

NEBRASKA ADMINISTRATIVE CODE

TITLE 17
NEBRASKA DEPARTMENT OF AERONAUTICS



RULES AND REGULATIONS

Issued November 2013

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

TABLE OF CONTENTS

<u>Chapter</u>	<u>Statutory Authority</u>	<u>Page</u>
1 Public Use Airport/Heliport Licensing Standards	3-102; 3-109 3-128; 3-133; 3-135; 3-136; 3-137; 3-140	4
2 Rental of Aircraft <u>Airport Hazard Area Zoning</u>	3-102; 3-109; 3-158	9
3 Marking and Lighting of Structures	3-407; 3-408; 3-409	10
4 Transmission Lines	75-713; 75-714 75-715; 75-716; 75-717	11
5 Petition for Rulemaking	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-910	12
6 Procedures Governing Declaratory Orders	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-901	14
7 Practice and Procedure for Hearings in Contested Cases	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-901; 84-913; 84-914; 84-915; 84-917	25
8 Nebraska Aeronautics Commission	3-104	39
9 <u>Rental of Aircraft</u>	<u>3-102; 3-109;</u> <u>3-158</u>	<u>40</u>

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

TABLE OF CONTENTS

<u>Subject of Title</u>	<u>Statutory Authority</u>	<u>Code Section</u>
<u>Airport Hazard Area Zoning</u>	3-102; 3-109; <u>3-303</u>	<u>2-001 et. seq.</u>
Marking and Lighting of Structures	3-407; 3-408; 3-409	3-001 et.seq.
Nebraska Aeronautics Commission	3-104	8-001 et. seq.
Petition for Rulemaking	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-910	5-001 et.seq.
Practice and Procedure for Hearings in Contested Cases	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-901; 84-913; 84-914; 84-915; 84-917	7-001 et.seq.
Procedures Governing Declaratory Orders	3-102; 3-109; 3-117; 3-118; 3-139; 3-140; 84-901	6-001 et.seq.
Public Use Airport/Heliport Licensing Standards	3-102; 3-109 3-128; 3-133; 3-135; 3-136; 3-137; 3-140	1-001 et.seq.
Rental of Aircraft	3-102; 3-109 3-158	<u>92-001 et. seq.</u>
Transmission Lines	75-713; 75-714 75-715; 75-716; 75-717	4-001 et. seq.

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

CHAPTER 1 – PUBLIC USE AIRPORT/HELIPORT LICENSING

001 Definitions

001.01A Airport means any area that is used, or intended for use, for landing and takeoff of aircraft, and any appurtenant areas that are used, or intended for use, for airport buildings or other airport facilities or rights of way.

001.01B Displaced Threshold means a threshold that is located at a point on the runway other than at the beginning of the runway surface. The area behind the displaced threshold is available for rollout or takeoff of aircraft.

001.01C Effective Runway Length means the longest takeoff length available.

001.01D Heliport means any area that is used, or intended for use, for landing and takeoff of rotorcraft, and any appurtenant areas that are used, or intended for use, for heliport buildings or other heliport facilities or rights of way.

001.01E Public-Use means available for use by the general flying public.

001.01F Private-Use means available for use by the owner and only for use by others upon specific invitation of the owner.

001.01G Primary Runway means the runway designated by the Nebraska Department of Aeronautics as the primary runway, considering length, wind coverage, surface and other factors deemed appropriate.

001.01H Runway means a paved or unpaved area of prescribed dimension available for aircraft takeoffs and landings.

001.01I Threshold means the beginning of the runway that is available for landing.

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

002 Site Application and Approval

002.01 The sponsor of a proposed public-use airport or heliport shall:

002.01A Submit a Federal Aviation Administration (FAA) Form 7480-1 "Notice of Landing Area Proposal" to the FAA;

002.01B Request a license from the Department. Include a copy of FAA Form 7480-1 and any FAA response or conditions with the request;

002.01C Request and assure an on-site inspection by a representative of the Department;

002.01D Receive approval of the site from the Nebraska Aeronautics Commission;

002.01E Meet or exceed the conditions described in the FAA Form 7480-1 response.

