



Gulfport-Biloxi International Airport

AIRPORT RULES, REGULATIONS AND FEES

EFFECTIVE OCTOBER 1, 2013

**GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY
RULES, REGULATIONS & FEES**

ADOPTED JUNE 1, 2011

Amended October 1, 2011;
Amended February 15, 2012 (Effective March 1, 2012)
Amended March 26, 2012 (Effective April 1, 2012)
Amended May 2, 2012
Amended July 18, 2012
Amended September 5, 2012, Effective October 1, 2012
Amended February 6, 2013
Amended April 3, 2013, Effective May 1, 2013
Amended April 17, Effective May 1, 2013
Amended July 3, 2013
Amended July 17, 2013

AMENDED SEPTEMBER 4, 2013 (effective OCTOBER 1, 2013)

| Date Effective | Description |
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| October 1, 2011 | CHAPTER 2, Airfield Operations - Section 11 - Airline Rates and Charges ¶ 3(a), ¶ 4.1 and 4.3, ¶ 5(a)1, 2, and 4; ¶5(b)1 and 3. |
| March 1, 2012 | CHAPTER 1 General Provisions - Section 6, ¶ 1.(j) (Pg. 11); Section 20 - ¶ 2.(a) & 2.(b) (Pg. 15)- replace term "Social Security" Number with "Driver's License" Number. CHAPTER 4, Ground Transportation - Section 2, ¶ 4 (pg. 38); Section 5, ¶ 4 (Pg. 41); and Section 9, ¶ 2 (pg. 43). |
| April 1, 2012 | CHAPTER 2, Airfield Operations Section 11 - Airline Rates and Charges - Modify ¶ 3(a), ¶s 4.1, 4.2, 4.3, ¶ 5(a)1, 2; ¶5(b)1, 2, 3, and ¶ 7(d); Delete ¶ 3(b) and 3(d), and move 3(c) to 3(b). |
| May 2, 2012 | CHAPTER 1, Section 5-Definitions - Add Air Carrier Support Services and Alphabetize; CHAPTER 2, Section 12, ¶ 3- Adjust Fuel Flowage Fees |
| July 18, 2012 | CHAPTER 1, Section 5 - Definitions- Add General Aviation, General Aviation Services, and Gross Sales; CHAPTER 2, Section 12, ¶1, Modify Percent of Gross Income (or Sales) |
| September 5, 2012, effective October 1, 2012 | CHAPTER 2, Airfield Operations Section 11 - Airline Rates and Charges - Modify ¶s 4.1, 4.2, 4.3, ¶ 5(a)1 & 2; ¶5(b)1, 2, & 3, and ¶ 7(d) |
| February 6, 2013 | CHAPTER 9, Smoke Free Policy |

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| April 3, 2013 | CHAPTER 2, Airfield Operations Section 11 - Airline Rates & Charges Modify ¶ 4.4; Add subparagraph 5 to ¶ 5(a) and ¶ 5(b) - Overnight Parking Fee for Aircrafts. |
| April 3, 2013, Effective May 1, 2013 | CHAPTER 2, Airfield Operations Modify Section 11 - Airline Rates and Charges - ¶ 3(a), ¶ 4.1, 4.3, ¶ 5(a)1 & 2; ¶5(b)1 & 3; and Modify Section 12 - Fuel Flowage Fees - ¶ 3 (a), (b), & (c) |
| April 17, 2013 Effective May 1, 2013 | Adopt New Ethics Policy, CHAPTER 14 - ETHICS IN GOVERNMENT POLICY Delete Chapter 1, Section 25 Conflicts of Interest |
| July 3, 2013 | CHAPTER 1, General Provisions Definition of CTA and Public Transit Authority; CHAPTER 1, General Provisions Section 20, Added New Par. 4 Payment Schedule; and Section 22, Temporary Permits |
| July 17, 2013 | CHAPTER 4, Section 11, ¶ 2 and 4 re Weapons; CHAPTER 5, FIREARMS AND WEAPONS POLICY revisions. |
| September 4, 2013 Effective October 1, 2013 | CHAPTER 2, Airfield Operations Modify Section 11 - Airline Rates and Charges - ¶ 3(a), ¶ 4.1, 4.2 & 4.3, ¶ 5(a)1 & 2; and ¶5(b)1, 2 & 3; ¶ 7.(d). |

GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY
RULES, REGULATIONS & FEES

TABLE OF CONTENTS

| | |
|---|---|
| CHAPTER 1: <u>GENERAL PROVISIONS</u> | 1 |
| SECTION 1 - <u>PURPOSE</u> | 1 |
| SECTION 2 - <u>GENERAL CONDUCT OF COMMERCIAL USERS</u> | 1 |
| SECTION 3 - <u>SPECIFIC CONDUCT OF COMMERCIAL USERS</u> | 1 |
| SECTION 4 - <u>CONDUCT AND COMPLIANCE BY ALL USERS</u> | 2 |
| SECTION 5 - <u>DEFINITIONS</u> | 2 |
| 1. <u>Air Carrier Support Services</u> | 2 |
| 2. <u>Air Operations Area</u> | 2 |
| 3. <u>Aircraft</u> | 2 |
| 4. <u>Aircraft Operator</u> | 2 |
| 5. <u>Airport Media</u> | 2 |
| 6. <u>Airport</u> | 3 |
| 7. <u>Airport Authority</u> | 3 |
| 8. <u>Airport Fire Chief</u> | 3 |
| 9. <u>Airport Official</u> | 3 |
| 10. <u>Airport Rules and Regulations</u> | 3 |
| 11. <u>Airport Starter</u> | 3 |
| 12. <u>Authorized Emergency Vehicles</u> | 3 |
| 13. <u>Based Aircraft</u> | 3 |
| 14. <u>Business Permit</u> | 3 |
| 15. <u>Charter Airline Service</u> | 3 |
| 16. <u>Chartered Ground Transportation</u> | 4 |
| 17. <u>Clubs or Association</u> | 4 |
| 18. <u>Coast Transit Authority (CTA)</u> | 4 |
| 19. <u>Commercial Aircraft</u> | 4 |
| 20. <u>Commercial Aircraft Operator</u> | 4 |
| 21. <u>Commercial Ground Transportation Provider</u> | 4 |
| 22. <u>Commercial/Business Activity</u> | 4 |
| 23. <u>Commercial/Ground Transportation</u> | 5 |
| 24. <u>Commercial User</u> | 5 |
| 25. <u>Concessionaire</u> | 5 |
| 26. <u>Courtesy Vehicle</u> | 5 |
| 27. <u>Drop Off Area</u> | 5 |
| 28. <u>Executive Director</u> | 5 |
| 29. <u>FAA</u> | 5 |
| 30. <u>Fees or Charges</u> | 5 |
| 31. <u>Fixed Base Operator</u> | 5 |
| 32. <u>FIFO</u> | 5 |
| 33. <u>Flight School Operator</u> | 6 |
| 34. <u>General Aviation</u> | 6 |
| 35. <u>General Aviation Services</u> | 6 |
| 36. <u>Gross Sales</u> | 6 |
| 37. <u>Ground Control</u> | 6 |
| 38. <u>Ground Transportation Lane</u> | 6 |
| 39. <u>Ground Transportation Coordinator</u> | 7 |
| 40. <u>Limousine or Van</u> | 7 |
| 41. <u>Metered Limousine</u> | 7 |
| 42. <u>Movement Area</u> | 7 |
| 43. <u>Non-Commercial User</u> | 7 |
| 44. <u>Off-Airport Rent-A-Car Operator</u> | 7 |
| 45. <u>On Demand</u> | 7 |

| | | |
|--------------|--|----|
| 46. | <u>Park or Parking</u> | 7 |
| 47. | <u>Permit</u> | 7 |
| 48. | <u>Permitee or Licensee</u> | 7 |
| 49. | <u>Person</u> | 7 |
| 50. | <u>Place of Employment</u> | 8 |
| 51. | <u>Police</u> | 8 |
| 52. | <u>Pre-arranged Meeting</u> | 8 |
| 53. | <u>Private Vehicle</u> | 8 |
| 54. | <u>Public Transit Authority</u> | 8 |
| 55. | <u>Roadway</u> | 8 |
| 56. | <u>Rules and Regulations</u> | 8 |
| 57. | <u>Scheduled Airline Service</u> | 8 |
| 58. | <u>Shuttle</u> | 8 |
| 59. | <u>Sidewalk</u> | 8 |
| 60. | <u>Smoking or To Smoke</u> | 9 |
| 61. | <u>Staging Areas</u> | 9 |
| 62. | <u>Stand or Standing</u> | 9 |
| 63. | <u>Taxicab</u> | 9 |
| 64. | <u>Tenant</u> | 9 |
| 65. | <u>Terminal</u> | 9 |
| 66. | <u>Through Passenger</u> | 9 |
| 67. | <u>Traffic</u> | 9 |
| 68. | <u>Traveling Public/Public/Patrons</u> | 9 |
| 69. | <u>Users</u> | 9 |
| 70. | <u>Vehicle</u> | 9 |
| 71. | <u>Vehicle Operator</u> | 10 |
| 72. | <u>Voucher</u> | 10 |
| 73. | <u>Zone Rate Map</u> | 10 |
| SECTION 6 - | <u>BUSINESS PERMIT</u> | 10 |
| 1. | <u>Business Permit Application Process</u> | 10 |
| 2. | <u>Business Permit Approval</u> | 11 |
| 3. | <u>Business Start-up</u> | 11 |
| SECTION 7 - | <u>TENANT AND USER IDENTIFICATION MEDIA</u> | 12 |
| SECTION 8 - | <u>EMPLOYEE PARKING</u> | 13 |
| SECTION 9 - | <u>DAMAGE TO AIRPORT PROPERTY</u> | 13 |
| SECTION 10 - | <u>ENTRY AND USE</u> | 13 |
| SECTION 11 - | <u>SOLICITATION</u> | 13 |
| SECTION 12 - | <u>SPECIAL EVENTS OR DEMONSTRATIONS</u> | 14 |
| SECTION 13 - | <u>LOITERING</u> | 14 |
| SECTION 14 - | <u>FIRE PREVENTION GENERALLY</u> | 14 |
| SECTION 15 - | <u>STORAGE OF EQUIPMENT</u> | 14 |
| SECTION 16 - | <u>REFUSE DISPOSAL</u> | 14 |
| SECTION 17 - | <u>MAINTENANCE OF VEHICLES OR EQUIPMENT</u> | 14 |
| SECTION 18 - | <u>SEARCHES OF PERSONS AND PROPERTY</u> | 14 |
| SECTION 19 - | <u>PENALTIES</u> | 15 |
| SECTION 20 - | <u>COMMERCIAL FEES AND REQUIREMENTS</u> | 15 |
| 1. | <u>Permit Fee</u> | 15 |
| 2. | <u>Permit Requirements</u> | 16 |
| 3. | <u>Concession Fee</u> | 16 |
| 4. | <u>Schedule of Payment for Rents, Fees and Charges</u> | 20 |
| SECTION 21 - | <u>INSURANCE</u> | 21 |
| SECTION 22 - | <u>OTHER ACTIVITIES REQUIRING A PERMIT</u> | 22 |
| SECTION 23 - | <u>FUEL HANDLING FEE</u> | 22 |
| SECTION 24 - | <u>COMPLAINTS</u> | 22 |
| CHAPTER 2: | <u>AIRFIELD OPERATIONS</u> | 28 |
| SECTION 1 - | <u>PURPOSE</u> | 28 |
| SECTION 2 - | <u>USE OF RUNWAYS AND TAXIWAYS</u> | 28 |
| SECTION 3 - | <u>USE OF OPERATIONS AREA</u> | 28 |

| | |
|---|--------|
| SECTION 4 - UNATTENDED AIRCRAFT | 28 |
| SECTION 5 - RESTRICTED AREAS | 29 |
| SECTION 6 - AIRPORT GATE PROCEDURES | 29 |
| SECTION 7 - LOADING AND UNLOADING PASSENGERS | 29 |
| SECTION 8 - SMOKING | 29 |
| SECTION 9 - DAMAGE TO AIRPORT PROPERTY OR EQUIPMENT | 29 |
| SECTION 10 - MAINTENANCE OF LEASED PROPERTY | 29 |
| SECTION 11 - RULES, REGULATIONS AND CHARGES FOR AIR CARRIER | 30 |
| SECTION 12 - CHARGES FOR AVIATION SERVICE AND FIXED BASE OPERATOR .. | 33 |
| 1. <u>Percent of Gross Income (or Sales)</u> | 34 |
| 2. <u>Percent of Hangar and Storage Rental Income</u> | 34 |
| 3. <u>Fuel Flowage Fees</u> | 34 |
| SECTION 13 - INTERFERING OR TAMPERING WITH AIRCRAFT | 34 |
| SECTION 14 - ULTRA LIGHT AIRCRAFT | 34 |
| SECTION 15 - DISABLED AIRCRAFT | 34 |
| SECTION 16 - AIRCRAFT FUELING GENERALLY | 35 |
| SECTION 17 - OTHER AERONAUTICAL ACTIVITY | 35 |
| CHAPTER 3: <u>TRAFFIC CONTROL</u> | 36 |
| SECTION 1 - POWERS AND DUTIES OF EXECUTIVE DIRECTOR | 36 |
| SECTION 2 - OBEDIENCE TO TRAFFIC CONTROL DEVICES | 36 |
| SECTION 3 - STATE DRIVER'S LICENSE | 36 |
| SECTION 4 - UNAUTHORIZED PARKING CITATIONS | 37 |
| SECTION 5 - ABANDONED VEHICLES | 37 |
| CHAPTER 4: <u>COMMERCIAL GROUND TRANSPORTATION SERVICES</u> | 39 |
| SECTION 1 - PURPOSE | 39 |
| SECTION 2 - LOADING AND UNLOADING AREAS | 39 |
| SECTION 3 - FIRST IN – FIRST OUT (FIFO) RULES FOR TAXICABS | 39 |
| SECTION 4 - CHARTERED AND COURTESY TRANSPORTATION | 41 |
| SECTION 5 - SHUTTLES | 41 |
| SECTION 6 - AUTHORIZATION TO DEPART WITH FARES | 42 |
| SECTION 7 - STAGING AREAS | 42 |
| SECTION 8 - BAGGAGE PICK-UP FOR DELIVERY | 43 |
| SECTION 9 - CHARGES FOR GROUND TRANSPORTATION AND OTHER | 43 |
| 1. <u>Categories of Ground Transportation</u> | 43 |
| 2. <u>Per Vehicle Ground Transportation Facility Use Fee</u> | 44 |
| SECTION 10 - PUBLISHED PASSENGER RATES | 44 |
| SECTION 11 - OBLIGATIONS OF COMMERCIAL GROUND TRANSPORTATION PROVIDERS AND VEHICLE OPERATORS | 44 |
| SECTION 12 - COMMERCIAL GROUND TRANSPORTATION PROVIDER AND VEHICLE OPERATOR UTILIZATION OF TERMINAL FACILITIES | 48 |
| SECTION 13 - DRIVER IDENTIFICATION | 49 |
| SECTION 14 - VEHICLE SIGNS | 50 |
| SECTION 15 - ASSIGNMENT AND SUBLEASING | 51 |
| SECTION 16 - INSURANCE | 51 |
| SECTION 17 - COMPLAINTS | 52 |
| SECTION 18 - COMPLIANCE | 52 |
| CHAPTER 5: <u>FIREARMS AND WEAPONS POLICY</u> | 53 |
| CHAPTER 6: <u>DISCRIMINATION AND HARASSMENT POLICY</u> | 54 |
| SECTION 1 - SEXUAL HARASSMENT | 54 |
| SECTION 2 - OTHER UNLAWFUL DISCRIMINATION | 54 |
| CHAPTER 7: <u>SOLICITATION, LEAFLETING, AND PUBLIC STATEMENTS POLICY</u> | 56 |
| CHAPTER 8: <u>PICKETING POLICY</u> | 58 |

| | |
|--|----|
| CHAPTER 9: <u>SMOKE FREE POLICY</u> | 60 |
| SECTION 1 - FOR ALL PERSONS OTHER THAN GBRAA EMPLOYEES | 60 |
| SECTION 2 - FOR ALL GBRAA EMPLOYEES | 60 |
| CHAPTER 10: <u>DRUG FREE WORK PLACE</u> | 61 |
| CHAPTER 11: <u>ENFORCEMENT AND PENALTIES</u> | 62 |
| SECTION 1 - EXTRAORDINARY CIRCUMSTANCES | 62 |
| SECTION 2 - PENALTIES APPLICABLE TO COMMERCIAL USERS | 62 |
| SECTION 3 - EXTRAORDINARY CIRCUMSTANCES | 62 |
| SECTION 4 - PENALTIES APPLICABLE TO NON-COMMERCIAL USERS | 63 |
| SECTION 5 - NOTICE OF VIOLATION | 63 |
| SECTION 6 - EXECUTIVE DIRECTOR'S PROCEEDING | 63 |
| SECTION 7 - ADMINISTRATIVE HEARING | 64 |
| SECTION 8 - ADDITIONAL REMEDIES | 67 |
| SECTION 9 - SEVERABILITY | 68 |
| CHAPTER 12: <u>GENERAL CONDUCT OF ALL PERSONS</u> | 69 |
| CHAPTER 13: <u>DEPOSIT</u> | 70 |
| CHAPTER 14: <u>ETHICS IN GOVERNMENT</u> | 71 |

