SECTION 1 – PREFACE

A. **AUTHORITY**

The Salisbury Regional Airport (the “Airport” or “SBY”) Rules and Regulations Manual (“Rules and Regulations”) is published under the authority contained in Chapter 5 of the Wicomico County Code, which empowers the Airport to make regulations governing the use and control of the Airport.

The U.S. Department of Transportation, Federal Aviation Administration (“FAA”) has issued Federal Aviation Regulations (“FARs”), which require Airport management to establish operational procedures to meet FAA requirements for airport certification. In addition, the U.S. Department of Homeland Security (“DHS”), Transportation Security Administration has issued Transportation Security Regulations (“TSRs”) that require each airport operator to institute certain security measures.

B. **PURPOSE**

The primary purpose of this manual is to provide Airport users with a single document representing a compendium of rules, regulations, procedures and general information governing their activities at the Airport. The objective of this manual is to promote the safe and efficient use of the Airport facilities.

C. **COMPLIANCE**

Any person who violates the provisions of these Rules and Regulations shall be liable for payment of a civil penalty, fine, and/or other action by the Salisbury-Ocean City: Wicomico Regional Airport. See Appendix G for additional information on civil penalties and fines.

D. **ENFORCEMENT**

The Airport Manager (“Manager”) has the overall responsibility for enforcing compliance with the Rules and Regulations. On a day-to-day basis, this responsibility and commensurate authority is delegated to his/her authorized representatives in the Airport, the Salisbury Police Department and/or the Wicomico County Sheriff. Under certain circumstances, assistance from other law enforcement or County Agencies may be requested.

Successful enforcement, however, depends to a great extent on the full and active cooperation of all Tenants and their employees. This requires that each employee have a thorough knowledge and understanding of the Rules and Regulations that is reviewed and emphasized on a continuing basis, through various training programs.
E. **DEVIATIONS**

The Manager may authorize deviations from the Rules and Regulations when necessary to maintain established standards of operational safety, efficiency and/or Airport security, or in contingency situations affecting life and/or property in areas under the jurisdiction of the Airport.

F. **VALIDITY OF EACH SECTION INDEPENDENT**

In case any section or sections or part of any section of these Rules and Regulations shall be found invalid for any reason, the remainder shall not thereby be invalidated, but in accordance with the intention hereby expressed, shall remain in full force and effect, all parts being hereby declared separable and independent of all others.

G. **CONFLICT OF REGULATIONS**

All existing regulations, as they apply to SBY, shall continue in effect except as expressly modified. For any Airport rule or regulation that conflicts with the Wicomico County Code, Maryland Code, United States Code of Regulations, or Federal Statutes or Laws, the conflict will be resolved using the Wicomico County Code, Maryland Code, United States Code of Regulations, or Federal Statutes or Laws.

H. **DEFINITIONS**

*Advertisement:* Sign, display or other notice designed to attract public attention or patronage.

*Air Carrier:* Any person or persons, including corporations that engage, whether directly or indirectly or by lease or any other arrangement, to engage in air commerce.

*Aircraft:* Any contrivance now known or hereinafter designed, invented, or used for navigation or flight in the air or space, except a parachute or other contrivance used primarily as safety equipment.

*Airline/Airport Use and Lease Agreement:* Any Agreement between an Air Carrier and Wicomico County, and any successor agreements thereto.

*Airline Operating License Agreement:* Annual operating agreement between an Air Carrier and the Airport which sets forth the terms under which Air Carriers are granted certain rights and privileges at the Airport. The agreement commences upon the date of execution and renews annually unless written notice to terminate by either party is given thirty days prior to the annual renewal extension date.
**Air Operations Area (AOA):** The portion of the Airport designed and used for landing, taking off, or surface maneuvering of Aircraft. The AOA is that area contained within the security boundary established by buildings and chain link fencing along the perimeter of the Airport. It includes all aircraft movement areas i.e. runways, taxiways etc., aircraft parking areas, loading ramps, and safety areas used by commercial aircraft and any adjacent areas that are bounded by the outer service road. The Air Operations Area is a part of the SIDA.