002.01F Obtain a license from the Department. Airports shall meet or exceed minimum standards pursuant to section 17 NAC 1-003.02 and any other safety conditions established by the Department. Heliports shall meet or exceed minimum standards pursuant to 17 NAC 1-004.01B. The license does not relieve the airport owner of responsibility for complying with local zoning regulations.

003.01 Licensing - Public Use Airports

003.01A A public-use airport shall be licensed by the Department for a period not to exceed 3 years and shall maintain or exceed the minimum standards as outlined in section 17 NDA 1-003.02 or possess a waiver pursuant to 17 NAC 1-003.02H.

003.01B Public-use airports, currently licensed and maintained in accordance with Department of Aeronautics regulations in effect December 31, 2000, may continue to be licensed by the Department until December 31, 2008, provided there are no new uncorrected violations.

003.01C A public-use airport certificated in accordance with Federal Aviation Regulation Part 139 shall be considered to meet these standards and shall be licensed indefinitely until such time as the airport ceases to be certificated in accordance with FAR Part 139. When the airport ceases to be certificated, the airport shall notify the Department in writing.

003.01D When a public use airport's license expires or is surrendered or revoked the airport owner must (1) file the appropriate notice with the Federal Aviation

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

Administration changing the status of the airport from public-use, and (2) cease operation as a public-use airport.

003.02 Minimum Standards for Public Use Airports

003.02A The effective runway length of a paved primary runway shall be at least 1400 feet plus 25% of the MSL (Mean Sea Level) elevation of the site. The effective runway length of an unpaved primary runway shall be at least 1800 feet plus 25% of the MSL elevation of the site.

003.02B A paved runway shall be at least 50 feet wide. An unpaved runway shall be at least 100 feet wide.

003.02C No object shall penetrate above the primary surfaces, approach surfaces, and transitional surfaces.

003.02D Objects shall include anything fixed or mobile except aeronautical facilities whose location is fixed and necessary because of their function.

Except as otherwise noted in 003.02G below, all crops except hay shall be considered objects and their height shall be measured as the height of the crops when fully grown, despite the actual crop height at any specific time.

Roads and railroads are considered to be objects and the following heights shall be added to the height of the road or railroad to accommodate the height of vehicles:

- 1) Interstate Highway – 17 feet.
- 2) Public highway or road – 15 feet.
- 3) Private road – 10 feet.
- 4) Railroad – 23 feet.

Parked aircraft and vehicles are considered objects. Parking areas shall be placed so that the tallest aircraft or vehicle does not penetrate the approach, primary, and transitional surfaces.

003.02E The primary surface shall be the same elevation as the nearest point on the runway centerline and is 250 feet wide centered on the runway centerline. The primary surface includes the full length of the runway and extends 200 feet beyond each runway threshold for paved runways.

003.02F The approach surface extends outward from the primary surface and upward

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

along a 20 to 1 slope (20 feet horizontal to 1 foot vertical) for a horizontal distance of 1,000 feet. The width of the approach slope is 250 feet at the beginning and widens out to 450 feet at the farthest point. The approach surface begins at the end of the primary surface and is longitudinally centered on the runway centerline.

003.02G Except in the case of terrain, the transitional surface extends upwards from all approach and primary surfaces at a slope of 7 to 1 (7 feet horizontal to 1 foot vertical) perpendicular to the runway centerline. In the case of terrain, the transitional surface extends upward from all approach and primary surfaces at a slope of 4 to 1 (4 feet horizontal to 1 foot vertical) perpendicular to the runway centerline. The transitional surface includes all areas that are not in the approach or primary surface. The transitional surface ends at a height of 50 feet above the elevation of the nearest runway centerline. Crops are not considered objects in the transitional surface.