**RULES AND REGULATIONS AND FEES OF THE
GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY**

CHAPTER 1: GENERAL PROVISIONS

SECTION 1 - PURPOSE

The purpose of these Rules and Regulations is for public safety, aviation safety, airport operations and the preservation of good order and peace of the Authority; to prevent injury to, destruction of or interference with public or private property; to protect property, health and lives and to enhance the general welfare of the Authority by restricting the movements of citizens or any group thereof on the property of the Authority when there is imminent danger to the public safety because of freedom of movement thereof; to regulate the entrances to property and buildings of the Authority and the way of ingress and egress to and from the same. Also, the purpose is to comply with all applicable laws and regulations of the United States and the State of Mississippi; and to comply with all federal and state grant assurances and requirements; and to establish certain user fees for various classes of commercial business on the Airport.

The Rules and Regulations are effective from date of passage and supersede all prior rules and regulations that are inconsistent with these.

If any part of these Rules and Regulations is held unenforceable or invalid by any court or administrative agency having jurisdiction, all remaining parts not held invalid or unenforceable shall continue in full force and effect.

SECTION 2 - GENERAL CONDUCT OF COMMERCIAL USERS

All commercial users shall conduct themselves in a friendly, courteous, cooperative manner with each other, Airport officials, and the public, while on the Airport and while engaged in business activities in which the Airport was the origin or is the destination.

SECTION 3 - SPECIFIC CONDUCT OF COMMERCIAL USERS

Commercial users shall not engage in open, notorious, and public disputes, disagreements, or conflicts; shall not engage in profanity, racial epithets, ethnic epithets, sexual epithets or gestures, religious epithets; and shall not commit acts of vandalism, verbal assaults or physical assaults, while engaged in business activities on the Airport or while engaged in business activities in which the Airport was the origin or is the destination.

SECTION 4 - CONDUCT AND COMPLIANCE BY ALL USERS

All Airport users shall obey and comply with all present and future laws, ordinances, rules, and regulations, directives, and orders of the United States of America, the State of Mississippi, Harrison County, the City of Gulfport, the City of Biloxi, the Airport Authority, and their respective agencies, departments, and officials, while on the Airport or while engaged in business activities in which the Airport was the origin or is the destination.

SECTION 5 - DEFINITIONS

The following words and terms, when used in these rules and regulations have the meanings respectively ascribed to them by this section.

1. Air Carrier Support Services. A person, firm, or corporation offering services to a commercial air carrier for aircraft marshaling, parking, loading, unloading, servicing, ticketing, baggage handling, or otherwise related to the support of commercial air carriers.
2. Air Operations Area. The portions of the Airport within the Airport security fence designated or made available from time to time by the Executive Director for aircraft and related operation, and shall include without limitation the airfield, runways, taxiways, ramps, aprons, aircraft tie-downs and areas appurtenant to such portions of the Airport. The air operations area shall not include Airport property leased or assigned for exclusive use by tenants or their lessees, patrons or invitees.
3. Aircraft. Any self-powered device or vehicle for human flight, licensed by the Federal Aviation Administration.
4. Aircraft Operator. Any person, firm, corporation, company, association or organization owning, leasing, controlling or operating any aircraft, or causing the operation thereof.
5. Airport Media. Any badge, credential, card, or other medium that is issued by the Airport Authority to an individual for identification purposes including, but not limited to, media signifying unescorted access to an Air Operations Area (AOA), Secured Area, Security Identification Area (SIDA), Sterile Area, or to any public area. This includes individuals with unescorted access to the SIDA and Sterile Area as well as individuals such as taxi drivers, parking lot attendants, vendors, and shuttle bus drivers who have identification medium issued by the Airport Authority.

6. Airport. All property now or hereafter purchased, leased, donated, or used for the Gulfport-Biloxi International Airport including such property which may be subject to an exclusive lease or license agreement.
7. Airport Authority. The Gulfport-Biloxi Regional Airport Authority created pursuant to the provisions of Chapter 3, Title 61, Mississippi Code of 1972, annotated.
8. Airport Fire Chief. The ranking fireman on duty at the Airport Fire Station.
9. Airport Official. The Executive Director, Assistant Executive Director, Director of Operations, Operations Manager, Operations Supervisor, or any employee or Airport-contracted agent acting on behalf of and authorized by the Airport Executive Director.
10. Airport Rules and Regulations. The rules, regulations, policies and procedures for the Airport established by the Airport Authority and enforced by the Executive Director.
11. Airport Starter. Airport representative who maintains count of passengers leaving the Airport via ground transportation services.
12. Authorized Emergency Vehicles. Crash, fire and rescue vehicle or law enforcement vehicle provided by governmental entities and on the Airport for the purpose of conducting crash, fire, rescue or law enforcement services.
13. Based Aircraft. Any aircraft other than military aircraft, which is stored, tied-down or kept at the Airport on a regular basis or on a monthly or longer tie-down or storage agreement.
14. Business Permit. The permit issued by the Airport Authority to a person, corporation, partnership, limited partnership, limited liability company, professional limited liability company, joint venture, club, association or other entity, whether for profit or non-profit, granting certain operating rights and requiring compliance with the Airport rules, regulations, minimum standards, insurance requirements and requiring the payment of specific fees for the right to use the Airport.
15. Charter Airline Service. Service provided by a commercial airline operating under FAR 135 or FAR 121 which does not publish schedules in the Official Airline Guide (OAG) and is not certified by the U. S. Department of Transportation (DOT) to provide scheduled airline service to or from Gulfport-Biloxi International Airport. Even though seats may be available to the public and/or flights may operate on a

schedule, this air service does not meet the OAG test or the DOT test. The Airport Authority distinguished between two types of Charter Airline Service. Non-scheduled Charter Airline Service offers non-scheduled passenger service to and from destinations on a per flight basis. Scheduled Charter Airline Service offers and promotes seats to the public through a booking engine and operates flights on a regular schedule or establishes a three (3) month history of at least thirty (30) flights per month.

16. Chartered Ground Transportation. Transportation of persons with a driver when advanced reservations have been made for a particular vehicle, person or group at a particular time and prearranged by the passenger(s). All charters require a manifest by name or group and only those passengers may be boarded. Loading for a charter is restricted to the charter vehicle passenger loading area only, which is designated by signs or other suitable means.
17. Clubs or Association. Clubs or associations may be formed for profit or non-profit purposes by a group of people to share the use of the Airport or its facilities through a lease or otherwise, such club or association shall be treated as a commercial user on the airport.
18. Coast Transit Authority (CTA). A Public Transit Authority operating as a utility in the counties of Harrison, Jackson, and Hancock, Mississippi. Coast Transit Authority is permitted to pick up and drop off riders at its GBIA bus stop only, and at no charge to the riders or to Coast Transit Authority (CTA) by GBRAA; and with schedules and routes determined by CTA. CTA pickup up and drop off at GBRAA do not require a permit from GBRAA.
19. Commercial Aircraft. Any aircraft used or operated for hire, profit or any revenue producing purposes, including the transportation of passengers or cargo, whether scheduled or non-scheduled.
20. Commercial Aircraft Operator. Any aircraft operator who uses or operates any commercial aircraft.
21. Commercial Ground Transportation Provider. The owner or other person, corporation, partnership, limited partnership, limited liability company, professional limited liability company, joint venture, club, association or other entity, with the exception of a public transit authority, operating or controlling commercial transportation operations of one or more vehicles or any person who has rented such vehicles(s) for the purpose of operation by an agent.
22. Commercial/Business Activity. The activity engaged in by a commercial user.

23. Commercial/Ground Transportation. Any taxi, limousine, sedan, van, shuttle, courtesy, or other vehicle (with the exception of a public transit authority), transporting people for commercial users at the Airport.
24. Commercial User. An individual, person, corporation, partnership, limited partnership, limited liability company, professional limited liability company, joint venture, club, association or other entity, (with the exception of a public transit authority), offering sale, lease, rent, use, or furnishing of any commodity, article, facility, or service at the Airport or engaged in any business activity or renting or leasing any space at the Airport, or operating any concession at the Airport.
25. Concessionaire. One who has a concession agreement with the Airport Authority.
26. Courtesy Vehicle. Any motor vehicle not otherwise defined herein being used regularly for the transportation of customers or baggage between the Airport and any motel, hotel, casino, auto rental office or parking lot as a courtesy provided by such facilities which are not located on Airport property, and no fare or rate is charged by the commercial user.
27. Drop Off Area. An area on Airport grounds or roadways designated by signs or other suitable means, and reserved for unloading passengers. This area is the driveway and covered sidewalk at the northwest end of the Terminal, unless otherwise directed by an Airport official.
28. Executive Director. The chief administrative staff person appointed by the Airport Authority and charged with the duty to administer, protect, control, govern, and superintend the Gulfport-Biloxi International Airport; or his designee.
29. FAA - The Federal Aviation Administration, which is an agency of the United States Department of Transportation.
30. Fees or Charges. Any monies that are due the Airport Authority by a commercial user pursuant to the rules and regulations or pursuant to any permit, lease, concession agreement, license agreement, or other contract.
31. Fixed Base Operator. A person, firm, or corporation subject to the provisions of a lease offering public services in any one or more of the following: the sales, service, refueling, renting, and leasing of aircraft; sale of aviation parts, accessories, and hardware; performance of aircraft repairs, over-hauling, and modification; or provision of services, ground instruction, flight instruction, aerial photography and aerial advertising.
32. FIFO. Acronym for "First In First Out" used in reference to ground transportation service.

33. Flight School Operator. A person, firm or corporation engaged in a pilot flight training school at the Airport, limited to dual and solo training in fixed and rotary wing aircraft and such related ground school instruction as is necessary to prepare a student pilot to take a written and flight examination for a pilot's license or appropriate aircraft rating from the FAA.
34. General Aviation. General Aviation is one of two categories of civil aviation. It refers to all flights other than military and scheduled airline and regular cargo flights, both private and commercial.
35. General Aviation Services. In accordance with the Airport Authority Minimum Standards for Operators and Businesses (Minimum Standards), the following services are typically provided to the public by general aviation operators:
1. Flight training
 2. Aircraft rental
 3. Aircraft sales
 4. Air taxi and charter service
 5. Air freight transportation
 6. Airframe and/or power plant repair
 7. Radio instrument and propeller service
 8. Aircraft marshaling and servicing

However, there are many other services that are provided for general aviation customers by operators and by independent contractors. Some are provided for a fee and others are provided for no remuneration to the operator.

36. Gross Sales. The term gross sales applies to several categories of commercial/business activity including, but not limited to: rental cars, parking, ground transportation, general aviation, concessions, and other commercial users of the Airport. A percent of gross is established for each category or class of commercial/business activity and is stated in the proposed users business permit, lease agreement or operating agreement. Gross sales includes all revenue actually received, less and except any exclusions that are specifically stated in these Rules, Regulations and Fees, or in the permit, lease or agreement. Goods and services for which no remuneration is actually received by a commercial/business activity shall not be considered a part of gross sales.
37. Ground Control. That function within the FAA Air Traffic Control Tower which controls the movement of ground vehicles, equipment, personnel and taxing aircraft on airport runways and taxiways.
38. Ground Transportation Lane. Airport designated parking in front of the airport terminal for pick-up of on-demand, shuttle, courtesy, and charter ground transportation passengers.

39. Ground Transportation Coordinator. The uniformed person or persons charged by the Airport Authority with coordinating the various aspects of the ground transportation function and services at the terminal area, and supervising compliance with the ground transportation rules, regulations and fees.
40. Limousine or Van. A motor vehicle, without a city regulated taximeter and with capacity for not more than fifteen (15) passengers and available for hire only as chartered ground transportation.
41. Metered Limousine. A motor vehicle designed and/or constructed to accommodate and transport a maximum number of passengers at one time of the lesser of: six passengers; or the number of passenger seats with factory installed seat belts; and which is regularly engaged in the business of carrying passengers for hire, which is not operated on a fixed route but fitted with a city regulated taximeter to indicate and determine the passenger fare charged by the trip or load for distance traveled and operating for hire on demand.
42. Movement Area. The portions of the Airport over which the FAA tower controls the movement of all aircraft and vehicular traffic, and pedestrians.
43. Non-Commercial User. All Airport users, who do not meet the definition of "Commercial User" in these definitions.
44. Off-Airport Rent-A-Car Operator. A rent-a-car operator which receives the benefits of use of the Airport, but does not have a lease of premises as a tenant rental car agency.
45. On Demand. Transportation of persons for hire by a driver using either metered taxis, metered limousines, or shuttles, and having no specific passenger manifest and otherwise not qualifying as courtesy, chartered, or public transit authority.
46. Park or Parking. The standing of a vehicle, whether occupied or not, other than momentarily.
47. Permit. A written authorization from the Gulfport-Biloxi Regional Airport Authority, authorizing a commercial user to engage in a particular business at the Gulfport-Biloxi International Airport. The permit may be for a tenant commercial use or for a non-tenant commercial use.
48. Permittee or Licensee. One who has a permit to conduct business at the Airport.
49. Person. Any individual, partnership, limited partnership, corporation, limited liability company, association, joint venture, club or professional limited liability corporation (including any assignee, receiver, trustee or representative).