**Airport: (Geographically)** Salisbury Regional Airport including all land, roadways, buildings, and structures located within the now and hereafter established property boundaries at Salisbury Regional Airport. **(As an Entity)** The operating division of Wicomico County, responsible for administering, operating, maintaining, repairing and improving the Airport.

**Airport Manager:** The person employed and designated by the Wicomico County Executive and the Wicomico County Council to manage and administer all aspects of operating the Salisbury – Ocean City: Wicomico Regional Airport (SBY).

**Airport Personnel:** Any employee of the Airport, or a duly authorized law enforcement personnel responsible for LEO duties at the Airport.

**Airport Police:** Members of the Salisbury Police Department or Wicomico County Sheriff’s Office performing their duties at the Airport.

**Airport Security Program (ASP):** A document prepared by the Airport that contains the descriptions of facilities, responsibilities, procedures and actions to be used by the Airport.

**Airport Traffic Control Tower (ATCT):** A service operated by the Federal Aviation Administration or a non-Federal ATC Contract Organization at the Airport to promote the safe, orderly and expeditious flow of air traffic.

**Alcoholic Beverages:** All “liquor” and “malt or brewed beverages” as defined by the Maryland Liquor Code, § 1-102.

**Apron:** The area of the Airport within the Air Operations Area designated by the Manager for the loading, unloading, servicing or parking of Aircraft.

**Bus:** A large motor vehicle (usually with a passenger carrying capacity in excess of 15) which operates on or to and from the Airport on a fixed route, charter service, a predetermined schedule, or in a designated service area on or off the Airport.

**Capacity:** As used in Section 10, the maximum number of vehicles which can reasonably be expected to occupy or pass over a roadway during a given time period under prevailing roadway and traffic conditions.
Carrier: Shall have the meaning set forth in Section 10.K.4.

Cell Phone Waiting Lot: Reserved.

Charter Bus Staging Area: Reserved.

Commercial Activity: (a) The exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind in the Airport; (b) engaging in any conduct in the Airport for revenue producing purposes, whether or not revenues ultimately are exchanged, obtained, or transferred in the Airport; (c) the offering or exchange of any service in the Airport as a part of, or condition to, other revenue producing activities or services in or outside of the Airport.

Commercial Ground Transportation: The operation of ground transportation services for persons or property, arriving, or leaving the Airport, whether or not the customer is charged for said services.

Commercial Ground Transportation Vehicle: Any vehicle used or utilized to perform Commercial Ground Transportation services.

Commercial Roadway System: The Airport roadways adjacent to or in proximity to the baggage claim areas of the Terminal Buildings of the Airport and generally used by Commercial Ground Transportation Operators for access to the arrivals and baggage claim areas of the Terminal Buildings including any zones or holding lots as designated by the Manager for use by Commercial Ground Transportation Operators.

County: Wicomico County.

Courtesy Vehicle: Any vehicle used for transporting persons and/or property between points in the Airport Terminal Buildings and a business establishment for the convenience of those persons using the services provided by the business establishment at no extra charge to the customer.

Cruise or Cruising: The driving of a vehicle on Airport roadways without passengers or cargo or without a prearrangement to pick up passengers or cargo for the purpose of advertising the availability of a Commercial Ground Transportation service or other Commercial Activity, or for the purpose of soliciting passengers.
Curbside: The curb or other areas adjacent to the Airport roadways, designated by the Manager, by appropriate signage or operational directive, for the loading and unloading of passengers and baggage.

Customer Facility Charge: A fee assessed on each motor vehicle rental under Maryland Code, §18-108.

Driver: An individual permitted by a Commercial Ground Transportation Operator to operate a Commercial Ground Transportation Vehicle.

Driver Training Program: A training program administered by the Airport Operations Department that includes classroom styled training and an examination, which all those whose job duties require them to operate vehicles on the Movement or Non-Movement Areas must pass before receiving a driver designation icon on his/her SBY ID Badge or being allowed to operate a vehicle in those areas.

Egress Fee: Shall have the meaning set forth in Section 10.K.5.

Electronic Cigarette (e-cigarette): See Electronic Smoking Device.