003.02H The Department may waive the minimum standards, pursuant to 17 NAC 1-003.02A-G, when such waiver, in the opinion of the Department, does not endanger public health, safety or welfare. The airport/heliport license shall state the conditions of the waiver by reference or in full.

004 Licensing - Public Use Heliport

004.01A A public use heliport shall be licensed by the Nebraska Department of Aeronautics for a period not to exceed 3 years and shall maintain or exceed the minimum standards set forth in 17 NAC 1-004.01B.

004.01B A public use heliport shall comply with the technical information and guidelines of the Federal Aviation Administration Advisory Circular No. 150/5390-2CA, "Heliport Design" dated ~~January 20, 1994~~ April 2012.

005 Private-Use Airport/Heliport

005.01A A private-use airport/heliport may be registered as prescribed by the Department.

005.01B Such registration is for informational purposes only, allowing the airport or heliport to be depicted on the current Nebraska State Aeronautical chart, at the request of the owner. Registration constitutes no endorsement from the Department regarding the configuration or safety of the registered airport/heliport.

005.01C A private use airport/heliport may be registered for commercial agricultural use if it is the permanent base of operation for an aerial pesticide applicator.

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

005.01D Registration may be terminated if operations from the registered site conflict with the operations of any existing or proposed Public Use Airport/Heliport. Periodic re-registration is required.

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

CHAPTER 2 – ~~AIRPORT HAZARD AREA ZONING~~ RENTAL OF AIRCRAFT

001.01 Airport Hazard Area Description.

In accordance with Neb. Rev. Stat. §3-303 of the Airport Zoning Act, every political subdivision having an airport hazard area within the area of its zoning jurisdiction, must adopt, administer, and enforce, at a minimum, the following regulations for such airport hazard area as herein defined:

001.01 The Airport Hazard Area, as defined in Neb. Rev. Stat. §3-301 of the Airport Zoning Act, consists of Operation Zones, Approach Zones, Transition Zones, and Turning Zones. The outer boundary of the Hazard Area is constituted by the outer boundary of the Approach Zones and the Turning Zones. To assist in identifying the Hazard Area and the four zones, see 17 NAC 2.005.01 through 2.005.04.

~~Any person who in the ordinary course of his/her own business rents an aircraft to another person shall deliver, prior to the use of subject aircraft, to the renter a written notice stating the nature and extent of insurance provided, if any, for the renter against loss of or damage to the hull of the aircraft or liability arising out of the ownership, maintenance, or use of the aircraft.~~

~~001.02 This notice shall contain the name of the person giving the notice; a statement of insurance coverage, if any, which covers the renter as an additional insured for liability; a statement of coverage, if any, of any passengers carried aboard the aircraft; and a statement of protection from demand, if any, from owner's insurance policy for hull damage to the aircraft; and a statement of renters liability for deductible amounts, if any, of owner's insurance policy.~~

002 Height Restriction. No building, transmission line, communication line, pole, tower, smoke-stack, chimney, wires, or other structure or appurtenance thereto of any kind or character shall hereafter be erected, constructed, repaired, or established, nor shall any tree or other object of natural growth be allowed to grow, above the heights described in 2.001.01 above.

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

003 Permit: Required and Exceptions.

003.01 Permit Required. It shall hereafter be unlawful to erect, construct, reconstruct, repair, or establish any building, transmission line, pole, tower, chimney, wires, or any other structure or appurtenance within the Hazard Area without first obtaining a permit from (insert name of the appropriate municipal office here). It shall also be unlawful to plant or replant any tree or other object of natural growth without the necessary permit.

003.02 Permit Exceptions.

003.02A Within the outer area of the Approach Zones and within the turning Zones, no permit shall be required for any construction or planting that is not higher than seventy-five (75) feet above the nearest existing or proposed runway end.