50. Place of Employment. An area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. This also includes elevators, medical facilities, stairs, and all enclosed facilities.
51. Police. The law enforcement officers of the City of Gulfport, or the County of Harrison.
52. Pre-arranged Meeting. The act or process of coming together for the purpose of establishing a common agreement, initiated prior to such meeting, by phone, e-mail, or correspondence and with the prior approval of all parties.
53. Private Vehicle. Any vehicle operated for transportation of persons or baggage who are not customers of a commercial ground transportation operator and no revenue is being derived from the transportation whether directly or indirectly.
54. Public Transit Authority. Public transportation established by Local, State, or Federal Legislation.
55. Roadway. The improved portion of any way on the Airport regardless of whether or not it is a dedicated public street or public highway, which is designed or constructed for street or public highway for vehicular travel by the public, including the berm or the shoulder.
56. Rules and Regulations. All rules, regulations, policies, requirements, fees, charges, and provisions stated in this document.
57. Scheduled Airline Service. Airline service provided by a commercial airline operating under FAR 135 or FAR 121 which publishes schedules in the Official Airline Guide (OAG) and is certified by the U.S. Department of Transportation (DOT) to provide such scheduled airline service. Even though flight reservations may only be available from this specific airline, if the air service meets the OAG and DOT tests, it is considered to be scheduled service.
58. Shuttle. A non-metered vehicle (excluding courtesy vehicles, chartered vehicles and limousines). It provides commercial ground transportation for hire which provides economical transportation for passengers by combining multiple passengers and/destinations per trip.
59. Sidewalk. Any improved way on the Airport which is designed or constructed for pedestrian travel by the public.

60. Smoking or To Smoke. Inhaling, exhaling, burning, carrying, or possessing any lighted or ignited tobacco product, including, but not limited to, cigarettes, cigars, pipes, hookahs, and any lighted or ignited combustible plant or plant substance and any synthetic derivation thereof, in any manner or in any form. It shall be presumed that a lighted or ignited cigarette, cigar, pipe, or hookah contains tobacco.
61. Staging Areas The Executive Director or Airport official may establish staging areas for any class of commercial ground transportation, the purpose of which shall be to hold vehicles in a queued manner for subsequent access to the ground transportation lane.
62. Stand or Standing. Allowing a vehicle to remain momentarily stopped, whether occupied or not, except when necessary for safety or for cause beyond control of the driver.
63. Taxicab. A motor vehicle designed and/or constructed to accommodate and transport a maximum number of passengers at one time of the lesser of: six passengers; or the number of passenger seats with factory installed seat belts; and which is regularly engaged in the business of carrying passengers for hire, which is not operated on a fixed route and fitted with a city regulated taximeter to indicate and determine the passenger fare charged by the trip or load for distance traveled and operating for hire on demand. The following size limitations shall apply to taxicabs:
1. Maximum length = 27'
 2. Maximum gross vehicle weight (GVW) = 9,600 lb.
64. Tenant. One who has the temporary use of any portion of the Airport, whether by lease or otherwise.
65. Terminal. The passenger terminal building of the Airport.
66. Through Passenger. A passenger whose origination and destination is not the Airport.
67. Traffic. Includes both vehicular and pedestrian travel.
68. Traveling Public/Public/Patrons. All persons using the Airport, including but not limited to those persons not conducting business operations at the Airport.
69. Users. All commercial and non-commercial persons who enter the Airport.
70. Vehicle. Any device for transporting persons or property, except aircraft.

71. Vehicle Operator. The driver or lessee of a company's ground transportation service vehicle.
72. Voucher. A form or check issued for the purpose of rendering of services.
73. Zone Rate Map. A Zone Rate Map may be periodically published and updated by the Airport Authority. The map is solely for informational purposes and only provides estimates of expected fares for on-demand Commercial Ground Transportation to and from the Airport and destinations in the surrounding area.

SECTION 6 - BUSINESS PERMIT FOR REVENUE PRODUCING COMMERCIAL ACTIVITIES AT THE AIRPORT

No person shall utilize or permit the utilization of any portion of the Airport or any structure thereon, for revenue-producing commercial activities, or solicit business or funds for any business or for any activity, except by conducting the business as specifically authorized by a properly executed lease, use agreement, or with a business permit authorized by the Airport Authority. The following are considered to be commercial activities: advertising, air carriers, barber, banking, courtesy vehicles, cargo and freight service, fax service, fixed base operators, food and beverage services, gift shop and newsstand, hotel and motel, commercial office and industrial park, insurance, limousine and van service, offices, rental cars, petroleum products, shoe shine, skycap, taxicab, vending, and western union. However, commercial activities are not limited to the categories listed above. Clubs, organizations, and persons or firms offering services to the public or a group of people or association must also have a permit to operate at the Airport, with the exception of a public transit authority.

1. Business Permit Application Process. Each commercial business entity shall follow the process outlined below for business permit application:
 - (a) Execute an application and agreement for a business permit for the specific type of commercial activity requested (said permit forms on file at the GBRAA Administrative Offices are available upon request), and subject to the approval of the governing board;
 - (b) Provide an original Certificate of Insurance naming the Gulfport-Biloxi Regional Airport Authority as an additional insured;
 - (c) Pay \$120.00 Business Permit Fee;
 - (d) Provide a copy of the firm's Certificate of Formation and Certificate of Good Standing from the Secretary of State, if applicable, or satisfactory proof of business ownership;

- (e) Provide a copy of the permit issued by the U. S. Department of Transportation for interstate transportation, if applicable;
- (f) Provide proof of purchase of the applicable motor vehicle tag;
- (g) Provide a copy of permit issued by the Mississippi Public Service Commission, if applicable;
- (h) Provide a copy of City of Gulfport and City of Biloxi Occupational Privilege License;
- (i) Provide copy of Harrison County Motor Vehicle for Hire Certificate of Registration, if applicable;
- (j) For all on demand ground transportation operators, the applicant shall submit a request for operation in a specific class of service, proposed rates and schedule of service when applicable;
- (k) For security purposes, every applicant for or holder of a business permit must provide a copy of the current driver's license of each employee who will drive a vehicle on the airport whether it is a personal vehicle, for hire vehicle, or other vehicle utilized by the business, and if not contained in the driver's license, must also furnish each driver's current address and date of birth;
- (l) In accordance with applicable security requirements, access to Airport facilities may require the issuance of Airport Media. The issuance of Airport Media may require the submittal of additional information and forms of identification to the Airport. Failure to supply any requested information may result in denial of the Airport Issued Media;
- (m) Agree to pay the specific concession fee and all fees in the Permit Application; and
- (n) Agree to comply with all Airport Rules and Regulations and Minimum Standards.

All requirements specified above for a business permit application are requisites to the issuance of a business permit and for the continuation of the business permit during the stated term of the business permit.

2. Business Permit Approval. After verification by the Executive Director of the information presented in the application, the application shall be presented to the Commissioners of the Airport Authority at its next regular meeting. Approval of the Airport Authority is required prior to commencement of business activity at the Airport.
3. Business Start-up. Prior to start-up of applicant's business, the Executive Director or his designee shall inspect the equipment, facilities and premises for compliance with the Airport

Rules and Regulations. When all aspects of said rules are complied with, the executive Director shall issue written authorization to commence the business activity.

As a condition of receipt and use of an Airport Business Permit, all holders shall be subject to GBRAA Rules, Regulations and Fees, and for any disputes or complaints of any nature whatsoever which the permit holder or its employees may have regarding the terms of its permit, the conditions under which it operates at GBIA, or term of any and all GBRAA rules or regulations, the permit holder or commercial user's sole and exclusive remedy shall be to resort to the administrative remedies outlined in **Chapter 1, Section 24** and in **Chapter 11** of these Rules or elsewhere herein.

The business permit holder shall control the conduct demeanor and appearance of its employees, agents, representatives, independent contractors, customers, tenants, lessees, commercial or other users, guests, invitees, those doing business with them, and all other persons or entities operating under the business permit or working for or on behalf of the business permit holder.

The business permit holder shall also ensure that its employees, agents, representatives, independent contractors, customers, tenants, lessees, commercial or other users, guests, invitees, those doing business with them, and all other persons or entities operating under the business permit or working for or on behalf of the business permit holder are in compliance with the Airport Rules, Regulations and Fees.

SECTION 7 - TENANT AND USER IDENTIFICATION MEDIA

Tenant's and/or User's employees may be required to wear or be issued Airport Media by the Owner, as required by security regulations. Owner shall issue, renew and replace media, as well as conduct background investigations as required, and the cost to issue, renew, and replace media will be assessed to the Tenant and/or User.

The initial cost for issuance of Airport Media for Tenant's and/or User's employees requiring a Security Threat Assessment (STA) prior to issuance of Airport Media is \$17.00 per badge, plus an additional STA processing fee of \$3.00, for a total cost assessed to Tenant and/or User of \$20.00. The cost for renewal, as applicable, shall be assessed at \$15.00 per badge.

If TSA regulations or Airport policies require that a Criminal History Records Check (CHRC) be conducted on a Tenant and/or User prior to issuance of Airport Media, the Tenant and/or User shall pay a \$20.00 badge fee, the STA processing fee of \$3.00, plus an additional fee of \$32.00 for the CHRC, or a total media badge issuance fee of \$55.00. The cost for renewal, as applicable, shall be assessed at \$15.00 per badge.

Issuance of Airport Media for Tenants and/or Users not requiring a CHRC or STA is \$15.00 per badge.

The fee for lost Airport Media shall be charged to Tenants and/or Users at a rate of \$50.00 per badge for the first loss, and \$100.00 per badge for any future loss by same employee.

The fee for Airport Media not returned to Owner upon employee separation is \$100.00, and shall be charged to Tenant and/or User.

The fee for replacement of Airport Media shall be issued at a cost of \$15.00 per badge.

SECTION 8 - EMPLOYEE PARKING

Tenant employees shall park in the employee parking lot and are required to pay a monthly parking fee of Ten and NO/100 Dollars per month.

Employee vehicles shall display a Gulfport-Biloxi International Airport issued parking decal. The decal shall be visible from the exterior of the vehicle.

Employee vehicles are subject to **Chapter 3** of these Rules and Regulations.

SECTION 9 - DAMAGE TO AIRPORT PROPERTY

Any person causing, or liable for, any damage shall be required to pay the Gulfport-Biloxi Regional Airport Authority on demand the full cost of repairs. Any person failing to comply with these rules and regulations may be refused the use of any facility until the Airport Authority has been fully reimbursed for damages.

SECTION 10 - ENTRY AND USE CONDITIONED UPON CONFORMITY WITH REGULATIONS

Any permission granted to an aircraft or motor vehicle operator, passenger, visitor, lessee, licensee, or any person, firm or corporation, whether directly, indirectly, specifically or by implication, to enter upon or use the Airport, or any part thereof, including without limitation the employees and invitee of any such person, firm or corporation, is conditioned upon conformity with the provisions of these Airport Rules and Regulations as conditions may warrant.

SECTION 11 - SOLICITATION

The soliciting of business, fares, alms, or funds for any purpose on the Airport without the express permission from the Airport Authority is prohibited. This provision does not prevent pre-arranged meetings from occurring at the airport.

SECTION 12 - SPECIAL EVENTS OR DEMONSTRATIONS

Special events or demonstrations will be permitted on the Airport only upon written request to and permission by the Executive Director.

SECTION 13 - LOITERING

No person shall loiter on any part of the Airport or in any building on the Airport.

SECTION 14 - FIRE PREVENTION GENERALLY

All applicable ordinances and regulations of the Gulfport Fire Department and all orders of the Airport Fire Chief shall be adhered to by all tenants, licensees and concessionaires at the Airport, in all respects pertaining to fire prevention and handling of flammables and solvents.

SECTION 15 - STORAGE OF EQUIPMENT

No tenant or lessee on the Airport shall store or stack material, vehicles, or equipment in such a manner as to constitute a hazard to persons or property.

SECTION 16 - REFUSE DISPOSAL

No person shall keep uncovered trash containers in any area. Areas to be used for trash or garbage containers shall be designated by the Executive Director and no other areas shall be used. Such areas shall be kept clean and sanitary at all times.

SECTION 17 - MAINTENANCE OF VEHICLES OR EQUIPMENT

Vehicle and/or equipment repairs and preventative maintenance shall not be conducted in public areas or areas that have not received prior approval.

SECTION 18 - SEARCHES OF PERSONS AND PROPERTY, SEIZURES OF CONTRABAND, AND INSPECTION OF PREMISES, FACILITIES AND EQUIPMENT

All users of the Airport while on Airport property may be searched by Airport officials or law enforcement officials, for weapons, explosive devices, incendiary devices or other devices, contraband, or materials, which pose a threat to Airport safety and security, or which are prohibited by Airport Rules and Regulations, or any federal, state, county, or municipal statute, law, rule, or ordinance. Items discovered which are the subject of the aforesaid searches may be seized by Airport or law enforcement officials and either delivered to the proper law enforcement agency having jurisdiction over same or returned to the person from whom it was seized as may be appropriate.

All users of the Airport while on Airport property may be searched by Airport officials or law enforcement officials for illegal drugs or contraband, as illegal drugs pose a threat to the safety and security of the Airport. All illegal drugs may be seized and delivered to the proper law enforcement agency having jurisdiction over same.

All areas under lease, all business operations, and all private operations conducted on the Airport shall be subject to random and periodic inspection by an Airport official. If it is determined during inspection that the person is not in compliance with the Rules and Regulations or Minimum Standards of the Airport, or that a hazard exists, or that a violation of the law exists, then the person or user shall be required to remedy the compliance problem or correct the hazard; provided however, if the inspection determines there is a reasonable suspicion of a violation of law, then in that event, the matter shall be reported to the proper law enforcement authorities.

SECTION 19 - PENALTIES

1. Any person or commercial operator/user found in violation of any provision of any Airport rule or regulation, including but not limited to the terms of any business or other permit or license granting access to or other privileges on Airport property, may be penalized in accordance with **Chapter 11** of these Rules and Regulations.
2. The penalties and procedures provided in **Chapter 11** shall be in addition to any other penalties provided in each individual person or user's lease, permit, contract, or other agreement with the Airport Authority. To the extent penalties provided in Chapter 11 may be inconsistent with those in a particular lease, permit, contract, or other agreement, the provisions of **Chapter 11** shall prevail. The Airport Authority shall be under no obligation whatsoever to effect remedies for violations in any particular order. The election of particular remedies shall be and remain in the sole discretion of the Airport Authority, and the election of one remedy shall in no way waive, modify, or curtail the Airport Authority's right to pursue subsequent remedies.

SECTION 20 - COMMERCIAL FEES AND REQUIREMENTS

1. Permit Fee. All revenue producing commercial activities at the Airport as described in **Section 6** of this chapter shall pay an annual business permit fee of \$120.00 prorated monthly from October first of each fiscal year.

2. Permit Requirements. The Airport Authority may issue a business permit only upon receipt of a signed and verified lease, use agreement or application from the respective business owners containing at least the following information, agreements, and proof:
 - (a) The names, addresses and driver's license numbers of every person or corporation having an interest in the business;
 - (b) For corporations not traded publicly, the names, addresses and driver's license numbers of every person having an interest in the business;
 - (c) Proof of liability insurance;
 - (d) A written agreement to pay the appropriate fees and charges for all Airport operations on a monthly basis, in accordance with Section 20, Paragraph 4 below, unless stated otherwise in Tenant's Lease , Use, and/ or Concession Agreement.
 - (e) A written agreement covenanting to obey and follow all rules and regulations published by the Airport Authority;
 - (f) Proof of all business permits and licenses required by the United States of America, the State of Mississippi, the City of Gulfport, the City of Biloxi, and the County of Harrison;
 - (g) Written agreement to indemnify and hold harmless the Gulfport-Biloxi Regional Airport Authority from any and all claims whatsoever, arising out of said business operation, and such proof of insurance as may be required;
 - (h) Each specific fee to be paid to Airport Authority;
 - (i) Comply with all provisions of **Business Permit Application Forms**, said permit forms are on file at the GBRAA Administrative Offices, available upon request, and subject to the approval of the governing board.