Electronic Smoking Device: An electronic device that delivers nicotine or other substances via vapor for inhalation. The term includes e-cigarettes, e-cigars, e-pipes and any other such products; and includes all component parts, such as e-cigarette batteries, atomizers, vaporizers, replacement cartridges and any solution manufactured for use with such a device. It does not include any product approved or certified for sale by the United States Food and Drug Administration as a tobacco use cessation product, or for other medical purposes. It may also be referred to in these Rules and Regulations as “e-cigarette.”

Environmental Law: All current and future federal, state and local environmental, safety or health laws, statutes, rules, regulations, ordinances, orders or common law, including, but not limited to, reported decisions of any applicable state or federal court, and shall include, but not be limited to the Occupational Safety and Health Act of 1970, as amended (29 U.S.C. § 651 et
seq.); the National Environmental Policy Act, as amended (42 U.S.C. § 4321 et seq.); the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. § 9601 et seq.); the Resource Conservation and Recovery Act, as amended (42 U.S.C. § 6901 et seq.); the Toxic Substances Control Act, as amended (15 U.S.C. § 2601 et seq.); the Hazardous Materials Transportation Act, as amended (49 U.S.C. § 5151 et seq.); the Clean Air Act, as amended (42 U.S.C. § 7401 et seq.); the Clean Water Act, as amended (33 U.S.C. § 1251 et seq.); the Oil Pollution Act of 1990, as amended (33 U.S.C. §2701 et seq.); the Safe Drinking Water Act, as amended (42 U.S.C. § 300f et seq.); the Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. § 136 et seq.); the National Oil and Hazardous Substances Pollution Contingency Plan (40 C.F.R. § 300.1 et seq.); Maryland Codes, Department of the Environment, Title 26, et seq., and as any of the foregoing may hereinafter be amended; any rule or regulation promulgated pursuant thereto, and any other present or future law, ordinance, rule, regulation, permit or permit condition, order or directive addressing environmental, health or safety issues of or by the federal government or any applicable state or other political subdivision thereof, or any agency, court or body of the federal government or any applicable state or other political subdivision thereof, including, but not limited to, the State of Maryland or any political subdivision hereof, exercising executive, legislative, judicial, regulatory or administrative functions. In the event of a conflict, the most stringent law shall apply.

**Equipment:** Mobile units or vehicle, other than those commonly classified as motor vehicles, which are utilized in conjunction with the operation of Aircraft or an Airport facility.

**Fee Payment Agreement:** Short term airline operating license agreement between the Airport and an Air Carrier which sets forth, among other things, the requirements for paying Airport rates and charges on a self-invoicing basis.

**Federal Aviation Administration (FAA):** The Federal Aviation Administration created by the Federal Government under the Federal Aviation Act of 1958 as amended, or such other governmental agency which may be successor thereto or vested with the same or similar authority.

**Federal Aviation Regulation (FAR):** Federal Aviation Regulations as set forth in Title 14 of the Code of Federal Regulations.
FHWA: The Federal Highway Administration.

Fire Code: All requirements of the State of Maryland Fire Prevention Code (Titles 6 and 9), Wicomico County Fire Code, (Fire Prevention, Chapter 144, and Fires, Chapter 146) as adopted by Wicomico County with certain additions, deletions and amendments, and any future amendments thereto.

Flammable Liquids: Any liquid, which emits flammable vapor as, set forth in National Fire Protection Association standards, including, but not limited to combustible liquids currently used as Aircraft or vehicle fuel.

Fuel Handling: The transporting, storing, delivering, pumping, loading, unloading, and drainage of any aviation, automotive or other fuel or fuel waste product.

Gross Revenue: As used in Section 10 related to fees that must be paid by Rental Car Operators, shall mean, the gross consideration for all sales, services, and accommodations, including without limitation, all sales, services, and accommodations rendered by any licensee, concessionaire or subtenant of the Rental Car Operator, which are rendered either:

a) In, on, from, or about the Rental Car Operator’s leased premises on the Airport; or,

b) By the Rental Car Operator to customers using any services available at the Airport, if the Rental Car Operator does not lease space on the Airport;

whether cash or credit, whether collected or uncollected, and whether payment is made at the Airport leased premises, local business site or elsewhere, and including any amounts received for personal accident insurance and collision damage waiver charges less only the following:

1. The amount of any federal, state or municipal sales or similar taxes levied thereon and collected from customers and remitted directly by the Rental Car Operator to the taxing authority;

2. Any discounts or price reductions specifically set forth in the individual rental agreement and actually credited to the customer, no portion of which is reimbursed to the Rental Car Operator in any way;

3. Sums received as reimbursements for refueling a vehicle pursuant to a rental agreement under which the customer is obligated to return the car with the same amount of gas furnished at the inception of the rental or sums received at the inception of the rental as reimbursement for fuel in the vehicle; and
4. Proceeds received by the Rental Car Operator for the sale of its vehicles or other assets other than in the ordinary course of business.

All credit risks, losses, or deductions with regard to Gross Revenue are to be borne solely by the Rental Car Operator and the Airport is to receive payment of the fee based upon Gross Revenue without charge or reduction for credit costs or losses.

**Hazardous Material:** Any and all materials, which require under Environmental laws, special handling in the use, generation, collection, storage, treatment, or disposal of said materials, or which require payment of costs associated with responding to the lawful directives of any court or agency of competent jurisdiction. Hazardous Materials shall include, without limitation:

i. Any flammable substance, explosive, radioactive material, hazardous material, hazardous waste, toxic substance, solid waste, pollutant, contaminant, or any related material, raw material, substance, product, or by-product of any substance specified in a regulated or otherwise affected by any Environmental Laws or at common law;

ii. Any toxic chemical or other substance from or related to industrial, commercial or institutional activities; and

iii. Asbestos, gasoline, diesel fuel, motor oil, waste and used oil, heating oil, other petroleum products, or compounds containing polychlorinated biphenyls, radon, urea formaldehyde, and lead containing materials.

**Law Enforcement Officer (LEO):** Any person vested with the power of arrest on Airport property under Federal, State, City or County authority.

**Leaflet Distribution:** The repetitive distribution of free literature such as leaflets, handbills, brochures or similar items.

**Limousine:** Collectively refers to Commercial Ground Transportation Vehicles operating pursuant to Maryland Code § 11-129.1 or pursuant to an applicable federal statute, code, or regulation, which permits vehicles to carry passengers interstate on an exclusive basis pursuant to an advance reservation.

**Limousine Parking Area:** A designated waiting area beyond the baggage/arrivals door marked as “Taxis” to be occupied by Limousines for layover while waiting for passengers or any future areas that may be designated from time to time by the Manager for that purpose.

**Limousine Zone:** The Limousine Parking Area.

**Loading Zone:** The area(s) designated by the Manager as reserved for picking up or discharging Commercial Ground Transportation passengers by various
classes of Commercial Ground Transportation vehicles.

**Manager:** The Airport Manager.

**MD PSC:** The Maryland Public Service Commission.

**Motor Vehicle:** A device in, upon or by which a person or property may be propelled, moved, or drawn upon land or water, except a device moved by human or animal power and except Aircraft devices moved exclusively upon stationary rails or tracks.

**Movement Area:** Generally defined as all runways and taxiways. See the Movement Area chart for specific boundaries.

**Non-Commercial Activity:** Any act or speech not related to the commercial promotion of a for-profit or other business enterprise, whether by individuals or organizations, and not pursuant to contract with Wicomico County, its advertising contractor, or its master retail concessionaire, nor subject to the payment of regulation fees for the use of Airport space. Non-Commercial Activity shall include, without limitation, the distribution of literature, picketing, seeking signatures for petitions or conducting surveys.

**Non-Movement Area:** Generally defined as vehicle service roadways, Aircraft parking areas and Apron areas. See the Non-Movement Area chart for specific boundaries.

**Non-Signatory Airline:** An Air Carrier being a party to an agreement, license, or lease other than the Airline/Airport Use and Lease Agreement or an itinerant Air Carrier not having an agreement, license or lease.

**Notices to Airmen (NOTAM):** A notice containing information (not known sufficiently in advance to publicize by other means) concerning the establishment, condition, or change in any component (facility, service, or procedure) of, or hazard in, the National Airspace System, the timely knowledge of which is essential to personnel concerned with flight operations.