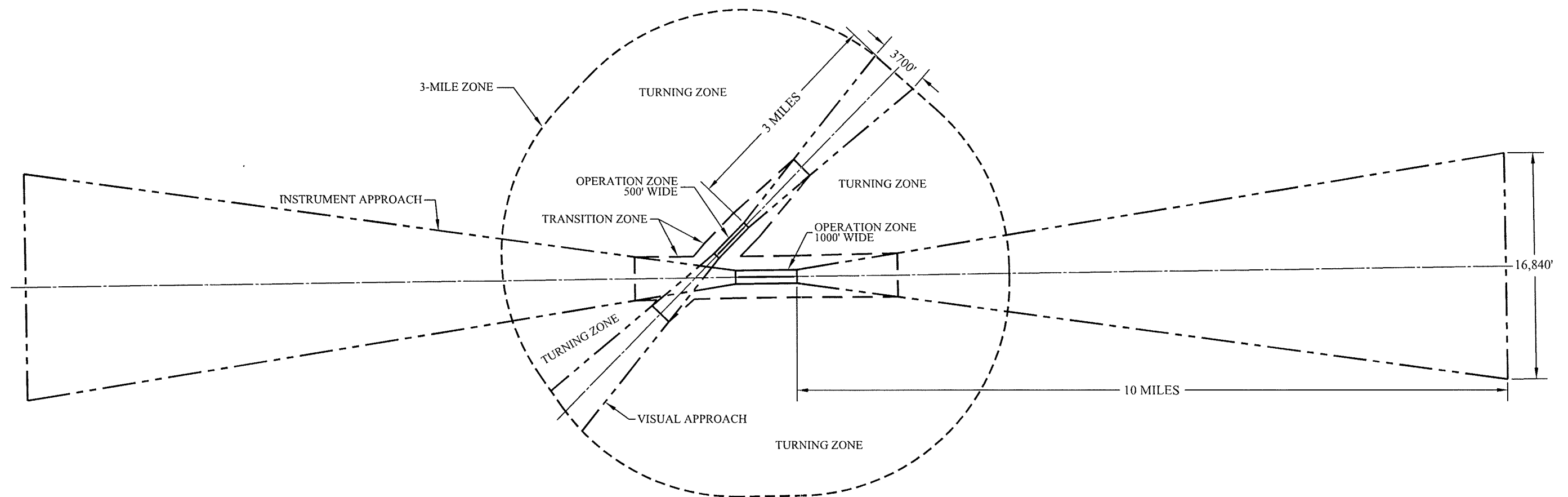
003.02B The repair, reconstruction, or replacement of nonconforming electric facilities will be permitted in compliance with Neb. Rev. Stat. §3-311(3)

004 Location Sketch and Zoning Map The boundaries, Approach Zones, Operations Zone, Transition Zones, and Turning Zones of the airport are indicated on the Zoning Map that accompanies and is hereby made a part hereof by reference. A copy of the airport hazard area zoning regulations shall at all times be on file in the office of (insert name of the appropriate municipal office here), Nebraska.

005 Zoning Map Illustrations. The following are illustrations of Airport Zoning Maps depicting the configuration of the Airport Hazard Area, Approach Zones, Operation Zones, Transition Zones, and Turning Zones:

005.01 Illustration of Hazard Zones: Airport with an Instrument and a Visual Runway

(NOT TO SCALE)