3. Concession Fee.
 - (a) **Non-Tenant Rental Car Operator**
 - (i) A Non-Tenant Rental Car Business Permit will permit the business to pick up customers at the terminal in a designated and signed van or other motor vehicle provided that no non-tenant rental car business shall operate more than one designated motor vehicle on Airport property at the same time.

- (ii) A Non-Tenant Rental Car Business Permit shall not permit a business to have an office or station on Airport property, or to operate rental cars on Airport property; and all of these actions and activities are expressly prohibited.
- (iii) A Non-Tenant Rental Car Business Permit is required in order to advertise a non-tenant rental car business on Airport property and in order to place a non-tenant rental car business telephone on Airport property; however, fees for such advertising and telephones are not included in the permit fees and charges. Advertising and telephone fees, charges, and location must be negotiated separately in addition to permit fees and charges. A non-tenant rental car business not having a non-tenant rental car business permit shall not advertise on Airport property and shall not place a telephone on Airport property.
- (iv) A Non-Tenant Rental Car Business Permit may be revoked by the Gulfport-Biloxi Regional Airport Authority for cause at a public meeting upon five (5) days notice. "Cause" includes, but is not limited to, a breach of any of the agreements herein; a failure to perform any of the agreements herein, including a failure to make timely payments; violation of Gulfport-Biloxi Regional Airport Authority standards or regulations; violation of the laws of the Federal Government or of the laws of any state; and any other act or omission of the permittee adversely affecting Airport business operations or posing a danger to the public health, safety or welfare. "Cause" also includes financial insolvency or instability, moral turpitude and the lack of good character. In the event a permit is revoked, all sums owed the Airport Authority shall immediately become due and payable, and no fees or charges shall be refundable by the Airport Authority.
- (v) Non-Tenant Rental Car Business Permit may, likewise, be denied for similar cause as it could be revoked. In addition, a Non-Tenant Rental Car Business Permit may be denied or revoked when, in the opinion of the Airport Authority, such action is necessary to protect the public health, safety or welfare, or to preserve the financial welfare of the Airport Authority. In the event a permit is denied, the applicant shall be given written notice of the reasons and shall have the right to a hearing before the Airport Authority.
- (vi) Pay for the duration of the permit to the Gulfport-Biloxi Regional Airport Authority seven (7%) percent of all gross business receipts per month payable as in accordance with **Section 20, Paragraph 4.(b) below.**

(b) **Non-Tenant Parking Operator**

- (i) Any person, persons or entity desiring access to any part of the Airport premises of the Gulfport-Biloxi Regional Airport Authority for the purpose of conducting parking facility business operations, either directly, shall first apply for, and obtain from the Airport Authority, a Non-Tenant Parking Operator Business Permit prior to conducting any business on any part of the premises owned or operated by the Airport Authority.
- (ii) A Non-Tenant Parking Operator Permit will authorize the parking facility business to pick up customers at the Airport terminal in a vehicle that is uniformly painted and identified by color scheme and lettering; provided that, such vehicle has obtained the prior approval by Airport Authority.
- (iii) A Non-Tenant Parking Operator Business Permit shall not permit a business to have an office or station at any part of the premises owned or operated by the Airport Authority, such actions and activities being expressly prohibited.
- (iv) An application for a permit may be denied, or a permit may be suspended or revoked, by the Airport Authority for reasons which may include, but which shall not be limited to, the following:
 - 1. A breach, or failure to perform, of any of the agreements herein, including a failure to make timely payments of any amounts owed to the Airport Authority;
 - 2. Violation of any Airport Authority rule, regulation, or standard including but not limited to the Airport Authority Ground Transportation Rules, Regulations and Fees (Chapter 4 herein);
 - 3. Violation of any national, state, county, or municipal law, statute, regulation, or ordinance;
 - 4. Any act or omission that adversely affects, or threatens to adversely affect, the Airport Authority's business operations or its financial welfare;
 - 5. Any act or pattern of action that, in the judgment and discretion of the Airport Authority, reflects adversely upon the character or fitness to conduct business of the parking business; or
 - 6. Any other reason when, in the judgment and discretion of the Airport Authority, revocation is appropriate to protect the public health, safety or welfare.

- (v) Upon determining the existence of any of the grounds for denial, suspension or revocation of a permit, the Airport Authority shall issue a written notice of decision. The notice of decision shall state all the grounds and reasons upon which the denial, suspension or revocation is based. The notice of decision shall be mailed to the non-tenant parking facility business.
- (vi) Pay for the duration of the permit to the Gulfport-Biloxi Regional Airport Authority seven (7%) percent of all gross business receipts per month payable as stated in **Section 20, Paragraph 4.(b) below.**

(c) **Non-Tenant Ground Transportation Operator**

- (i) Any person, persons or entity desiring access to any part of the Airport premises of the Gulfport-Biloxi Regional Airport Authority for the purpose of conducting a non-tenant ground transportation business operation, including but not limited to taxis, shuttles, charter, on demand, and courtesy transportation, shall first apply for, and obtain from the Airport Authority, a Non-Tenant Ground Transportation Operator Business Permit prior to conducting any business on any part of the premises owned or operated by the Airport Authority.
- (ii) A Non-Tenant Ground Transportation Operator Business Permit will authorize the ground transportation business to pick up customers at the Airport terminal in a vehicle that is uniformly painted and identified by color scheme and lettering; provided that, such vehicle has obtained the prior approval by Airport Authority.
- (iii) A Non-Tenant Ground Transportation Operator Business Permit shall not permit a business to have an office or station at any part of the premises owned or operated by the Airport Authority, such actions and activities being expressly prohibited.
- (iv) An application for a permit may be denied, or a permit may be suspended or revoked, by the Airport Authority for reasons which may include, but which shall not be limited to, the following:
 - 1. A breach, or failure to perform, of any of the agreements herein, including a failure to make timely payments of any amounts owed to the Airport Authority;
 - 2. Violation of any Airport Authority rule, regulation, or standard including but not limited to the Airport Authority Ground

- Transportation Rules, Regulations and Fees (**Chapter 4** herein);
3. Violation of any national, state, county, or municipal law, statute, regulation, or ordinance;
 4. Any act or omission that adversely affects, or threatens to adversely affect, the Airport Authority's business operations or its financial welfare;
 5. Any act or pattern of action that, in the judgment and discretion of the Airport Authority, reflects adversely upon the character or fitness to conduct business of the parking business; or
 6. Any other reason when, in the judgment and discretion of the Airport Authority, revocation is appropriate to protect the public health, safety or welfare.

(v) Upon determining the existence of any of the grounds for denial, suspension or revocation of a permit, the Airport Authority shall issue a written notice of decision. The notice of decision shall state all the grounds and reasons upon which the denial, suspension or revocation is based. The notice of decision shall be mailed to the non-tenant ground transportation provider.

(vi) Pay for the duration of the permit to the Gulfport-Biloxi Regional Airport Authority seven (7%) percent of all gross business receipts per month and applicable ground transportation facility use fees pursuant to **Chapter 4, Section 9, Paragraph 2**, payable in accordance with **Section 20, Paragraph 4.(b) below**.

4. Schedule of Payments for Rents, Fees and Charges.

- (a) RENT for space is payable in advance, on or before the 20th day of each month for the next succeeding month.
- (b) CONCESSION FEES and FACILITY USE FEES are payable on or before the 20th day of each month for the previous month.
- (c) LANDING FEES, NON-EXCLUSIVE RENT, and any other applicable fees and charges FOR SCHEDULED AIRLINES as set forth in **Chapter 2, Section 11** herein are payable on or before the 20th day of each month for the month that ended two (2) months previous.
- (d) PASSENGER FACILITY CHARGES (PFC's) for SCHEDULED AIRLINES are payable monthly, no later than the last day of the calendar month following the previous month's collection.

- (e) LANDING FEES and any other applicable fees and charges set forth in **Chapter 2, Section 11** herein, FOR NON-SCHEDULED AIRLINE SERVICE, including but not limited to non-scheduled military charters and other commercial airlines contracted with the military, are payable on or before the 20th day of each month for the month that ended two (2) months previous.
- (f) PFC's for NON-SCHEDULED AIRLINE SERVICE are payable monthly, no later than the last day of the calendar month following the previous month's collection.
- (g) PERMIT FEE is due on or before September 30, for the next succeeding year.

The above payment schedule of rents, fees, and charges are for all Commercial Users, Tenants, Operators, except and unless stated otherwise in Tenant's existing Lease and/or Concession Agreement. In that case, the Lease and/or Concession Agreement payment terms shall prevail.

SECTION 21 - INSURANCE

Proof of liability insurance is required for all commercial users, clubs and associations operating on the Airport.

1. Insurance requirements for all specifications for all aviation operations are contained in the minimum standards for operators and businesses as amended.
2. Insurance requirements for commercial ground transportation vehicles are contained in **Chapter 4** herein.
3. Insurance requirements for all commercial users are stated in their respective leases, concession agreements, permits, licenses, operating agreements and other contracts.
4. The Gulfport-Biloxi Regional Airport Authority shall be an additional named insured on all policies of commercial or business activities operating on the Airport.
5. Commercial businesses shall certify as to the amount and type of insurance covering all of its business operations on the Airport by providing the Airport Authority with an original Certificate of Insurance, naming the Airport Authority as an additional insured prior to authorization to begin any commercial business activity. Additionally, all insurance shall be written by an insurance company licensed by the State of Mississippi. Furthermore, the Airport Authority shall be notified by the insurance agent immediately when any change to a policy occurs.

SECTION 22 - OTHER ACTIVITIES REQUIRING A PERMIT

Commercial or business activities. Clubs and associations operating on the Airport or businesses of any kind which provide Airport users, lessees, tenants, or concessionaires with services, shall be required to have as a minimum requirement, an annual business permit, insurance, and to pay such fees as may be required of another tenant or lessee providing the same service.

Courtesy Ground Transportation Services for trade associations, conferences, conventions and/or tour groups furnishing prearranged ground transportation for its attendees are classified as courtesy vehicles, including instances in which CTA is transporting the passengers, and all GBRAA Rules, Regulations and Fees herein applicable to courtesy vehicles apply.

A permit application is required for such temporary commercial activity and the permit fee will be prorated for not less than one month of the annual permit fee, for a minimum of Ten and NO/100 (\$10.00).

SECTION 23 - FUEL HANDLING FEE

Gasoline or diesel fuel sold by the Airport Authority to a Tenant Rent-A-Car Operator shall be assessed a \$0.20 per gallon fuel handling fee.

SECTION 24 - COMPLAINTS

1. Any complaints and/or grievances commercial or non-commercial users may have regarding the application of the Airport Rules, Regulations and Fees, the conduct of other users, the conduct of Airport Operations, including but not limited to, the conduct of Airport employees, or any rules, regulations, policies, or procedures of the Airport may be formally submitted to the Airport in writing by completing and submitting a formal complaint form. The form can be obtained from the ground transportation coordinator and then upon completion must be forwarded to Airport Operations for further investigation. The formal complaint form shall include, but not be limited to the following:
 - (a) The name, company, address, telephone number, and fax number of the person or company filing the complaint;
 - (b) The date, time and place and a description of the alleged incident which generated the complaint;
 - (c) The person(s) involved in the incident which generated the complaint;
 - (d) A description of how the incident came about, which is the subject of the complaint.

- (e) The identification of any witnesses to the alleged incident which generated the complaint including name, address, and telephone number, if known. All complaints must be submitted within thirty (30) calendar days of the incident which generated the complaint. Failure to do so, will result in the Airport considering said complaints abandoned or voided.
2. Upon receipt of the completed complaint form in the Office of Airport Operations, the complaint and/or grievance will be reviewed by the Office of Airport Operations and the Airport Executive Director. Upon review and investigation, the Office of Airport Operations and the Executive Director will determine in their sole discretion whether the subject of the formal complaint form has merit. If the subject of a formal complaint form is found to have no merit then the person(s) who submitted the form shall be sent a response stating that the investigation of the Office of Airport Operations and the Executive Director has been completed and their findings reveal the Complaint has no merit. Once the subject of the formal complaint form is found to have merit, the Office of Airport Operations and the Executive Director will determine in their sole discretion whether the subject of the formal complaint form should be addressed individually or in common with others similarly situated.
 3. Upon determination that the formal complaint form should be addressed on an individual basis, the incident which is the subject of the complaint form will be addressed with all the concerned parties present at a proceeding held by the Executive Director of the Gulfport-Biloxi Regional Airport Authority. Said proceeding shall be scheduled by the Executive Director in the Airport Administrative Office at the Airport at a time and date selected by the Executive Director. The Executive Director shall notify all concerned parties orally or in writing at least one (1) calendar day in advance of the day of the proceeding.

At this proceeding, the Executive Director and all concerned parties shall discuss the complaint form and determine whether a mutually satisfactory disposition may be reached. If there is a mutually satisfactory disposition reached, the parties concerned and the Executive Director shall execute a written documentation of same.

The procedure of the proceeding shall address the following areas:

- (a) The subject matter surrounding the complaint, the grievance and/or suggestion shall be presented first;
- (b) The Executive Director shall then present the Airport Authority's response to the complaint. The Executive Director may question all witnesses who testify in support of any complaint or in opposition to any grievance complained of in the complaint form;

- (c) The person(s) who submitted the complaint form shall then present his case, the person(s) who submitted the complaint form may question all witnesses who testify in support of any complaint or in opposition to any grievance complained of in the complaint form;
 - (d) Any party filing the complaint form who feels aggrieved by the action taken by the Airport Authority during this proceeding may appeal this action pursuant to **Chapter 1, Section 24.5** below.
4. Upon determination that the formal complaint form should be addressed in common with others similarly situated, the subject of the formal complaint form will be addressed with all concerned parties present at a forum held by the Executive Director of the Gulfport-Biloxi Regional Airport Authority. Said forum shall be scheduled by the Executive Director at a time, place, and date selected by the Executive Director. The Executive Director shall notify all concerned parties orally or in writing at least one (1) calendar day in advance of the forum.

At this forum, the Executive Director and all concerned parties shall discuss the subject of the formal complaint form and determine whether a mutually satisfactory disposition may be reached. If there is a mutually satisfactory disposition reached, all parties concerned and the Executive Director shall execute a written documentation of same.

5. Any commercial or non-commercial user who exhausts the above remedies and is unsatisfied with the results may request an administrative hearing by submitting an appeal form to the Office of Airport Operations within five (5) working days of the date of the proceeding with the Executive Director. Once a valid and timely appeal form is received, the Airport Authority will conduct an administrative hearing to review the commercial and/or non-commercial user's complaint and/or grievance and determine whether a satisfactory disposition may be reached.

The procedure for this type of Administrative Hearing is as follows:

- (a) The Airport Authority will deliver written notice of the hearing to the Appellant at least five (5) calendar days in advance of the day of the hearing.
 - (1) For commercial users, delivery of written notice may be in person to the Appellant, his or her designee, employee, agent or representative; or by Certified United States Mail to the business or residence address of the Appellant. If in person, delivery shall be effective the instant it is delivered. If by Certified United States Mail, delivery shall be effective on the date of the post mark.

