

**TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS
CHAPTER 1. COMMISSION DEPARTMENT OPERATIONS**

25:1-1-1. Purpose

The purpose of this chapter is to set forth rules, regulations, policies and procedures to govern the proper and orderly performance by the Oklahoma Department of Aerospace and Aeronautics Commission of the aeronautical functions, duties and responsibilities required by law, including, but not limited to, effectively assisting in the development of a statewide system of airports, cooperating with and assisting the municipalities of the state of Oklahoma and others engaged in aeronautics, encouraging and developing aeronautics in all its phases, promoting safety in aeronautics, and cooperating with federal authorities in the development of a national system of civil aviation.

25:1-1-3. Definitions

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Aeronautical hazard" means any structure, object of natural growth, or use of land, which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or that is otherwise hazardous to the operation and navigation of aircraft.

"Aeronautics" means the science, art and practice of flight, including, but not limited to, transportation by aircraft and matters relating to air commerce; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities; and instruction in flying or ground subjects pertaining thereto.

"Aerospace" means the industry that is associated with the design, manufacture, operation, testing, maintenance, and repair of aircraft, spacecraft, and other aerial vehicles that operate in and out of the earth's atmosphere as well as their associated components.

"Air navigation facility" means any facility used in, available for use in, or designed for use in, aid of air navigation, including landing areas, any structures, mechanisms, lights, beacons, markers, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

"Aircraft" means any contrivance now known, or hereafter invented, used, or designed for navigation of or flight in the air or airspace.

"Airman" means any individual who engages, as the person in command, or as pilot, mechanic, or member of the crew, in the navigation of aircraft while under way, and any individual who is directly in charge

"Airport" means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are

used, or intended for use, for airport buildings, clear zones, or other airport facilities or right-of-ways, together with all airport buildings and facilities located thereon.

"Airspace" means the portion of the atmosphere overlying a designated geographical area considered as subject to territorial jurisdiction or international law in respect to its use by aircraft, guided missiles, and rockets.

"Commission" means the seven members of the Oklahoma Aerospace and Aeronautics Commission as appointed by the governor ~~created in Title 3 Section 84 of the Oklahoma Statutes.~~

"Department" means the Oklahoma Department of Aerospace and Aeronautics.

"Director" means the Director of the Oklahoma Department of Aerospace and Aeronautics Commission.

"Designated Emergency Management Use Landing Site" means any area of land which has been designated for the landing and take-off of aircraft for emergency management use, including, but not limited to law enforcement, search and rescue, and medical.

"Municipality" means any incorporated city, village, or town of this state and any county or political subdivision or district in this state which is, or may be authorized by law to acquire, establish, construct, maintain, improve, and operate airports, airstrips, and aeronautical navigation facilities.

"Operation of aircraft" or **"operate aircraft"** means the use, navigation, or piloting of aircraft in the airspace over this state or upon any airport within this state of the inspection, maintenance, overhauling, or repair, of aircraft, aircraft engines, propellers, and appliances.

"Person" means any individual, firm, partnership, corporation, company, association, joint stock association or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

"Resources" means services, facilities, funds, equipment, property, personnel, and such other activities as are customarily included within the term.

"State" means the State of Oklahoma.

25:1-1-4. Organization and responsibilities of Commission

(a) At the last scheduled meeting at the end of each calendar year, the Commission shall organize itself by electing a Chairman, Vice-Chairman, and Secretary. The Chairman shall be the presiding officer at all official meetings and shall execute all documents requiring the Commission's approval. The Vice-Chairman shall act in the capacity of the Chairman, in the absence of the Chairman. The Secretary shall be responsible for written recording of the Commission's actions and shall attest to the signature of the Chairman as required. The Secretary shall act in the capacity of Chairman or Vice-Chairman during their absence providing there is a quorum.

(b) The Commission shall meet as prescribed by law, and all meetings of the Commission shall be in conformance with the "Oklahoma Open Meeting Act", Title 25, Oklahoma Statutes 1981, Section 301 et seq.

(c) The Commission shall prescribe the basic rules, regulations, policies, and procedures by which the Oklahoma Department of Aerospace and Aeronautics Commission operates.

(d) The ~~Commission~~ Department shall coordinate, develop, and maintain a comprehensive airport systems plan for the State of Oklahoma that is approved by the Commission, develop measurable goals and objectives designed to carry out such a plan, and cooperate with local governments in the planning and development of airport related activities, when consistent with the goals and objectives of the State system plan for airports and the laws of the State of Oklahoma.