**Operator:** Any person who is in physical control of an Aircraft, Motor Vehicle, or Equipment.

**Oversize Vehicle:** Any vehicle exceeding the posted height and weight limitations of the service road and underpasses located on the Airport.

**Owner:** A person in whose name the legal title of an Aircraft or a Motor Vehicle is held or vested. If any Aircraft or Motor Vehicle is the subject of a conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the conditional vendee or lessee or anyone in possession of an Aircraft or Motor
Vehicle is entitled to the possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of these Rules and Regulations.

**Parking:** Includes the following:

a. When permitted, the temporary storing of a vehicle, whether occupied or not, on or off the roadway.

b. When prohibited, the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and only while actually engaged in the loading or unloading of property or passengers.

**Passenger Transport Vehicle (PTV):** A vehicle with large passenger carrying and/or vertical lift capabilities that is used to transfer passengers between the Terminal Building and remotely parked Aircraft.

**Permit:** Written authorization issued by the Manager that authorizes a specific activity or occupancy of space within the Airport.

**Person:** Any individual, firm, partnership, co-partnership, corporation, company, association, joint stock association, or body politic; and including any trustee, receiver, committee, assignee, or other representative or employee thereof.

**Per-trip Fee:** Shall have the definition set forth in Section 10.B.

**SBY ID Badge:** Any identification media issued by the Airport as a means of accessing restricted areas of the Airport.

**Picketers:** Any person engaged in Picketing Activity and/or Leaflet Distribution.

**Picketing Activity:** One or more persons marching or stationing themselves in an area in order to communicate their position on an issue or issues by displaying one or more signs, posters, or similar items.

**Private Vehicle:** A motor vehicle used for the transportation of persons on a non-compensatory and non-commercial basis that is not being used in connection with a Commercial Activity at the Airport.

**Public:** All people using the Airport for any reason. This includes, but is not limited to, ticketed passengers, meeters, greeters, Airport personnel, as well as airline employees, contract employees, delivery personnel, and sightseers.
Public Areas: (Also referred to as “Landside”) Areas normally accessible to the General Public including public portions of all Terminal Buildings, parking lots, and Airport roadways.

Ramp: See “Apron.”

Rental Car Operators:

a) **On Airport** – A business entity providing rental car services at the Airport, which entity has: (i) ready car or turnaround facility located on Airport property, and/or (ii) a direct line telephone service in an Airport Terminal Building or Buildings where such telephone service is permitted by agreement with the Manager, its agents or concessionaires, including the Airport's advertising concessionaire.

b) **Off Airport** – Any other business entity, which provides rental car services to persons using the Airport but is not an On-Airport Rental Car Operator.

Restricted Area: Those parts of the Airport not open to the public and include, but not limited to, baggage make up areas, passenger and cargo loading ramps, hangar areas, runways and taxiways. Restricted areas are a part of the SIDA.

Runway(s): A defined rectangular surface on the Airport prepared or suitable for the landing and takeoff of Aircraft.

Secured Area: (Sometimes referred to as “Airside” and including the Restricted, SIDA and AOA areas) is that area of the Airport where access is controlled by a system, method, or procedure to control authorized access and deny access to unauthorized persons. The Secured Area includes all the baggage areas and aprons. The boundary of the Secured Area may be changed, from time to time, either temporarily or permanently.

Security Identification Display Area (SIDA): That portion of the Airport in which each person is required by the Airport Operator to continuously and prominently display Airport issued or Airport approved identification between the neck and waist on the outermost garment unless that person is under an Airport approved escort.

Security Program: The program developed by the Manager relative to the protection and safety of Aircraft operations and users of the Airport.
**Smoking:** Inhaling, exhaling, burning or carrying any lighted cigarette, cigar, pipe or other such device which contains tobacco or other smoke producing products.

**Solicitation or Soliciting:**

a. As used in section 2.C. and Appendices A and B, any oral request for the immediate exchange of funds, money, gifts or financial assistance in any form on the representation that such assistance will be used for a particular purpose and includes, offers to sell merchandise, subscription, tickets or any other thing or entreaties to encourage the donation of funds at another time and place or the distribution of contribution envelopes in the course of Leaflet Distribution.

b. As used in Section 10, the unauthorized offering or referral to Commercial Ground Transportation services by voice, gesture, or sign, to any person who does not have a pre-reservation or pre-arrangement for Commercial Ground Transportation services with the Commercial Ground Transportation Operator offering the service.