- (2) For non-commercial users, delivery of written notice may be in person to the Appellant; or by Certified United States Mail to the business or residence address of the Appellant. If in person, delivery shall be effective the instant it is delivered. If by Certified United States Mail, delivery shall be effective on the date of the post mark.
- (b) The written notice shall include, but not to be limited to the following:
- (1) The name of the Appellant.
 - (2) The date, time, and place of the hearing.
 - (3) A description of the complaint and/or grievance as stated by the Appellant in his/her original complaint form submitted to the Airport in compliance with this section.
 - (4) A brief explanation of the position of the Airport Authority, including any evidence, which may be presented at the hearing.
 - (5) Proposed solution of the Executive Director as presented in the Proceeding with the Executive Director.
 - (6) An invitation to appear at the hearing:
 - (a) to rebut the proposed solution submitted by the Executive Director;
 - (b) to present the Appellant's side of the story and/or proposed solution;
 - (c) to be represented by counsel at the Appellant's expense;
 - (d) to introduce testimony and other evidence; and/or
 - (e) to furnish a written response to the Executive Director's proposed solution.
- (c) At the hearing, the Appellant has all of the rights stated in the invitation to appear described in Paragraph b(6).
- (d) The Airport Authority may call witnesses and introduce other evidence in support of the Executive Director's proposed solution. The Governing Board of the Gulfport-Biloxi Regional Airport Authority shall select a Hearing Officer, who shall control the conduct and decorum at the hearing. The Governing Board may or may not attend the hearing, at their sole discretion.

- (e) Hearings shall be conducted in the administrative offices of the Gulfport-Biloxi Regional Airport Authority, on the Third Floor of the Passenger Terminal Building, 14035-L Airport Road, Gulfport, Mississippi.
- (f) The procedure at the hearing shall be as follows:
 - (1) The complaint or grievance shall be presented first.
 - (2) The Appellant shall then present his/or/its case.
 - (3) The Hearing Officer may question all witnesses who testify in support of the complaint and/or grievance or in opposition to the complaint and/or grievance. The Hearing Officer may make part of the record evidence in addition to that offered in support of or in opposition to the complaint and/or grievance.
 - (4) Although the Hearing Officer may be liberal in allowing matters to be presented in becoming part of the hearing record, only evidence relevant to the complaint and/or grievance shall be considered by the Governing Board determining what disposition, if any, should be determined.
- (g)
 - (1) If the Administrative Hearing is conducted at a meeting of the Airport Authority Governing Board, the Governing Board may render a disposition of the complaint and/or grievance at the conclusion of the hearing.
 - (2) If the Administrative Hearing is not conducted at a meeting of the Airport Authority Governing Board, the Hearing Officer shall forward a copy of the hearing record, to the Governing Board of the Airport Authority, within thirty (30) calendar days after the conclusion of the hearing. Within forty-five (45) calendar days after receiving a copy of hearing record from the Hearing Officer, the Governing Board of the Airport Authority shall consider the record and deliberate an Executive Session and a regular or special meeting and shall render a decision as to whether the complaint and/or grievance can be resolved, and if so, what action, if any, to take. The Governing Board shall render a decision based solely on the record and no additional evidence will be considered. The meeting of the Governing Board of the Airport Authority shall not be a *de novo* hearing, and no evidence may be offered to the Governing Board or considered by the Governing Board other than the record. The Airport Authority shall furnish written notification to the Appellant of the Governing Board's decision within fifteen (15) calendar days after rendering a decision.

- (h) Any action taken by the Governing Board in an effort to resolve the complaint and/or grievance may, in their discretion, take effect immediately following the regular or special meeting at which the decision is rendered.
 - (i) The above administrative proceeding shall be exhausted first before any party may appeal the action on the record to the Circuit Court, and shall constitute the sole and exclusive administrative remedy available to all commercial and non-commercial users concerning any grievance whatsoever occurring on or in any manner involving the Airport and the complaint.
 - (j) In the event that any commercial or non-commercial user refuses to comply with the action taken by the governing board, the Gulfport-Biloxi Regional Airport Authority may enforce the action of the Governing Board, the Gulfport-Biloxi Regional Airport Authority may enforce the action of the Governing Board in any court of appropriate jurisdiction.
6. The above administrative proceedings shall be exhausted first before any party may appeal the action on the record to the Circuit Court, and shall constitute the sole and exclusive administrative remedy available to all commercial and non-commercial users concerning any grievance whatsoever occurring on or in any manner involving the Airport and the complainant.

CHAPTER 2: AIRFIELD OPERATIONS

SECTION 1 - PURPOSE

It shall be unlawful for any person to operate any aircraft on the Airport except in conformity with all Federal Aviation Administration Regulations, the Minimum Standards for Operators and Businesses, and the Airport Rules and Regulations.

The purpose of these rules and regulations is to ensure that fair and equitable standards are maintained by all users, that high quality services are available to the public, and that the Airport Authority is adequately compensated by Airport users for the benefits they derive from use of the Airport.

SECTION 2 - USE OF RUNWAYS AND TAXIWAYS, TOWING AIRCRAFT

No aircraft, vehicle or equipment may be used or operated on any aircraft movement area or within 100 feet of any Airport runway or taxiway without permission from the Airport ground control and without maintaining direct two-way radio contact with the ground control, or being within call of an escort having such radio contact. No person shall tow an aircraft anywhere in the aircraft movement area without permission from the ground control and without maintaining direct two-way radio contact with ground control.

SECTION 3 - USE OF OPERATIONS AREA

1. No person shall use or operate any aircraft, vehicle or equipment, including authorized emergency vehicles, in the air operations area except in conformity with the provisions of the Airport Rules and Regulations or by the specific permission for such operation granted by the Executive Director or an Airport official. Except for authorized emergency vehicles, no vehicle or equipment may be used or operated in the air operations area without such identification as the Executive Director may reasonably prescribe.
2. No person may operate an aircraft on any part of the surface of a closed portion of the Airport (including areas used by those aircraft for receiving or discharging persons or cargo).
3. All aircraft operations on the Airport must be conducted by users so as not to interfere with, or create a hazard to other users.

SECTION 4 - UNATTENDED AIRCRAFT

It shall be unlawful for an aircraft operator to leave any aircraft unattended in the air operations area except at gate positions or in areas designated therefore by the Executive Director, and in a manner approved.

SECTION 5 - RESTRICTED AREAS

No unauthorized person shall transgress the Terminal security area or Airport security fence, or enter the air operations area, control tower or any area or place posted as restricted by authority of the Executive Director. Airport tenants and licensees shall not permit unauthorized entry into or upon such restricted areas and places and shall immediately report any such entry to the Executive Director or Airport Official.

SECTION 6 - AIRPORT GATE PROCEDURES

Tenants permitted access to the Airport through a gate are responsible for: (1) ensuring the gate is closed immediately after use; (2) reporting any abnormal condition of a gate to an Airport official; and (3) the control of those employees and customers using the gate provided for tenant access. Airport officials shall have the right and it shall be their duty to close any gate not operated in conformity with Airport Security Program.

SECTION 7 - LOADING AND UNLOADING PASSENGERS

No aircraft operator shall load or unload passengers in the air operations area except in areas designated by the Executive Director.

SECTION 8 - SMOKING

No person shall smoke on any Airport ramp or apron, in any gasoline storage area or in any building, room or place on the Airport where no-smoking signs are posted by authority of the Executive Director, or within 100 feet of any fuel truck or fueling or de-fueling operation.

SECTION 9 - DAMAGE TO AIRPORT PROPERTY OR EQUIPMENT

Anyone who damages any Airport property or equipment shall make a report to the Executive Director as soon after the occurrence as possible, and in any event within 48 hours after such occurrence, and shall reimburse the Airport Authority for all expenses incurred to repair or replace such damaged property or equipment.

SECTION 10 - MAINTENANCE OF LEASED PROPERTY

All Airport tenants shall maintain their leased property in a good condition of repair, cleanliness and general maintenance acceptable to the Executive Director and in accordance with their individual lease agreements. All such tenants shall allow the Executive Director or any Airport official to inspect the leased premises at all reasonable times.

SECTION 11 - RULES, REGULATIONS AND CHARGES FOR AIR CARRIER
USE OF AIRFIELD AND FACILITIES

1. Commercial air carriers do not normally operate with a lease, and a lease is not necessary unless there are specific exclusive premises leased from the Airport Authority for tenant construction. However, all commercial air carriers must at least have a current business permit.

All civil aircraft landing on the Airport as a commercial carrier shall pay a landing fee and/or other appropriate fee as determined by the Airport Authority. However, commercial carriers which land at the Airport strictly for a weather diversion or for other technical purposes, and which do not enplane or deplane passengers, are exempt from the landing fee requirement. Such commercial carriers shall otherwise be subject to all other rules and regulations of the Airport, to the extent they are applicable.

2. The following commercial aircraft related services are specifically regulated by the Airport Authority: aircraft marshaling, landside and airside baggage handling, ticketing, landside and airside catering, flight operations administration, lavatory and water service, fueling, and aircraft cleaning.

All commercial carriers, fixed base operators and third party operators or purveyors of services must be authorized, approved and licensed to perform any of the above listed services for others. All such authorized, approved and licensed companies desiring to arrange or provide aircraft related services for charter passenger airlines must insure that the charter passenger airline it desires to service has a current business permit issued by the Airport Authority.

The following rules apply to companies providing commercial aircraft related services to charter passenger airlines:

- (a) Only full service fixed base operators are permitted to perform all services at anytime at approved locations on the Airport.
- (b) Scheduled passenger airlines which have a current business permit with the Airport Authority may provide the following aircraft related services for charter passenger airlines at the commercial passenger terminal: aircraft marshaling, landside and airside baggage handling, and ticketing.
- (c) Scheduled passenger airlines which do not have a current business permit issued by the Airport Authority, shall not provide any aircraft related services for charter passenger airlines.
- (d) Charter passenger airlines, which have a current business permit issued by the Airport Authority, shall only provide aircraft related services to passenger flights of its airline at the main terminal building.

- (e) Only landside baggage handling, flight operations administration, and landside catering are authorized, approved and licensed to be conducted by third party operators. All other aircraft related services are reserved for commercial airlines and fixed base operators.
3. Air cargo airlines having a current business permit shall pay fees and charges based as follows:
- (a) Landing fee of \$2.64 per one thousand (1000) pounds of maximum gross landing weight (.75 x the scheduled rates); and
 - (b) Overnight Ramp Parking Fee of one-half (½) of the landing fee.
4. Scheduled passenger airlines which have a current business permit issued by the Airport Authority shall pay fees and charges as follows:

Scheduled Passenger Airlines shall pay, beginning October 1, 2013;

- 1. Landing Fee of \$3.52 per 1,000 pounds of maximum gross landing weight; and
 - 2. Exclusive Use Area Cost of \$28.78 per square foot per year; and
 - 3. Non-Exclusive Terminal Use Fee of \$4.43 per passenger enplanement; and
 - 4. Overnight Ramp/Gate Parking Fee of one half (½) of the Landing Fee after two (2) nights; and
 - 5. Other facility charges based on use including, but not limited to: Custodial Vehicle Fuel, CFR 1542 Security Charges and Passenger Facility Charge.
5. Charter passenger airlines having a current business permit shall pay fees and charges as follows:
- (a) **Non-Scheduled Passenger Charter Airline Service** shall pay, beginning October 1, 2013
 - 1. Landing Fee of \$4.40 per one thousand (1,000) pounds of maximum gross landing weight (1.25 x the scheduled rate); and
 - 2. Non-Exclusive Terminal Use Fee of \$5.53 per enplanement; and
 - 3. Other facility charges based on use at a rate of 1.25 x the scheduled rate including: CFR 1542 Security Charges; and
 - 4. Passenger Facility Charge at the rate established per passenger (\$4.50 per enplanement); and
 - 5. Overnight Ramp/Gate Parking Fee of one half (½) of the Landing Fee after two (2) nights.

- (b) Scheduled Passenger Charter Airline Service shall pay, beginning October 1, 2013:
1. Landing Fee of \$3.52 per 1,000 pounds of maximum gross landing weight; and
 2. Exclusive Use Area Cost of \$28.78 per square foot per year; and
 3. Non-Exclusive Terminal Use Fee of \$4.43 per passenger enplanement; and
 4. Other facility charges based on use including, but not limited to: Custodial Vehicle Fuel, CFR 1542 Security Charges and Passenger Facility Charge; and
 5. Overnight Ramp/Gate Parking Fee of one half (½) of the Landing Fee after two (2) nights.
6. Annual Reconciliation. Beginning with fiscal year 2011, GBRAA has fully implemented its compensatory rate-setting methodology with the airlines regarding terminal rental and airfield fees with its commercial air carriers. The rate setting methodology is based on estimated expenses, as well as volume of landed weights and enplanements for the respective fiscal year. GBRAA holds an annual meeting with the Airlines serving GPT in advance of each fiscal year, at which time the rate setting model is presented. GBRAA will adhere to all provisions of the Federal Aviation Act of 1958, under Title 49 of the United States Code.

On an annual basis, GBRAA will reconcile the previous fiscal year's results as follows:

- (a) GBRAA will use the Annual Audited Financial Statements, along with actual landed weights and enplanements that occurred for the respective fiscal year, and compare those to the actual amounts billed and collected for the same fiscal period (in January following the respective fiscal year or as soon as available).
- (b) With the calculations generated in (a) above, the result will either be an "over" or "under" collection of actual fees for the fiscal period, resulting in either GBRAA owing monies to the air carriers, or the air carrier owing additional monies to GBRAA.
- (c) The full settlement of the amounts owed between GBRAA and its air carrier partners as a result of this process will take place no later than September 30 following the respective fiscal year. The manner and duration of the overall settlement process will be determined in annual consultation between GBRAA and its airline partners. The settlement process will be consistently applied to all commercial air carriers, and will be consistent regardless of the reconciliation producing over or under collection circumstances.
- (d) In the event the reconciliation results in GBRAA owing monies to an air carrier who has a "past due" balance, the value of the monies owed by GBRAA to that air carrier will first be applied to such past due balance.

7. Terminal Facility Scheduled Rates (Non-scheduled Charter Airline Service shall use a rate of 1.25 x the scheduled rate):
- | | |
|--|--|
| (a) Vehicle Fuel: | Based upon usage and purchase cost |
| (b) CFR 1542 Security Charges: | 20%/80% split |
| (c) Passenger Facility Charge: | \$4.50 |
| (d) For Each Day Or Partial Day of Use of Exclusive Space: | The Fee is determined by the following formula: \$28.78 per square foot X number of square feet used; X number of days or partial days of use; DIVIDED BY 365; plus 25% of this QUOTIENT |
8. General aviation aircraft operating as civil air carriers on a chartered, air-taxi or non-scheduled basis shall pay an Airport use fee based on landing fees or percent of gross business as is determined appropriate by the Airport Authority.
9. General aviation aircraft or operators which utilize the Airport for commercial purposes, for hire, profit, or any revenue producing purpose, including those purposes cited in the Minimum Standards for Operators and Businesses, shall pay an Airport use fee commensurate with that of similar operators as is determined appropriate by the Airport Authority.
10. All commercial air carriers shall pay the passenger facility charge approved by the FAA in accordance with FAR 158 for Gulfport-Biloxi International Airport.
11. For purposes of this section, military aircraft or aircraft owned by the United States Government shall not be charged a landing fee, but shall be assessed and considered under separate agreement.
12. The Airport Authority, from time to time, adopts air service development programs. For the purposes of this section, fees and charges may differ if service is established under an air service development program.

