

Ted Stevens Anchorage International Airport Aircraft Tiedown Permit Regulations Proposed Changes

Frequently Asked Questions

- 1) What are the major changes to the regulations?
 - The tiedown regulations have been completely revised and numerous provisions were added, removed, reworded or consolidated with other similar provisions or moved either within a section or to another section. This revision effort helped in part to reduce the number of words needed to convey the intent of the regulations by nearly 50 percent.
 - The following is a list of some of the more significant changes. To fully understand all of the changes, the proposed regulation must be reviewed in its entirety:
 - o The qualifications required for a land (wheeled) tiedown permit will be reduced; will no longer require pilot certification or minimum flight activity.
 - o A medical certificate will no longer be required for a permit.
 - o The flight activity requirements to retain a permit will be reduced.
 - o A leased aircraft will no longer qualify as having an interest in an aircraft; permittees will have to be aircraft owners. A transition period is provided.
 - o The term of a permit will be reduced from five years to three years with existing permit terms grandfathered.
 - o Documents submitted to the airport will no longer require notarization.
 - o Tiedown categories will be renamed.
 - o Expands a program that allows permittees to offer their assigned tiedown to the airport for a temporary period.
 - o The annual resubmittal requirement to remain on a wait-list will be removed.
- 2) Why is the airport discriminating against people who own airplanes and are not pilots?
 - The regulation currently restricts water tiedowns to aircraft owners who are also licensed pilots with a seaplane rating and that will not change in this revision.
 - This restriction is not discriminatory under state or federal law.
 - The restriction is being used to encourage flight activity from high demand tiedown locations and to help manage demand.
- 3) Are the restrictions in this regulation enforceable with only two employees assigned to the Lake Hood tiedown office?
 - The proposed regulation is expected to be enforceable without any change in personnel.
- 4) How do I obtain a copy of the proposed regulation changes?
 - The proposed changes are available in an attachment to the notice on the Alaska Online Public Notice website at:
<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=187873>.
Scroll down to the bottom of the notice and click on the attachment at bottom left.
- 5) When did the current regulations go into effect?
 - The current regulation has been in effect since January 14, 2001.
- 6) If the permit is originally held by two individuals, each an owner in the aircraft, but one acquires 100% of the aircraft from the other, can the permit be retained by the remaining aircraft owner?
 - Yes, providing the remaining aircraft owner meets all regulatory requirements.

- 7) If a permit is held by an aircraft owner, and then he/she acquires a partner in the aircraft, can the partner be added to the permit?
 - Yes, providing the partner meets all regulatory requirements, to include being listed as an aircraft owner on the FAA registration and being at the top of any wait list that may exist for the category of tiedown assigned to the permit.
- 8) Can a personal vehicle be parked at a water tiedown location if it is used in support of aircraft operations?
 - Yes, a personal vehicle may be parked at a water tiedown location if it is used in support of aircraft operations, so long as it isn't in the way, creating a hazard, or otherwise restricted.
- 9) Can both a wheel aircraft and float aircraft be tied down at a water tiedown location during the float season?
 - Yes, so long as both aircraft are properly listed on the permit, fees are paid, and the aircraft isn't in the way or creating a hazard.
- 10) Can an aircraft be parked on the ice at a water tiedown location during the winter?
 - Yes.
- 11) Will an FAA medical be required to have a tiedown permit?
 - No.
- 12) Why is the permit term being changed?
 - The term of the permit is being changed from five years to three years in an effort to be more responsive to changes and more frequently update permittee contact information and assess compliance (including if permittees are still actively using the tiedown).
- 13) Will the new regulations help to stop permittees from allowing others to use their tiedowns?
 - A new requirement is being imposed where the permittee must be listed on the FAA registration as an owner of the aircraft listed on the permit. In addition, the proposed regulation clarifies that a permit is held only by the permittee(s) listed on the permit; no one else has any right or privilege under the permit for any reason and only the aircraft listed on the permit is allowed to be parked at the tiedown. The leasing of aircraft will no longer qualify for permitting purposes as this was the primary means some permittees were using to effectively sublet the tiedown.
- 14) Will the proposed regulations do anything to stop the long term parking of vehicles or the storing of derelict vehicles at tiedown locations?
 - Yes. The proposed regulation clarifies only allowing a personal vehicle to be parked at a tiedown location if it is used in support of aircraft operations, so long as it isn't in the way, creating a hazard, or otherwise restricted.
- 15) Are there fee increases with these changes?
 - No.

