jurisdiction of any federal, state, municipal port or other authority, the operations on that body of water shall also be in conformity with the marine traffic rules and regulations of the authority, if those rules and regulations do not interfere with the safe operation of aircraft. [PL 1977, c. 678, §33 (NEW).]

C. The registration issued to a seaplane base shall apply to the land area from which operations are conducted and to the water area designated for its operations. Where 2 or more bases located on the same body of water are under different ownership or control, each base shall obtain a separate seaplane registration. [PL 1977, c. 678, §33 (NEW).]

D. The use of that body of water for aeronautical purposes shall in no way impair or deny the right of the public to the use of public waters. [PL 1977, c. 678, §33 (NEW).]

E. No person shall operate a watercraft in any manner as to intentionally obstruct or interfere with the take off, landing or taxiing of any aircraft. [PL 1977, c. 678, §33 (NEW).]

F. All property used for the land operation of the seaplane base, including docks and ramps, must be owned by the applicant, or the applicant shall show a statement in writing by the owner that the applicant has the right to use and has control of the property for the purpose and time intended.

The applicant shall show that any construction or alteration of shorelines on the land area of the base is in conformity with the rules of the Department of Environmental Protection and with municipal building and other pertinent regulations if applicable. [RR 2023, c. 1, Pt. C, §34 (COR).]

G. There shall be suitable docking facilities for loading and unloading passengers. A power boat shall be available at all times when operations are in progress, also there shall be life preservers available. [PL 1977, c. 678, §33 (NEW).]

H. There shall be situated on the commercial airport proper, adequate toilet facilities approved by the proper authority in the community in which the commercial seaplane base is located, an operations area contained in a building which has an interior floor area measuring no less than 6 feet by 8 feet, and a telephone. [PL 1977, c. 678, §33 (NEW).]

I. There shall be aviation fuel available and stored in National Fire Protection Association approved facilities. [PL 1977, c. 678, §33 (NEW).]

J. There shall be a wind direction indicator consisting of either a wind sock, tetrahedron or wind tee. [PL 1977, c. 678, §33 (NEW).]

[RR 2023, c. 1, Pt. C, §34 (COR).]

3. Noncommercial airports; land; open to the public. Noncommercial airports and land airports open to the public shall meet the following minimum requirements.

A. There shall be a wind direction indicator consisting of either a wind sock, tetrahedron or wind tee located adjacent to the landing area. [PL 1977, c. 678, §33 (NEW).]

B. Land airports without paved runways must have the boundaries of the usable landing area defined with clearly visible markers painted white. [PL 1999, c. 131, §16 (AMD).]

[PL 1999, c. 131, §16 (AMD).]

4. Heliports; commercial. Commercial heliports shall meet the following minimum requirements.

A. There shall be adequate toilet facilities approved by the proper authority in the community in which the commercial heliport is located, an operation area contained in a building which has an interior floor area measuring no less than 6 feet by 8 feet, and a public telephone available to the public. [PL 1977, c. 678, §33 (NEW).]

B. There shall be aviation fuel available and stored in National Fire Protection Association approved facilities. [PL 1977, c. 678, §33 (NEW).]

C. There shall be a wind direction indicator consisting of either a wind sock, a tetrahedron or a wind tee located adjacent to the landing area. [PL 1977, c. 678, §33 (NEW).]

[PL 1977, c. 678, §33 (NEW).]

5. Heliports, noncommercial; open to the public.

A. Noncommercial heliports open to the public shall have a wind direction indicator consisting of either a wind sock, a tetrahedron or a wind tee located adjacent to the landing area. [PL 1977, c. 678, §33 (NEW).]

[PL 1977, c. 678, §33 (NEW).]

6. Landing area; temporary; commercial. Temporary landing area is an area open to the agency for the purpose of conducting aeronautical business for a limited period of time. The agency shall submit to the Department of Transportation, on a form furnished by the commissioner, the necessary information to properly document this area. The physical descriptions and safety requirements for establishing these sites shall be set forth in the permit granted for each temporary landing area.

[PL 1977, c. 678, §33 (NEW).]

SECTION HISTORY

PL 1977, c. 678, §33 (NEW). PL 1979, c. 80, §4 (AMD). PL 1999, c. 131, §§15,16 (AMD). RR 2023, c. 1, Pt. C, §34 (COR).

§104. Abandoned airports; removal of identification markings

Any abandoned airport from which markers, wind direction indicators or other aeronautical signs have not been removed is declared to be a public nuisance. [PL 1977, c. 678, §33 (NEW).]

SECTION HISTORY

PL 1977, c. 678, §33 (NEW).

§105. Aviation fueling facilities

1. Aircraft fuel servicing operations. Airports may, at their option, provide aircraft fuel servicing. The operations must meet the following minimum standards.

A. Aviation fuel must be stored in National Fire Protection Association approved facilities. [PL 1999, c. 131, §17 (NEW).]

B. Aircraft fuel servicing must be conducted in accordance with accepted standards and requirements established by the National Fire Protection Association. [PL 1999, c. 131, §17 (NEW).]

C. There must be fire extinguishers of adequate size, type and numbers in locations as recommended by the National Fire Protection Association. [PL 1999, c. 131, §17 (NEW).]
[RR 1999, c. 1, §3 (COR).]

SECTION HISTORY

RR 1999, c. 1, §3 (COR). PL 1999, c. 131, §17 (NEW).

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