SECTION 12 - CHARGES FOR AVIATION SERVICE AND FIXED BASE OPERATOR USE OF AIRFIELD AND FACILITIES.

The following fees and charges are established for aviation services, operations and fixed base operators performing commercial aviation activities on the Airport, and for aircraft owners which self-fuel owned aircraft as specified:

1. Percent of Gross Income (or Sales). Commercial aviation operators and aviation service companies shall pay the Airport Authority two percent (2%) of gross sales generated from Airport business (excluding fuel sales and hangar and storage rental income). Refer to Definition of Gross Sales in **Chapter 1**.
2. Percent of Hangar and Storage Rental Income. Commercial aviation operators and aviation service companies shall pay the Airport Authority ten percent (10%) of all hangar and storage fees received from tenants renting space.
3. Fuel Flowage Fees. Commercial aviation operators and self-fuelers shall pay the Airport Authority for each retail gallon of fuel sold or consumed based on the following schedule:
 - (a) For each gallon of retail, government, or in-to-plane contract fuel for general aviation or air carriers, May 1, 2013 to April 30, 2014, at \$.1082 per gallon; and shall change thereafter based on changes in the Consumer Price Index.
 - (b) For each gallon of in-to-plane contract fuel for air carriers providing at least daily air service, the rate shall be \$.0336 per gallon from May 1, 2013 to April 30, 2014, and shall change thereafter based on changes in the Consumer Price Index; provided, however, this in-to-plane fuel flowage fee shall only be extended to air carriers which are scheduled, or which have established a three (3) month history of thirty (30) flights per month, and all landing fees, PFC and terminal use fees are paid on time.
 - (c) For each quart of oil sold, commercial operators shall pay the Airport Authority \$.1020 per quart.

SECTION 13 - INTERFERING OR TAMPERING WITH AIRCRAFT

No person shall interfere or tamper with any aircraft, put in motion the engine of such aircraft, or use any aircraft parts, instruments or tools without permission of the owner or by specific direction of the Executive Director.

SECTION 14 - ULTRA LIGHT AIRCRAFT

Operation of ULTRA LIGHT aircraft (as defined in Federal Aviation Regulation Part 103) is prohibited at the Gulfport-Biloxi International Airport.

SECTION 15 - DISABLED AIRCRAFT

- (a) All disabled aircraft and parts thereof on the air operations area shall be promptly removed by the owners.

- (b) If any person refuses to move an aircraft or part thereof, such aircraft or part may be removed by the Airport Authority at the direction of the Executive Director and without liability for damage which may result in the course of or after such moving.

SECTION 16 - AIRCRAFT FUELING GENERALLY

No person shall fuel or de-fuel an aircraft on the Airport unless the following requirements are satisfied:

- (a) The requirements of either the Minimum Standards for Operators and Businesses or the Self-Fueling Regulations and Minimum Standards have been met.
- (b) The electrical potential of the aircraft and fueling vehicle are properly grounded;
- (c) An operable fire extinguisher is immediately available to the fuel handler;
- (d) All equipment and vehicles used in the fueling process are properly maintained;
- (e) The aircraft engines are not operating (unless specifically permitted by Federal Aviation Administration or United States military regulations); and
- (f) All unnecessary electrical devices in the aircraft are deactivated.

SECTION 17 - OTHER AERONAUTICAL ACTIVITY

Commercial or business activities, clubs and associations which provide Airport users, lessees, tenants or concessionaires with services, shall be required to have, as a minimum requirement, an annual business permit, insurance, and to pay such fees as may be required of another lessee or tenant providing the same service.

CHAPTER 3: TRAFFIC CONTROL

SECTION 1 - POWERS AND DUTIES OF EXECUTIVE DIRECTOR GENERALLY

It shall be the duty of the Executive Director to plan and determine the installation and placing of all traffic control devices and markings within the confines of the Airport; to plan and direct the safe operation and the parking of all vehicular traffic on the roadways and vehicular parking areas; to conduct investigations of traffic conditions at the Airport; to improve safe and expeditious movement of vehicular and pedestrian traffic upon the Airport; and to carry out any additional powers conferred and duties imposed by the Airport Authority or by State law.

SECTION 2 - OBEDIENCE TO TRAFFIC CONTROL DEVICES

1. All pedestrians and vehicle operators shall obey the instructions of official traffic control devices applicable thereto unless otherwise directed by a police officer, fireman, the Executive Director or other Airport official.
2. The provisions of this chapter shall not apply to authorized emergency vehicles as defined in Chapter 1; however, this shall not relieve the driver thereof from the duty to drive with due regard for the safety of all persons.
3. No person shall willfully fail or refuse to comply with any lawful order, signal or direction given by any officer or person designated in paragraph 1 above.

SECTION 3 - STATE DRIVER'S LICENSE AND MOTOR VEHICLE LICENSE PLATE TAG

1. No person shall operate a vehicle upon any roadway or other place on the Airport without a license as required by State law to operate such vehicle on State highways, and it shall be unlawful for any person, being the owner or in charge or control of any vehicle, to permit another to operate such vehicle on a roadway of the Airport without such State license.
2. No person shall operate a vehicle upon any roadway or other place on the Airport without a motor vehicle license plate tag as required by the State of Mississippi, City of Gulfport, City of Biloxi or Harrison County, which tag is approved and required for the operation of said motor vehicle. The following is a list of the required motor vehicle tags:
 - (a) Any vehicle which carries seven (7) or less passengers for hire is required to have a "TAXI" license plate; or
 - (b) Any vehicle which carries more than seven (7) passengers for hire is required to have a "B" (B-10 or B-16) license plate; or
 - (c) An "Apportioned" plate is required for carriage of passengers outside of the State," or "B" tag when the vehicle operator can prove that the "B" tag rate has been paid.

SECTION 4 - UNAUTHORIZED PARKING CITATIONS, TOWING, IMPOUNDMENT
AND CHARGES

1. No person shall park or stand a vehicle for any purpose on the Airport, including but not limited to loading or unloading, other than in places expressly designated for such parking or standing. Such parking or standing shall comply with all instructions indicated by signs, markings and other means.
2. No person shall leave a vehicle unattended in any area designated for loading/unloading.
3. Any person violating paragraphs 1 or 2 of Section 4, Chapter 3 of these Rules and Regulations may have their vehicle immobilized utilizing a tire lock device which includes a \$40.00 tire lock removal fee and/or may be issued a traffic violation citation, including a fine not to exceed the approved uniform traffic citation amount then in effect for the City of Gulfport, Mississippi.
4. Any vehicle parked or left unattended in violation of paragraphs 1 and 2 of Section 4, Chapter 3 of these Rules and Regulations, may be towed and impounded by the Airport Authority, and the towing fees assessed against the vehicle and Owner. Payment of such towing fees and any traffic citations shall be a prerequisite to the release of the vehicle by the Airport Authority. In addition, an impoundment storage fee in an amount equal to the long-term public parking rate shall be assessed against the Owner and vehicle; and payment of this fee shall be a prerequisite to the release of the vehicle by the Airport Authority.
5. An impoundment storage fee equal to the long-term public parking rate shall be assessed against any vehicle and its Owner by the Airport Authority, when a vehicle has been impounded, pursuant to Sections 4 and 5, Chapter 3, of these Rules and Regulations.
6. A towing fee in the amount equal to the actual tow charge by the towing operator may be assessed by the Airport Authority against any vehicle and its Owner, when a vehicle has been towed pursuant to Sections 4 and 5, Chapter 3, of these Rules and Regulations.

SECTION 5 - ABANDONED VEHICLES

1. A vehicle shall be considered abandoned when:
 - (a) The vehicle has been parked in an unauthorized parking area and no attempt to recover it has been made within thirty (30) days from the date it was parked.
 - (b) The vehicle without a prepaid parking pass has been parked in an authorized parking area for more than thirty (30) days and without written authorization from the Airport Authority.

- (c) The vehicle with a prepaid parking pass has been parked in an authorized area for more than thirty (30) days in excess of the time allowed by the prepaid parking pass and without written authorization from the Airport Authority.
- 2. Any abandoned vehicle may be towed and impounded by the Airport Authority. Abandoned vehicles may be disposed of by the Airport Authority pursuant to Sections 63-23-5, 63-23-7, 63-23-9, and 63-23-11 of the Mississippi Code of 1972, as amended. The aforesaid Mississippi Code sections are adopted by the Airport Authority and incorporated herein by reference. Any person proving ownership or any lien holder may claim the subject vehicle at any time prior to sale by paying towing, repair, storage, and traffic citations; and by also paying attorney fees and expenses, publication costs and all other costs relating to the proposed sale of the abandoned vehicle.

CHAPTER 4: COMMERCIAL GROUND TRANSPORTATION SERVICES

SECTION 1 - PURPOSE

This chapter establishes Rules, Regulations and Fees for the conduct of commercial ground transportation services at the Terminal building and is applicable to taxicabs, sedans, vans, shuttles, hotel/motel/casino/limousine, courtesy vehicles, off airport rent-a-car operations, and chartered and prearranged transportation services.

SECTION 2 - LOADING AND UNLOADING AREAS

1. Taxicabs, limousines, vans, sedans, shuttles, hotel/motel/casino courtesy vehicles, rental cars, and all other chartered transportation services, while on Airport property, shall use only the areas designated by the Airport Authority for loading and unloading passengers.
2. The drop off area is to be utilized for unloading all Commercial Ground Transportation vehicles. After unloading, vehicles are required to immediately reposition to designated staging areas.
3. The immediate curbside in front of the Airport Terminal Building may also be utilized by Commercial Ground Transportation vehicles for drop off. After unloading, vehicles are required to immediately reposition to designated staging areas.
4. All operators of non-metered vehicles, excluding limousines, shall hold for incoming flight pick-up in the designated bay of the commercial ground transportation lane, unless directed otherwise by an Airport official. If the flight is delayed, the starter may re-direct vehicles to the staging area. Bays are utilized on a first in first by usage. The first bay is to be utilized by Vehicles with a seating capacity of less than thirty (30). During peak periods bays may be limited by an Airport official to one bay per company or as directed by an Airport official.

SECTION 3 - FIRST IN – FIRST OUT (FIFO) RULES FOR TAXICABS

1. A taxicab arriving at the airport for the purpose of entering the First In - First Out Queue shall first proceed to rearmost position of the designated staging area.
2. The Vehicle Operator occupying the First Out position of the on demand staging area, which shall be designated solely by the Airport Authority, shall be called up to the ground transportation lane for queuing and for passenger loading by the starter.
3. FIFO rules and regulations will not restrict the passenger from choosing any Commercial Ground Transportation Provider or Vehicle Operator he/she desires, nor will it restrict the starter from directing a group of passengers to another appropriately sized vehicle or a subsequent on demand vehicle when the available vehicle is not able to carry the passengers and luggage.

4. Voucher redemption:

In the event a Voucher designates a specific Commercial Ground Transportation Provider, the following procedure shall govern the voucher redemption:

- (a) The Starter shall direct the passenger(s) to the first available Commercial Ground Transportation Provider specified in the voucher.
- (b) If the specified Commercial Ground Transportation Provider is not represented in the FIFO Lane, the Starter shall notify the Commercial Ground Transportation Provider for vehicle dispatch.

If the voucher does not designate a specific Commercial Ground Transportation Provider, the Starter shall direct the patron with the voucher to the first available taxi in the FIFO lane.

5. No Vehicle Operator may refuse to accept a passenger(s) or refuse to transport a passenger(s) except for the following reasons:

- (a) The passenger is not immediately prepared to leave.
- (b) The passenger is engaged in unlawful conduct.
- (c) The passenger is a threat to the safety of the Commercial Vehicle Operator or the vehicle.
- (d) The passenger is behaving in a disorderly manner, or is visibly intoxicated.

A Vehicle Operator refusing to accept a passenger(s) must immediately inform the Ground Transportation Coordinator of the reason. A Vehicle Operator refusing to accept a passenger(s) or refusing to transport a passenger(s) for any reason except for any of the above exempted reasons shall be subject to the per vehicle ground transportation facility use fee and will be required to vacate the FIFO Lane and re-enter in accordance with **Paragraph 1 of Chapter 4, Section 3.**

- 6. A Vehicle departing the ground transportation lane or staging area for any reason may only re-enter the FIFO process as outlined in Paragraph 1 of this Section.
- 7. The First Out vehicle shall have its luggage compartment open and accessible for loading, weather permitting.
- 8. The First Out Vehicle Operator is allowed to stand at the designated position making himself/herself available for passenger inquiries. All other Vehicle Operators at the ground transportation lane shall remain at their vehicles.

9. No Vehicle Operator shall say or do anything, nor allow anyone acting on his/her behalf to say or do anything, to attract customers' attention or otherwise solicit their business.
10. Signs may be displayed in accordance with procedures stated in **Section 14 of Chapter 4**.
11. No Vehicle shall be loaded beyond its rated capacity.
12. If a Vehicle Operator drops off a passenger and that passenger wants the driver to wait until the passenger returns from inside the Terminal, the Vehicle Operator shall notify the Starter and the Starter may allow the vehicle to park at a location of the Starter's discretion. If the Vehicle Operator is allowed to park at the ground transportation lane, the Starter shall conduct a vehicle inspection. If the passenger does not return within ten (10) minutes, or does not return or requests different ground transportation, the Vehicle Operator shall enter the FIFO system as outlined in Paragraph 1 of this Section.

SECTION 4 - CHARTERED AND COURTESY TRANSPORTATION

1. Chartered and Courtesy vehicles shall first report to the designated staging area. When Chartered and Courtesy vehicles move forward and enter the ground transportation lane they shall be inspected in accordance with **Chapter 4, Section 11, Paragraph 5**.
2. Vehicles operating at the Airport on a chartered or courtesy basis shall not accept any form of payment or additional passengers for hire.
3. Signs may be displayed in accordance with procedures stated in **Section 14 of Chapter 4**.
4. Notwithstanding **Chapter 4, Section 11, Paragraph 11 (j)**, Commercial Ground Transportation Providers of vehicles with more than 6 passenger capacity may employ a "baggage loader". The baggage loader shall be the driver of the operator's next vehicle in the staging area queue. The baggage loader shall return to his/her vehicle immediately upon completion of baggage loading.

SECTION 5 - SHUTTLES

The purpose of shuttle service is to provide economical transportation for passengers by combining multiple passengers and/or destinations per trip.

1. Shuttles unloading passengers or holding at the Airport shall be directed to an appropriate staging area by the ground transportation coordinator or another Airport official for inspection in accordance with **Chapter 4, Section 11, Paragraph 5**.

2. Shuttle Vehicle Operators must assist passengers exiting and entering shuttles onto and from walkways.
3. A Vehicle Operator may service a pre-arranged charter passenger at the Airport while transporting a "through passenger" under one or more of the following conditions:
 - (a) The unscheduled Airport stop is requested by the through passenger, or
 - (b) The Vehicle Operator receives a specific charter passenger order to stop at the Airport.

In no case shall the through passenger have originated at the Airport. Additionally, the vehicle operator must immediately coordinate this irregular trip with the Starter upon arrival at the Airport.

4. Shuttle Vehicle Operators shall hold for incoming flight pick-up in the designated bay of the ground transportation lane, or as directed by an Airport official. If the flight is delayed, the starter may re-direct shuttles to the staging area. Bays are utilized on a first in first bay usage. The first bay is to be utilized by Vehicles with a seating capacity of less than thirty (30). During peak periods bays may be limited by an Airport official to one bay per company or as directed by an Airport official.