- 16) What if an aircraft is made non-airworthy due to a critical part being stolen?
- A permittee will be allowed up to six months to correct an airworthiness deficiency subject to airport manager approval and that time may be extended up to a year upon a showing of good cause. An additional year extension is possible in extreme cases.
- 17) Where is the definition of airworthy?
- "airworthy" as defined in the regulation means the condition of an aircraft that is legally authorized and mechanically capable of flight through the air. This definition is listed in the definitions at the end of the chapter, section 42.990.
- 18) Is a day overdue on an annual inspection not an airworthy aircraft?
- Yes. According to the FAA, if an annual is not performed on an aircraft it is not legal for flight.
- 19) Are there one or two building permits required on airport property; municipal, airport, etc.?
- For an improvement on a tiedown, the airport requires a single building permit, however depending on the structure or utility hookups, permits may be required from other agencies, such as the municipality or electric company.
- 20) If a land permit holder does not need to be a pilot, how will the airport treat a permittee who is an S corporation, C corporation, LLC, etc.?
- Generally, permits are intended for individuals, not businesses. The airport will take a closer look at this to ensure we are on solid ground.
- 21) Could corporations acquire multiple spots under the new regulation?
- No one is allowed more than one water tiedown. If the airport has excess unassigned land tiedowns the manager may consider allowing a permittee to hold an additional land tiedown permit.
- 22) Is there an effort going on to bring permittees who are delinquent on payments into compliance?
- The airport has recently brought on a new software program for billing and there have been a few glitches. The airport is working towards clearing up any outstanding concerns from this transition and has every intent to hold permittees accountable for their permit fees.
- 23) Is the airport addressing the costs for compliance enforcement for permittees who are delinquent on fees, have non-airworthy aircraft, or are otherwise not in compliance?
- Yes. The airport regularly assesses the resources available for and allocated to enforcement.
- 24) Do you need to have a pilot certificate to have a spot?
- For a water tiedown a pilot certificate is required, for a land or ice tiedown, a pilot certificate is not required.
- 25) Why would a person want a permit who is not a pilot?
- It has been described to the airport manager that a person who is not able to be a pilot but owns an aircraft may still want to fly, having someone else pilot the aircraft.
- 26) Is it legal to have a requirement for a pilot certificate for a water tiedown and not a land tiedown?

- Yes.

27) Is it a requirement in the new regulation for a permittee to live in Anchorage, AK?

- No.

28) Can the Lake Hood office ask for supporting documentation to show that an aircraft and pilot have flown the minimum?

- Yes. The permittee will be required to provide supporting documents if requested by the airport manager.

29) How does the airport document 3 take off/landings per season?

- The Airport can require documentation to validate that the flights occurred, such as a signed statement or other supporting documentation.

30) Are there about 35-40 leased aircraft on the lake?

- Yes.

31) Are we going to accept these 35-40 lease schemes to be converted to corporation schemes?

- No.

32) How many water tiedowns turn over each year?

- Although it varies from year to year and has been as low as zero, typically there are about a dozen tiedowns made available for assignment to a permit each year. People often get to the top of the wait-list and are not able to meet permitting requirements so it typically takes three people off the wait list for every two tiedowns offered. Currently the wait list is about 12 years.

33) What do you estimate the wait-list would be if you were able to remove the sham leases and hangar queens?

- Even with a concerted effort at increased enforcement, we expect that there would be about a one-year effect on the waitlist...about 10-12 spots or so, which would move the existing wait-list from 12 years to 11 years. Once permittees are all following the regulations, the natural attrition of 10-12 per year would likely prevail.

34) Could the airport convert a tiedown into a lease and make it no longer available to be assigned to a permit?

- Yes

35) Is that why we have lost permitted tiedowns over the years? We have fewer now than a few years ago.

- Some permit spots have been converted to leaseholds.

36) Are there additional deals in the works to convert permit spots to leaseholds?

- There are none currently, but the airport considers any reasonable offer and determines if the offer is in the best interest of the state.

37) What does the phrase "at your own risk" mean (windstorm damage)?

- Permittees park and operate at their own risk. A definition for “own risk” was added to the proposed regulation to help clarify this point.