**Special Activity:** Any event not of a normal nature or of a construction, utility, or maintenance nature.

**Standing:** The halting of a vehicle, whether occupied or not, except momentarily, for the purpose of and while actually engage in receiving or discharging passengers and baggage.

**State:** State of Maryland.

**Sterile Area:** (Sometimes referred to as “Terminal") is the portion of the Airport that provides passengers access to board aircraft and to which access is controlled through the screening of persons and property.

**Stop or Stopping:**

a) When required, complete cessation of movement;

b) When prohibited, any halting, even momentarily, of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**Subtenant Air Carrier:** An Air Carrier being a party to a sublease agreement with another Air Carrier, which has been approved by the Airport.
Taxi: As used in Section 3, refers to the movement of an Aircraft on the ground by its own power.

Taxicab: As used in Section 10, means a vehicle for hire equipped with a meter and engaged in the general transportation of persons not on regular schedules, with the routes traveled or the destination determined by the passenger.

Taxicab Staging Area: A designated parking area northwest of the baggage/arrivals door of the Terminal that is marked “Taxis” to be occupied exclusively by Taxicabs, or any future area that may be designated from time to time by the Manager for that purpose.

Taxilane: Any portion of the Airport designated by the Manager for the surface maneuvering of Aircraft, which are used in common, which may or may not be located within the leasehold areas and are not under control of the Air Traffic Control Tower.

Taxiway(s): Any portion(s) of the Airport authorized or designated by the Manager for the surface maneuvering of Aircraft, which are used in common and are not located within leasehold areas.

Tenant: A leaseholder, sublessee, permittee, or other occupant of land or premises within the boundaries of the Airport, including any duly authorized agent of the Tenant.

Tenant Construction: Any new construction, alteration, replacement, renovation, repairs, relocation or demolition by a tenant.

Terminal Area: Includes the Airport passenger terminal building, including the areas available for use as baggage make-up, the sidewalk and curb adjacent to the landside or public areas of the terminal building, the boarding areas and all pedestrian areas connecting the terminal building with the landside vehicular parking areas as such areas now exist or may be developed, extended or improved from time to time.

Terminal Building: All buildings and structures located within the Airport for services related to passenger flight ticket purchases, public lobby waiting areas, baggage check-in and those other services related to passenger air travel.

Traffic Control Signal or Device: Signs, signals, markings and devices whether manually, electrically or mechanically operated by which traffic or specific recognizable categories of traffic are directed to stop and permitted to proceed.

Traffic Restriction: A restriction designated by a traffic control device to regulate the speed, direction, movement, placement or kind of traffic using any roadway.

Transportation Security Administration (TSA): The United States Department
of Homeland Security, Transportation Security Administration that was established by the Transportation Security Act passed on November 19, 2001 and is responsible for security for all modes of transportation.

Transportation Security Regulations (TSRs): Transportation Security Regulations, which are codified in Title 49 of the Code of Federal Regulations (CFR), Chapter XII, parts 1500 through 1699.

Traveling Public: Persons using the Airport for the purpose of air travel. This included ticketed airline passengers along with their meeters and greeters.

Van Service: Commercial Ground Transportation Vehicles operating pursuant to Maryland Code § 13.934 related to “Airport Transfer Service” or pursuant to an applicable federal statute, code or regulation, which permits vehicles to carry passengers interstate on a non-exclusive, shared ride basis.

Vaping: The act of using an electronic smoking device.

Vehicle Rental Company: A person engaged in the business of renting a motor vehicle to a customer who utilizes airport property in any aspect of its business, notwithstanding if other aspects of its business are not conducted on airport property, including to do any of the following on an airport property:

(1) Contact customers or pick up or drop off customers.

(2) Advertise the availability of a vehicle rental service.

Weapon: Gun, knife, blackjack, slingshot, metal knuckles, mace, pepper gas or any explosive device, or any other instrument or object capable of being utilized to coerce, intimidate or injure an individual.