SECTION 6 - AUTHORIZATION TO DEPART WITH FARES

After loading a fare or any passenger, even if departing empty, the vehicle operator of each on-demand, chartered, or courtesy ground transportation vehicle must receive permission to leave from the Starter, prior to departure from the ground transportation lane. Failure to stop for the Starter shall result in that vehicle being counted as fully loaded and charged the appropriate Airport fee.

SECTION 7 - STAGING AREAS

A Vehicle Operator arriving at the Airport for passenger pick-up may remain at the Airport until a ground transportation lane position becomes available by proceeding to the designated staging area. The Vehicle Operator shall take the last position in line at the Staging Area. Vehicle Operators must remain at their vehicles ready to move to the next available curbside position or the Vehicle Operator will lose his/her place in line.

All ground transportation shall stage in the areas designated by an Airport official.

Vehicle Operators whose vehicles are parked in the staging areas are subject to security inspection and to all applicable Airport rules and regulations. These Vehicle Operators may utilize the terminal facilities, but shall not pick up or solicit passengers.

SECTION 8 - BAGGAGE PICK-UP FOR DELIVERY BY PERMITTED VEHICLE OPERATORS

Permitted Vehicle Operators may proceed directly to the ground transportation lane to pick up a bag from an airline for delivery. Upon arrival to the ground transportation lane, the driver shall notify the Starter that an airline is requesting baggage pickup. The Starter shall inspect the vehicle in accordance with **Section 12, Paragraph 5**, and may then release the Vehicle Operator to retrieve the baggage. The Permitted Vehicle Operator shall then immediately retrieve the baggage requested for pick-up by the airline and return to the vehicle. The Vehicle Operator will then depart the Airport property for baggage delivery.

SECTION 9 - CHARGES FOR GROUND TRANSPORTATION AND OTHER NON AVIATION SERVICES

A fee shall be paid by each Commercial Ground Transportation Provider to help defray the cost of development and management of the ground transportation facilities. Airport officials shall direct the Ground Transportation Coordinator and Starter in the regulation, passenger counting, loading and unloading of commercial ground transportation on the Airport from the Terminal building or any other location where scheduled or charter airline passengers are serviced.

1. Categories of Ground Transportation. The Airport Authority recognizes the following categories and subcategories of ground transportation as commercial:

- (a) On Demand Transportation
 - 1. Metered Vehicles for Hire
 - 2. Non-Metered Vehicles for Hire

On demand transportation may sell tickets on Airport property at approved locations and may accept vouchers, cash and other methods of payment.

- (b) Charter/Courtesy
 - 1. Limousines, Charter Vehicles and Courtesy Vehicles not for hire.

Chartered or courtesy ground transportation shall not solicit passengers at the Terminal and shall not operate for hire and accept payment for services while on a chartered or courtesy passenger trip at the Airport. Passengers who purchased advanced tickets or who make up loads of unrelated passengers shall not be deemed chartered ground transportation.

The distinction between On Demand and Charter and Courtesy transportation is stated in **Chapter 1** Definitions.

2. Per Vehicle Ground Transportation Facility Use Fee. Each person, firm or corporation operating a Commercial Ground Transportation business shall be assessed a facility use fee per vehicle departure from the ground transportation queue based on the passenger capacity of its ground transportation vehicles per month by business entity on the following rate schedule:

| <u>VEHICLE CAPACITY</u> <u>CATEGORY</u> | | <u>FACILITY USE FEE PER</u> <u>DEPARTING VEHICLE</u> |
|--|------------|---|
| Category "A" 1 - 6 | Passengers | \$ 3.00 |
| Category "B" 7 - 14 | Passengers | \$ 5.00 |
| Category "C" 15 or more | Passengers | \$12.00 |

Ground Transportation Facility Use Fee will be assessed when providing transportation under an airline voucher, but said charge shall not be passed on to the passenger.

SECTION 10 - PUBLISHED PASSENGER RATES

1. Rates for taxicabs are metered and based on applicable city taxicab ordinance.
2. All on demand Commercial Ground Transportation Providers other than taxicabs shall publish passenger rates with the Airport Authority. Such rates may be changed periodically; however, all rates shall be effective on the first day of the month following a minimum thirty (30) day notice.
3. Rates published and advertised must be the same as rates charged to passengers.
4. Rates for new applicants must be submitted with the Commercial Ground Transportation Provider's Business Permit Application.
5. Companies may have different rate structures for different categories in which they may operate. However, the rates shall not be interchangeable between those categories, and all rates must be published with the Airport Authority as provided in this Section.

SECTION 11 - OBLIGATIONS OF COMMERCIAL GROUND TRANSPORTATION PROVIDERS AND VEHICLE OPERATORS

Ground transportation services shall be furnished on a fair, reasonable and nondiscriminatory basis to all users and patrons of the Airport in a good, prompt, clean, courteous and efficient manner.

1. The Commercial Ground Transportation Provider shall designate and declare each individually licensed vehicle to operate in a specific sub-category of ground transportation as recognized in **Section 9, Paragraph 1** hereof, titled "Categories of Ground Transportation." It shall be a violation of these rules and regulations for a Commercial Ground Transportation Provider to operate any individually licensed vehicle in more than one sub-category of ground transportation. The minimum period for designation of sub-category is thirty (30) days. The notice period for change of a sub-category is thirty (30) days. Any change to this designation shall require prior approval by the Executive Director in writing.
2. The Commercial Ground Transportation Provider and Vehicle Operator shall conduct its operations in a hospitable, orderly and proper manner so as not to annoy, disturb or be offensive to customers, patrons, Airport tenants, or other ground transportation operators.
3. All Commercial Ground Transportation vehicle(s) shall be maintained in a clean, undamaged condition and present a favorable appearance. Exterior of the vehicle shall include body paint, all glass, alloy wheels or hubcaps, head and taillights, grilles, bumpers, and body trim. Vehicles that have been damaged and remain roadworthy shall be repaired within five (5) business days. If repairs are made within five (5) business days the vehicle must be reinspected. If not repaired within the five (5) business days, the vehicle will be restricted from operating at the Airport until proper repairs are made. If repairs are made after five (5) business day the vehicle must be reinspected prior to entering the FIFO operation. All vehicles that enter the ground transportation lane are subject to inspection.
4. The interior of all Commercial Ground Transportation vehicles, including cargo holds, shall be maintained in a condition so as to be free of grease, dirt, and trash. Passengers shall be able to use the seats and trunk of vehicles without soiling or damaging their property. Interior seat fabric must not be damaged. There shall not be any firearms or other deadly weapons within the view of passengers or the general public. All vehicles that enter the ground transportation lane are subject to inspection and if found to be in violation of this part must vacate the FIFO Lane and re-enter for inspection once the discrepancy has been corrected.
5. The Airport Authority or its designated representative shall have the right to enter the Vehicle Operator's vehicle(s) at anytime while on Airport property for the purpose of inspecting the vehicle, its contents and the operator for compliance with all safety and security rules, regulations, and directives, including any Federal Aviation Administration (FAA) or Transportation Security Administration (TSA) regulations. All taxicabs or metered limousines that arrive in the ground transportation lane must provide to the Starter for inspection:

- (a) Valid Vehicle Insurance card (Must show vehicle VIN); and
- (b) Valid Motor Vehicle Operator's License; and
- (c) Valid Customer Service Class Training Certificate or valid Temporary Customer Service Class Training Certificate.

Any Vehicle Operator that is unable to provide these items or provides invalid documentation to a Starter will be referred to an Airport Official. If determined by an Airport Official that documents are missing or invalid, the vehicle and/or vehicle operator will not be permitted to enter the FIFO operation until the correct documentation is provided to an Airport Official for reinspection.

- 6. The Commercial Ground Transportation Provider and Vehicle Operator shall have appropriate identification professionally affixed to the vehicle to identify the approved Commercial Ground Transportation Provider.
- 7. The Commercial Ground Transportation Provider and Vehicle Operator shall obtain and deliver to the Airport Authority all necessary permits, licenses, certificates, and shall comply with all federal, state and local laws applicable in the rendering of services by the Commercial Ground Transportation Provider.
- 8. The Commercial Ground Transportation Provider shall not permit its drivers, agents and employees to engage in the solicitation of services. This prohibition includes but is not limited to any effort or attempt to bribe or otherwise influence any Airport official, employee, or agent to in any manner assist, aid, or abet the Commercial Ground Transportation Provider or its drivers, agents, or employees to engage in solicitation of services. This prohibition does not prevent Commercial Ground Transportation Providers from offering or establishing business agreements in pre-arranged meetings at the Airport.
- 9. The Commercial Ground Transportation Provider, its drivers, agents and employees shall conduct ground transportation services at the Airport maintaining a friendly, cooperative relationship with other Commercial Ground Transportation Providers and Vehicle Operators at the Airport. Commercial Ground Transportation Providers, and its employees and agents, and all Vehicle Operators shall not engage in profanity, make racial, ethnic, sexual, or religious epithets, or commit acts of vandalism, verbal or physical assaults and shall not engage in open, notorious and public disputes, disagreements, or conflicts.

10. All Commercial Ground Transportation Providers and Vehicle Operators must be properly attired in clean apparel and maintain the following dress and grooming standards while transporting passengers for hire from the Airport:
- (a) Male drivers shall wear long pants, knee-high, hemmed shorts, shoes and shirts with collars and sleeves. Shoes shall be clean, closed in and worn with socks. Hair, beards and mustaches shall be neat, trimmed and present a groomed appearance.
 - (b) Female drivers shall wear long pants, knee-high, hemmed shorts or skirts, shoes, and shirts or blouse with collars and sleeves. Shoes shall be clean, closed in and worn with socks or stockings. Hair shall be neat and present a groomed appearance.
 - (c) Uniforms from other jobs must be changed prior to providing ground transportation at the Airport.

No Commercial Ground Transportation Provider or Vehicle Operator of any for-hire vehicle who possesses a Customer Service Certificate shall, while transporting passengers for hire, wear sleeveless shirts, sandals, slippers, jumpsuits, sweat pants, sweatshirts, coveralls or overalls.

11. All Vehicle Operators and Commercial Ground Transportation Providers, including its agents and employees, shall abide by the following:
- (a) Are courteous at all times and assist passengers with loading and unloading luggage into and out of the vehicles, if requested.
 - (b) Do not dispose of garbage, papers, cigarettes or other materials on Airport property except in containers provided for that purpose.
 - (c) Are not intoxicated or drunk, and do not commit any act of nuisance, or engage in any form of gambling or violate any Federal, State or Local law or Airport rule or regulation on Airport property.
 - (d) Do not cruise Airport roadways in search of passenger(s) and/or to await a space to become available so as to congest traffic or endanger pedestrians or other vehicles.
 - (e) Stage or hold their vehicles near the Airport only at locations designated by an Airport official.
 - (f) Do not stage or hold at any location near the Airport, specifically including, but not limited to roadways leading to and from the Airport or any of its facilities or adjoining property and rights-of-way or easements encompassing such roadways, whether such roadways are public or private.

- (g) Do not refuse or neglect to transport any orderly passenger.
 - (h) Do not refuse or neglect a voucher for payment of services.
 - (i) Remain with his or her vehicle while at the ground transportation lane, except as provided in **Section 12, Chapter 4** of these Rules and Regulations.
 - (j) Do not permit any other person, except individuals employing the vehicle, to occupy or ride in the vehicle unless such person is undergoing training to become a driver.
 - (k) Do not unduly block or delay or otherwise interfere with normal progress of other vehicle operators.
 - (l) Obey all lawful instructions of an Airport official, Gulfport Police Department, Ground Transportation Coordinator, or Starter regarding safety or security.
 - (m) Obey all federal, state, and local laws, or the Airport Rules, Regulations and Fees on Airport property.
12. As a condition of their business permit, Commercial Ground Transportation Providers' drivers, agents and employees agree to attend mandatory ground transportation customer service classes offered by the Airport at the Vehicle Company's expense. The subject matter of such training shall be airport ground transportation specific and customer service oriented. Completion of the class will result in a participant being "certified" to operate a vehicle at the Airport. All vehicle operators shall be certified as follows:
- (a) An existing Vehicle Operator, who is not certified, shall attend the next scheduled class to become certified.
 - (b) A newly hired Vehicle Operator will be issued a "temporary certificate" until the next scheduled class is conducted. The temporary certificate will not be extended or re-issued beyond the scheduled class.
 - (c) Any Commercial Ground Transportation Provider or Vehicle Operator who has violated the Airport Rules and Regulations, as determined in an Executive Director's Informal Conference or Administrative Hearing, shall attend the next scheduled class to be re-certified.

SECTION 12 - COMMERCIAL GROUND TRANSPORTATION PROVIDER AND VEHICLE OPERATOR UTILIZATION OF TERMINAL FACILITIES

1. All Commercial Ground Transportation Providers and Vehicle Operators meeting the general public on an on demand, taxicab, shuttle or chartered basis from the ground transportation lane area may utilize the facilities in the Terminal Building under the following conditions:

- (a) To aid a passenger fare who has specifically requested assistance.
 - (b) After coordination with a Starter, to answer a request for service from airline personnel.
 - (c) After coordination with a Starter, to meet a specific pre-arranged person or group named on an 8.5" x 11" hand-held sign.
 - (d) Use the restroom.
2. Commercial Ground Transportation Providers and Vehicle Operators under no circumstances may:
- (a) Enter the terminal building to solicit a passenger fare.
 - (b) Utilize the lounge located on the second floor of the Terminal; however, subject to the other limitations contained in this section, they may utilize the concessions/restaurant area, the gift shop, or the game room, but only for the purpose of obtaining food or drinks, and not as a pretext for loitering in the terminal or soliciting passenger fares.
 - (c) Loiter on any part of the Airport or in any building on the Airport.
 - (d) Use alcoholic beverages on the Airport.
 - (e) Disrupt Airport employees, contractors or tenants.
 - (f) Use a private business, tenant or Airport Authority telephone.
3. Vehicle Operators in the curbside queue area are not permitted to utilize the facilities of the Terminal Building when the baggage claim area is active, except as provided in **Section 12, Subsection 1 of Chapter 4.**
4. Vehicle Operators not in the ground transportation lane area may access the Terminal Building to utilize the restrooms and concessions or the Airport Authority office only. Vehicle Operators may not access the Terminal Building as outlined in **Section 12, Subsection 2 of Chapter 4.**

SECTION 13 - DRIVER IDENTIFICATION

A Vehicle Operator shall show his/her Mississippi State Motor Vehicle Operator's License to the Police or Airport official, or Starter immediately upon request.

SECTION 14 - VEHICLE SIGNS

1. All standard vehicle signs approved for vehicle operations in the Cities of Gulfport and/or Biloxi are approved for operation at the Airport, including, standard, lighted taxicab top signs, commercial advertising signs, and transportation company name signs which are permanently affixed to the vehicle. No hand-held signs are permitted, except as provided in **Chapter 4, Section 12** of these Rules and Regulations
2. All Commercial Ground Transportation vehicles shall have a sign clearly identifying the name of the operating company permanently affixed to the vehicle.
3. No device or light may be installed on a Commercial Ground Transportation vehicle unless said device or light is required for safe vehicle operation as standard equipment, and has been approved in advance by the Executive Director.¹
4. The design layout and size of all signs shall be approved by the Executive Director in advance of their use. No signs are permitted to be displayed in public unless approved by the Executive Director.¹
5. Advertising of rates on vehicle signs shall be restricted to such rates as are published with the Airport Authority and the cities of Gulfport and Biloxi.
6. The words “taxi, taxicab or cab” in any sign is strictly reserved for use by companies operating said vehicle as a taxicab as defined in **Chapter 1** of the Rules and Regulations.
7. The Airport shall post a sign at the taxicab area which states the published rates for taxicabs and the approved Airport charges.
8. The Airport shall periodically distribute and update a Zone Rate Map, listing estimated fares for on demand ground transportation to several key community destinations on an as needed basis.
9. On demand taxicabs shall affix a placard to the interior and exterior of the taxicab clearly visible to the passengers stating the published rates for taxicab and the approved airport charges. Said placard shall meet the requirements of the municipal licensing authority and the design and size shall be approved by the Executive Director¹.