(e) The Commission shall ~~formulate and~~ adopt a program of airport construction, improvements, and maintenance throughout the entire state. Its purpose shall be to invest available funding for ~~monitor~~ the construction, development, and maintenance of the statewide system of airports with emphasis on current and future needs while considering the impact of population centers, traffic volume requirements, traffic data, and industrial development areas on these needs.

(f) The Commission shall appoint, by a majority vote of the entire Commission, ~~a~~ an Executive State Aeronautics Director to be the principal officer of the Oklahoma Department of Aerospace and Aeronautics Commission in accordance with Title 3, Oklahoma Statutes ~~1985 Supp.~~, Section 84.B.(1).

25:1-1-5. Director

The Director is hereby granted all the powers and authority necessary for the orderly operation of the Oklahoma Department of Aerospace and Aeronautics Commission, not in conflict herewith or prohibited by law, including, but not limited to the following:

(1) General duties.

(A) To approve claims for all lawful expenses of the Commission.

(B) To act as the claims and request officer for the Oklahoma Department of Aerospace and Aeronautics Commission.

(C) To appoint an Assistant Director and to delegate to him/her the appropriate authority and responsibility.

(D) To keep the Commission informed on operations and official actions.

(E) To appoint and employ, supervise, and discharge such professional, clerical, and skilled help, labor, and other employees as may be deemed necessary for the proper and lawful discharge of the duties of the ~~Commission~~ Department.

(F) To establish and maintain training and educational programs.

(G) To keep files and to record therein such matters as he/she may deem necessary or advisable, or which the Commission may direct.

(H) To be the keeper of the official seal of the ~~Commission~~ Department.

(I) To make budgetary transfers within the ~~Commission~~ Department, within the limits of statutory control and Commission authorization.

(J) To cooperate with governing bodies of cities and towns, boards of the various counties, and other entities, on the basis prescribed by state and federal laws, to the end that joint efforts will be coordinated to attain a maximum of airport development and service; and to execute any appropriate contracts and agreements necessary toward the accomplishment of the ~~Commission's~~ Department's

approved program programs.

(K) Contracts:

(i) To execute all contracts and agreements on behalf of the ~~Commission~~ Department as provided by law, and in accordance with ~~Commission~~ Department policy.

(ii) To approve necessary contract extensions or modifications made necessary by unexpected developments as allowed by law.

(L) Federal Aid:

(i) To act for and represent the Oklahoma Department of Aerospace and Aeronautics ~~Commission~~ in all official matters involving the Federal Aviation Administration or any other agency of the United States government, for the purpose of executing Federal Grant Programs.

(ii) To make or withhold commitments, execute contracts and agreements, and to bind the ~~Commission~~ Department by any other action which the ~~Commission~~ Department may lawfully do.

(2) **Administration.** To develop forms and to issue more detailed instructions, not inconsistent with the rules of this Chapter, or applicable state and federal laws, by appropriate orders and memoranda for the general guidance and administration of the ~~Commission~~ Department.

25:1-1-6. Prohibited activities for ~~Commission~~ Department employees

~~Commission~~ Department employees shall not engage in any outside employment or enterprise which would constitute a conflict of interest, as defined by law, or which would violate the State Employees' Code of Ethics.

25:1-1-7. Printed material; fees

Official ~~Commission~~ Department publications and reproductions of printed matter will be furnished to other states, the federal government, cities, towns, counties, and state officials without cost. The same matter will be offered to the general public in accordance with the Director's approved schedule of fees, as determined by actual cost. The official Oklahoma Department of Aerospace and Aeronautics ~~Commission~~ aeronautical chart shall be distributed free in reasonable amounts upon request.

25:1-1-8. Windsock program

In order to ~~insure~~ ensure that a functional wind indicator is present and visible at each airport, open to the public, within the State of Oklahoma, replacement wind socks shall be made available, upon request and proof of need, free of cost to the airport. Airports which are not open to the public shall be provided a wind sock upon request for a fee equal to the cost of the item to the Oklahoma Department of Aerospace and Aeronautics ~~Commission~~. To ~~insure~~ ensure that a functional wind indicator is present and visible at designated emergency management use landing sites, within the State of Oklahoma, wind socks shall be made available, upon request and proof of need, free of cost to the emergency management use landing site.