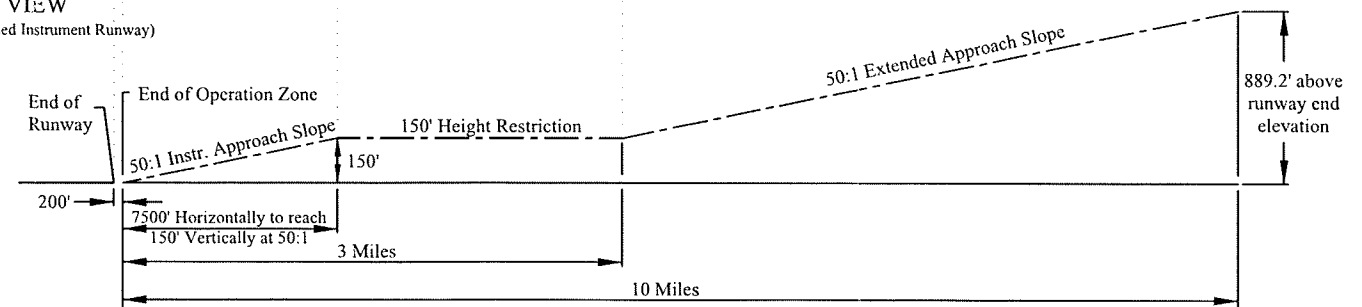
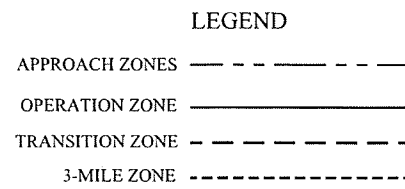
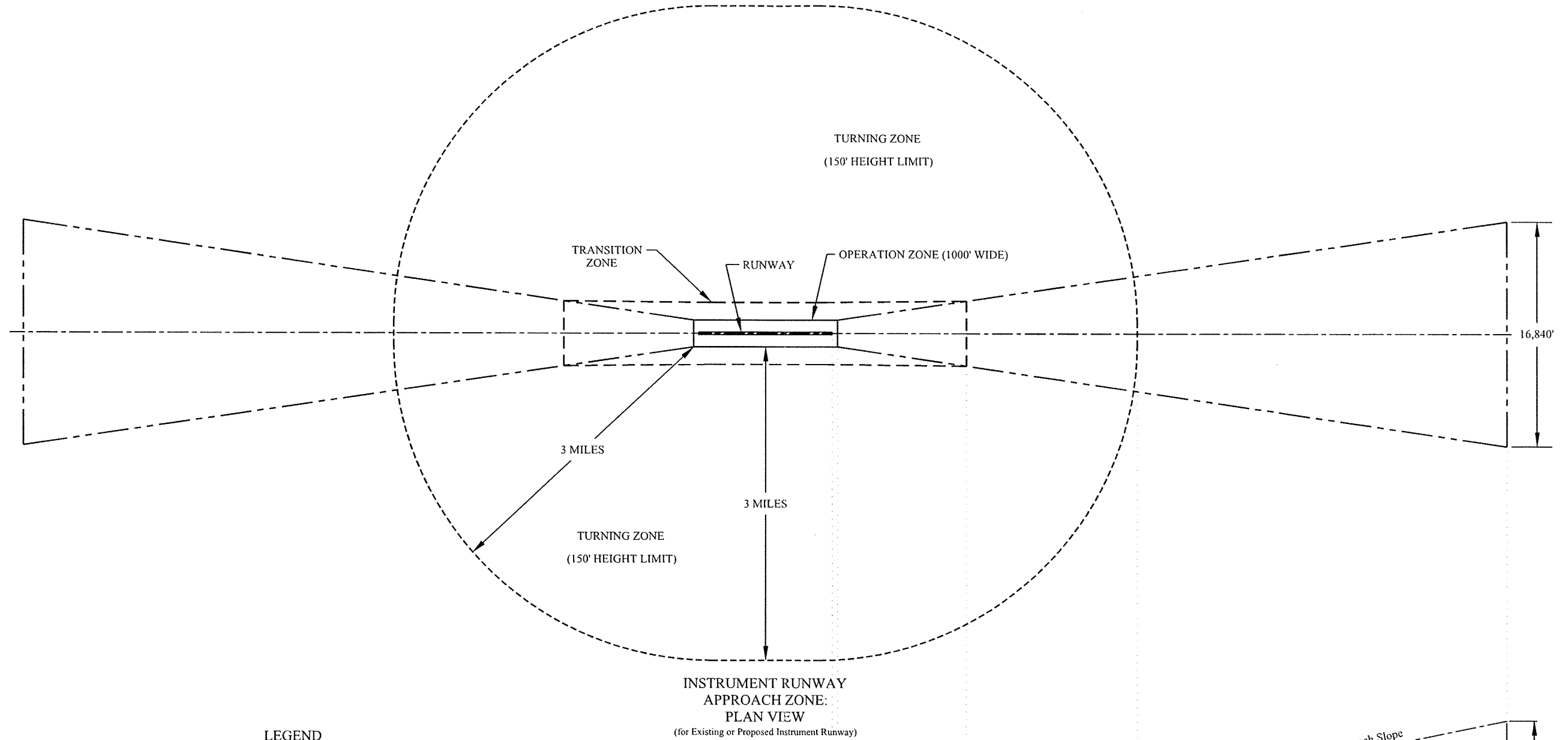


LEGEND

- APPROACH ZONES ——— ——— ———
- OPERATION ZONE —————
- TRANSITION ZONE - - - - -
- 3-MILE ZONE - - - - -

005.02 Illustration of an Instrument Runway: Airport Hazard Zones / Approach Zone Plan and Profile

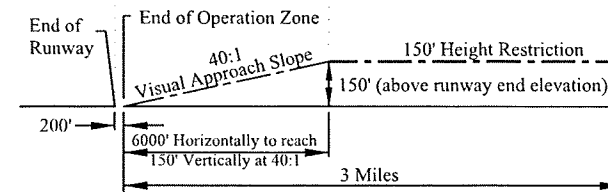
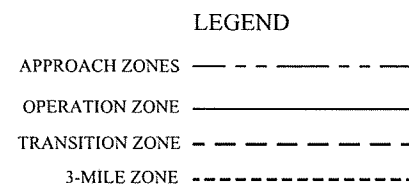
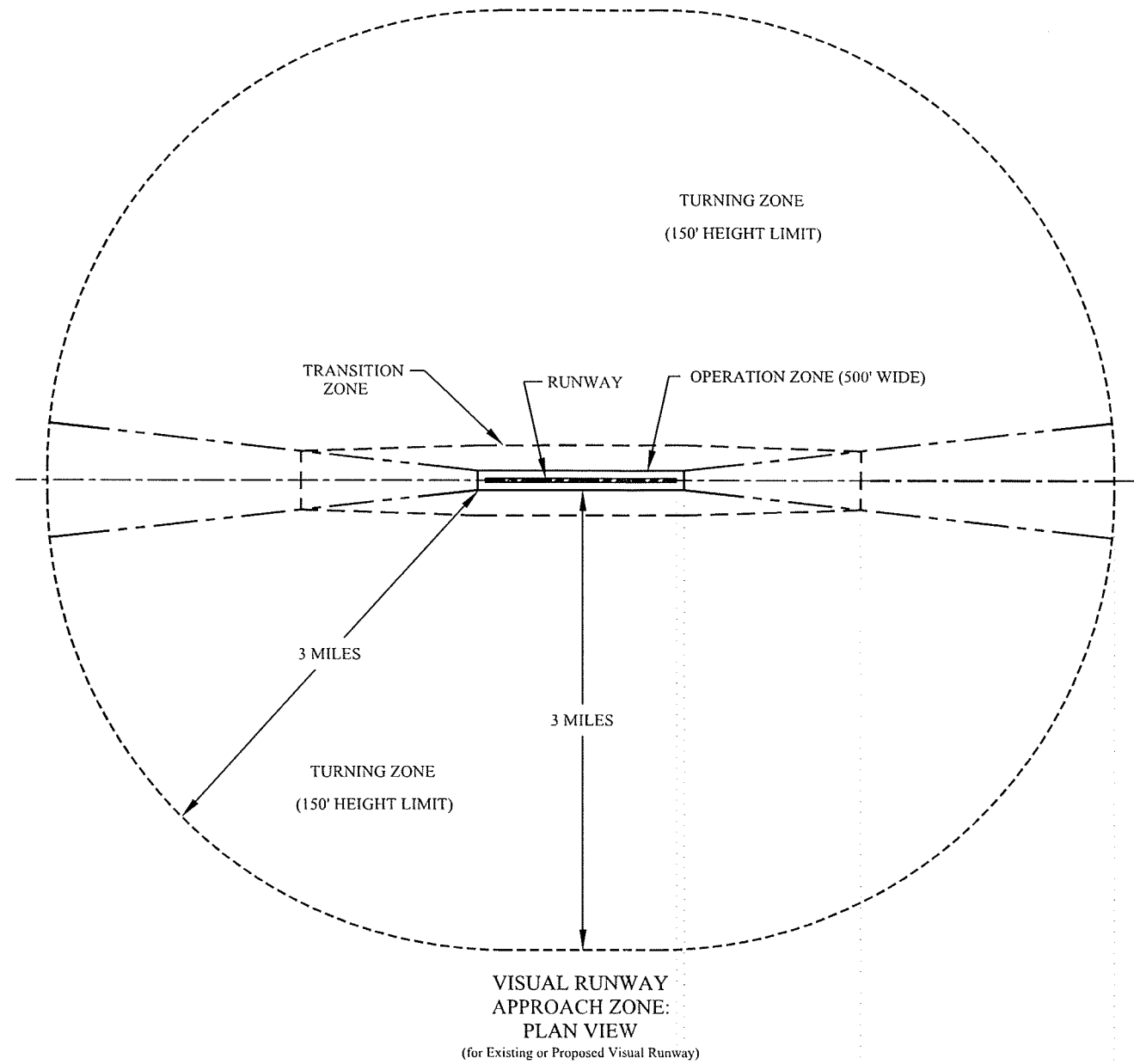
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INSTRUMENT RUNWAY APPROACH ZONE: PROFILE VIEW
(for Existing or Proposed Instrument Runway)

005.03 Illustration of a Visual Runway: Airport Hazard Zones / Approach Zone Plan and Profile

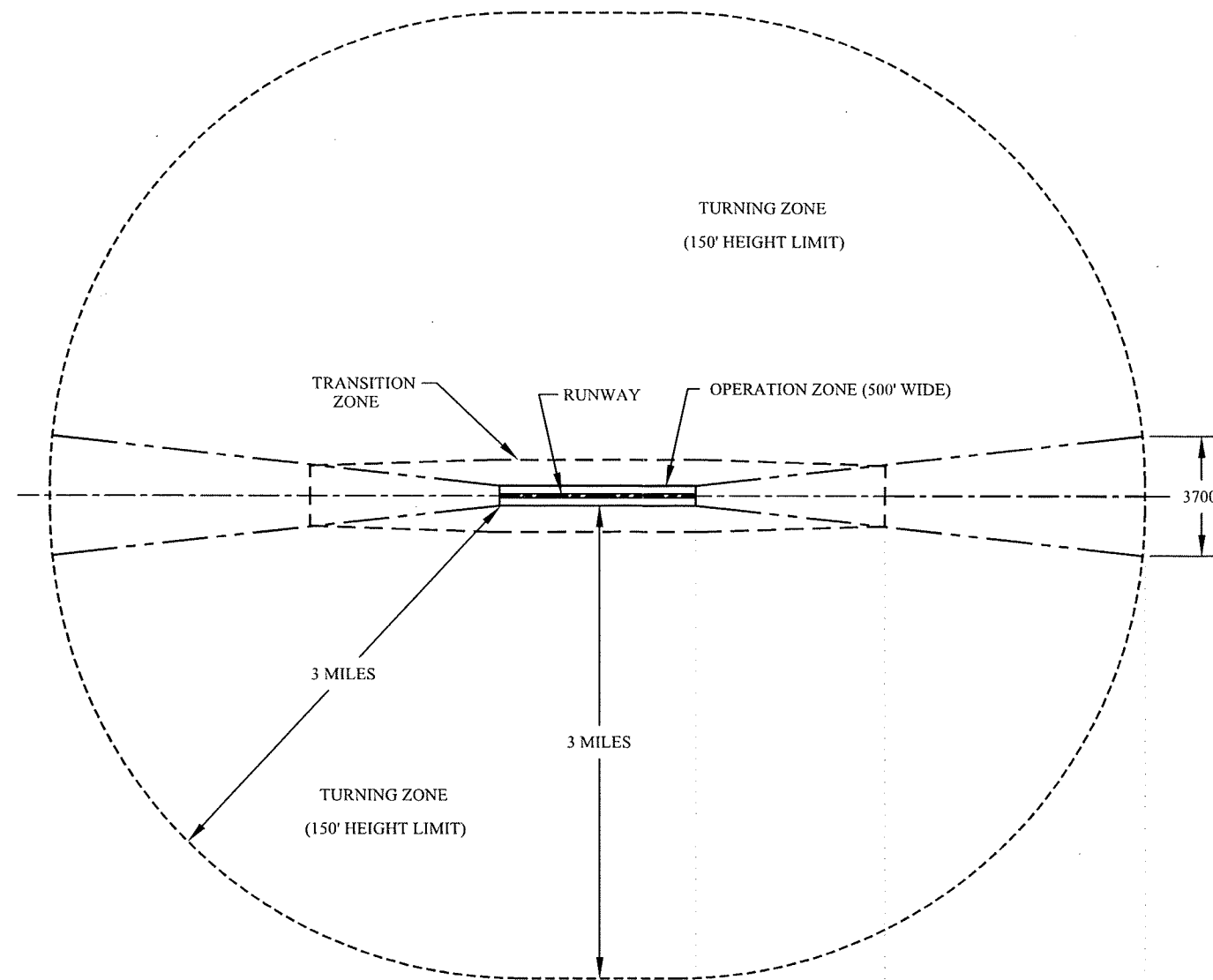
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VISUAL RUNWAY APPROACH ZONE: PROFILE VIEW
(for Existing or Proposed Visual Runway)

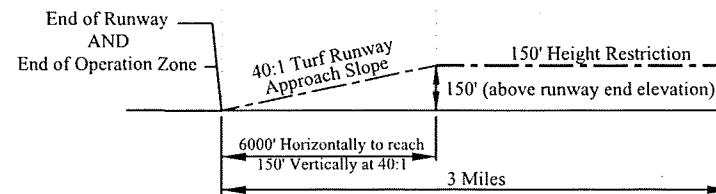
005.04 Illustration of a Turf Runway: Airport Hazard Zones / Approach Zone Plan and Profile

(NOT TO SCALE)



TURF RUNWAY
APPROACH ZONE:
PLAN VIEW
(for Existing or Proposed Visual Runway)

- LEGEND
- APPROACH ZONES ————
 - OPERATION ZONE —————
 - TRANSITION ZONE - - - - -
 - 3-MILE ZONE - - - - -



TURF RUNWAY APPROACH ZONE: PROFILE VIEW
(for Existing or Proposed Turf Runway)

NEBRASKA ADMINISTRATIVE CODE

TITLE 17 – NEBRASKA DEPARTMENT OF AERONAUTICS

PRIOR ISSUE – August 2002

CURRENT ISSUE –

CHAPTER 9 – RENTAL OF AIRCRAFT

001.01 Any person who in the ordinary course of his/her business rents an aircraft to another person shall deliver, prior to the use of subject aircraft, to the renter a written notice stating the nature and extent of insurance provided, if any, for the renter against loss of or damage to the hull of the aircraft or liability arising out of the ownership, maintenance, or use of the aircraft.

001.02 This notice shall contain the name of the person giving the notice, a statement of insurance coverage, if any, which covers the renter as an additional insured for liability; a statement of coverage, if any, of any passengers carried aboard the aircraft; and a statement of protection from demand, if any, from owner's insurance policy for hull damage to the aircraft; and a statement of renters liability for deductible amounts, if any, of owner's insurance policy.