¹ Executive Director or his designee.

10. Charter, on demand, and courtesy transportation signs shall be permitted only as follows: standard company signs, commercial advertising signs, and signs which are affixed to the vehicle permanently, except as provided in **Chapter 4, Section 12, Subsection 1(c)** of these Rules and Regulations.

SECTION 15 - ASSIGNMENT AND SUBLEASING

A Commercial Ground Transportation Provider shall not assign its operating rights without the prior written consent of the Airport Authority and consent may be denied for any reason. Any attempt to assign operating rights in violation of this section will result in suspension or termination of the vehicle operator's business permit.

SECTION 16 - INSURANCE

1. Proof of liability insurance is required to be available for inspection in all commercial ground transportation vehicles operating on the Airport.
2. Insurance specifications for all commercial ground transportation vehicles are as follows:

| | | |
|-----|-----------------------------|-----------------------------------|
| (a) | Up to 11 passengers | \$100,000/\$500,000/\$100,000 |
| (b) | Over 11 passengers | \$1,000,000 Combined Single Limit |
| (c) | Taxicab & Metered Limousine | \$100,000/\$300,000/\$50,000 |
| (d) | Limousine | \$1,500,000 Combined Single Limit |
3. If the Commercial Ground Transportation Provider or Vehicle Operator shall at any time fail to insure or keep the required insurance in full force, the Airport Authority will suspend or terminate the Commercial Ground Transportation Provider's business permit.
4. Such insurance policies must name the Airport Authority as additional insured to the full extent of the Commercial Ground Transportation Provider's or Vehicle Operator's insurance coverage, but in no event less than the required minimum coverage limit amount.
5. Such insurance policies must provide coverage for all of the vehicles and Commercial Ground Transportation Provider's business operations and activities at the Airport, including operations and activities where the Airport is either the point of origin or destination.
6. Commercial Vehicle Operators shall certify as to the amount and type of insurance covering all of its business operations on the Airport by providing the Airport Authority with an original Certificate of Insurance, naming the Airport Authority as an additional insured prior to authorization to begin any commercial ground transportation activity. Additionally, all insurance shall be written by an insurance company licensed by the State of Mississippi. Furthermore, the Airport Authority shall be notified by the insurance agent immediately when any change to a policy occurs.

SECTION 17 - COMPLAINTS

Complaints and/or grievances commercial or non-commercial users may have regarding the application of Airport Rules, Regulations & Fees, the conduct of other users, the conduct of Airport Operations, including but not limited to the conduct of Airport employees, or any rules, regulations, policies, or procedures of the Airport may be formally submitted to the Airport by following the procedure outlined in **Chapter 1, Section 24**.

In accordance with the procedure outlined in **Chapter 1, Section 24**, upon determination that the formal complaint form submitted should be addressed in common with others similarly situated, the subject of the complaint form will be addressed at the next scheduled ground transportation meeting.

SECTION 18 - COMPLIANCE

When a Commercial Ground Transportation Provider or Vehicle Operator disagrees with a lawful direction given by an Airport official, he/she shall obey that direction, but may request the Airport official to review the validity of the direction by utilizing the procedure outlined in **Chapter 1, Section 24**.

CHAPTER 5: FIREARMS AND WEAPONS POLICY

1. The carrying of any firearms or other deadly weapons inside the Passenger Terminal Building by any persons other than those expressly authorized in Paragraph 2 and 3 of this Chapter is prohibited regardless of whether or not such persons are duly licensed to carry such firearms or other deadly weapons by the State of Mississippi or any other State; except for firearms or other deadly weapons encased for shipment, for the purpose of checking same as baggage to be lawfully transported on an aircraft departing the Airport.
2. Duly authorized law enforcement and security officers certified by the State of Mississippi and its municipalities and counties, the United States of America, or any law enforcement governmental entity within the United States of America, may carry firearms inside the Passenger Terminal Building when on official business.
3. Military police and security personnel, duly authorized by the commanding officer of the Air National Guard training site at the Airport may carry firearms or other deadly weapons inside the Passenger Terminal Building.
4. The Executive Director of the Airport is authorized and directed to post signs at the Gulfport-Biloxi International Airport, notifying the public that the carrying of firearms or other deadly weapons inside the Passenger Terminal Building is prohibited.
5. "Carrying" includes on one's body, in one's purse, handbag, backpack or clothing.
6. Firearms are defined to include but not be limited to all pistols, rifles, shotguns, airguns, rocket propelled weapons, and explosive devices.
7. Deadly weapons are defined to include but not be limited to knives with blades in excess of four (4") inches.

CHAPTER 6: DISCRIMINATION AND HARASSMENT POLICY

It is the policy of the Airport Authority to provide employees, the traveling public, patrons, commercial users and commercial operators of the Airport an environment free of discrimination on the basis of race, color, creed national origin, age, physical handicap or sex.

SECTION 1 - SEXUAL HARASSMENT

The Airport Authority's policy concerning sexual harassment is as follows:

1. No supervisor shall explicitly or implicitly threaten that a subordinate's refusal to submit to sexual advances will result in adverse effects on the worker's employment, pay, promotions, assigned duties, or any other condition of employment.
2. Employees are prohibited from engaging in a behavior of a sexual nature that would create an offensive, unpleasant, or otherwise hostile work environment.
3. Sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is strictly prohibited. Such conduct includes:
 - (a) Offensive flirtations, sexual advances or propositions.
 - (b) Using sexually explicit words that might be considered offensive.
 - (c) Sexually degrading, graphic or suggestive comments about an individual's dress or body.
 - (d) Telling jokes of a sexual nature; and
 - (e) The display in the workplace of sexually suggestive objects or pictures, including nude photographs.

SECTION 2 - OTHER UNLAWFUL DISCRIMINATION

1. No supervisor or employee shall engage in any behavior or conduct, make any comment, or commit any act, which harasses or otherwise discriminates against any employee on the basis of race, color, creed, national origin, age or physical handicap; or otherwise violate the Civil Rights Act of 1964.
2. Any employee who believes that the actions or words of a supervisor or fellow employee constitute discrimination or prohibited harassment has a responsibility to report the incident as soon as possible to the Executive Director.

- (a) Prompt reporting of incidents of discrimination and unlawful harassment are critical to support an employee's complaint and should be reported immediately. Employees should not condone discrimination or unlawful harassment because that failure to act may be taken as encouragement and lead to further incidents.
3. No commercial operator, tenant, concessionaire, permittee, or licensee (commercial user) conducting business operations at the Airport shall engage in any behavior or conduct, make any comment, or commit any act, which harasses or otherwise discriminates against any person at the Airport on the basis of race, color, creed, sex, national origin, age or physical handicap; or otherwise violate the Civil Rights Act of 1964.
4. All complaints of discrimination or prohibited harassment will be investigated promptly and in an impartial manner by the Executive Director or his designee.
5. Any Airport employee found to be engaging in discrimination or prohibited harassment will be subject to disciplinary action which may include suspension and/or termination.
6. Any "commercial user" and/or "commercial user's employee" found to be engaging in discrimination or prohibited harassment will be subject to suspension and/or termination of the privilege to conduct business operations at the Airport.

The Airport Authority's management is committed to eliminating discriminatory behavior from the work environment and will take every step necessary to protect individuals from discrimination and unlawful harassment. This policy shall be given to all employees of the Airport and to all tenants, commercial operators, permittees, licensees, and concessionaires conducting business operations at the Airport. Training and review of this policy shall be accomplished with all Airport Authority employees upon its adoption by the Airport Authority.

CHAPTER 7: SOLICITATION, LEAFLETING, AND PUBLIC STATEMENTS POLICY

All persons desiring to solicit or distribute leaflets to or make public comments to or display placards or signs to the traveling public, and all employees, commercial operators, commercial users, concessionaires, tenants, permittees, licensees, at the Airport, including employees of the Airport Authority, shall not engage in such activity, except as follows:

1. Prior to engaging in any of the aforementioned activities, each respective person who may be engaging in such activity, as well as the leader of the group or association desiring to engage in such activity, shall complete and furnish the Airport User Temporary Identification Media Packet to the Executive Director of the Airport.
2. Prior to engaging in any of the aforementioned activities, such persons shall furnish the Executive Director of the Airport Authority with the name, address, and telephone number of the principal office and leader of the group or association which desires to engage in such activity.
3. Prior to engaging in any of the aforementioned activities, such persons shall furnish the Executive Director of the Airport Authority with the name of the association or group.

The aforesaid information shall be provided to the executive director of the Airport Authority at least fourteen (14) working days prior to the activity to be engaged in at the Airport.

Contingent upon the Airport Authority's verification of the above furnished information and a security investigation resulting in no information which poses a threat to the security of the Airport, the Airport Authority will issue a temporary Airport Identification Media to the persons who will be engaged in the aforesaid activity. Said Media will be issued at the office of the Executive Director of the Airport Authority at 9:00 a.m. and will be returned to the office of the Executive Director of the Airport Authority at 5:00 p.m., Monday through Friday, which days and times shall be the only days and times during which the aforesaid activity shall be permitted.

The only area at the Airport on which the afore described activity is permitted will be within clearly defined boundaries in the public waiting zone of the second floor of the Airport Passenger Terminal Building. At the time the Identification Media are issued, the Airport Authority shall identify and mark in which the afore described activity is permitted.

All persons engaging in the afore described activity must not disrupt, interfere with, intimidate, or harass the traveling public and all other persons using the Airport for travel purposes, travel related purposes, or business purposes.

The aforesaid information shall be provided to the Executive Director of the Airport Authority at least fourteen (14) working days prior to the activity to be engaged in at the Airport.

Any and all undistributed materials must be removed from Airport premises by the persons engaging in the afore-described activities, daily, on the days activity is permitted, by 5:00 p.m.

All persons engaged in the afore described activity shall not park motor vehicles on Airport Property at any location other than in the public parking lot; and all such parked motor vehicles shall be subject to the parking rates in effect at the time of parking.

All persons engaging in the afore described activities shall not conduct such activity with employees of the Airport Authority. Said employees are identifiable by the Identification Media they wear.

Any and all leaflets or other materials to be distributed or displayed are limited to those that each respective authorized person can carry on his or her person.

The designated area in which the afore described activity is permitted shall not be used for a table, stand, or other display furniture or equipment.

At no time will more than three (3) persons be authorized to engage in such activities as a representative of or on behalf of or as a direct or indirect affiliate of the association or group, which has been approved for such activity.

Failure to adhere to these rules and regulations will result in the termination of approval by the Airport Authority and the removal of the violators of these rules and regulations from the Airport.

Any questions relating to these rules and regulations should be addressed to the Executive Director of the Airport Authority, 14035-L Airport Road, Gulfport, Mississippi, 39503, telephone 228-863-5951.

CHAPTER 8: PICKETING POLICY

While recognizing the First Amendment right to picket, the Commissioners of the Airport Authority find that in order to manage and safely operate the Airport, it is in the best interest of the Airport authority and in the best interest of the management, safety, operation and development of the Airport to promulgate the following rules and regulations for picketing at the Airport:

1. In accordance with § 97-7-63 of the Mississippi Code of 1972 Annotated, no person, “singly or in concert with others” shall “engage in picketing or mass demonstrations in such a manner as to obstruct or unreasonably interfere with free ingress or egress to and from” the Airport or at the passenger terminal, or which “unreasonably interfere[s] with free use of public streets, sidewalks, or other public ways adjacent or contiguous thereto.”
2. There shall be no picketing that is accompanied by violent or coercive behavior, threats, intimidation, or force.
3. There shall be no picketing which has an unlawful purpose.
4. There shall be no secondary picketing at the Airport. Secondary picketing is defined as “[a] form of picketing in which pressure is put on one business establishment with which there is no dispute in order to induce such business to put pressure on the business establishment with which the employees have a primary dispute.”
5. The picketing must be confined to the area of the Airport in which the labor dispute arises, and in order to ensure the free flow of traffic and the safe, orderly and effective operation of the Airport, there shall be no picketing inside the passenger terminal building.
6. No person engaged in picketing activity at the Airport may park motor vehicles on Airport property at any location other than in the public parking lot; and all such parked motor vehicles shall be subject to the parking rates in effect at the time of parking.
7. At no time will more than ten (10) persons be authorized to engage in such activities as a representative of or on behalf of or as a direct or indirect affiliate of the association or group, unless the Executive Director makes prior determination that extenuating circumstances exist.
8. Prior to engaging in any of the aforementioned activities, such persons shall complete and furnish the Airport User Temporary Identification Media Packet to the Executive Director of the Airport for each respective person who may be engaging in such activity as well as the leader of the group or association desiring to engage in such activity. The aforesaid information shall be provided to the Executive Director of the Airport Authority at least fourteen (14) working days prior to the activity to be engaged in at the Airport.

9. Prior to engaging in any picketing activity, such persons shall furnish the Executive Director of the Airport Authority with the name and headquarters address and telephone number of the association or group.
10. One (1) day prior to the approved picketing activity, the Executive Director of the Airport Authority shall designate to the leader of the association an area in which said picketing may occur, subject to the provisions in **paragraphs 1 and 5** above.
11. No person engaging in picketing at the Airport may disrupt, interfere with, intimidate, or harass the traveling public and all other persons using the Airport for travel purposes, travel related purposes, or business purposes.
12. Contingent upon the Airport Authority's verification of all information in the Airport User Temporary Identification Media Packet and a security investigation resulting in no information which poses a threat to the security of the Airport, the Airport Authority will issue temporary Airport Identification media to the persons who will be engaged in the aforestated activity. Said Media will be issued at the office of the Executive Director of the Airport Authority at 5:00 p.m., Monday through Friday, which days and times shall be the only days and times during which the aforestated activity shall be permitted.

CHAPTER 9: SMOKE FREE POLICY

Smoking is prohibited at the Gulfport-Biloxi International Airport as follows:

SECTION 1 - FOR ALL PERSONS OTHER THAN GBRAA EMPLOYEES:

1. Smoking is prohibited within the terminal building except for a "smoking room" designated by the Airport Authority and located beyond the security checkpoint.
2. Smoking is prohibited within 20 feet of all entrances to and exits from the terminal building as well as 20 feet from operable windows and ventilation systems.
3. Smoking is prohibited within any "place of employment" owned by the Airport Authority. This includes, but is not limited to the Airport Maintenance Facility, Rental Car Service Center including appurtenant structures, Air Cargo Facility, and any vehicles owned by the Airport Authority.
4. Smoking is prohibited within any "place of employment" owned or operated by any tenant, lessee, or operator located on the grounds of the Gulfport-Biloxi International Airport.
5. Smoking by Commercial users is permitted only in the designated smoking areas, which shall be designated solely by the Airport Authority.

SECTION 2 - FOR ALL GBRAA EMPLOYEES:

1. Smoking or the use of smokeless tobacco by Gulfport-Biloxi Regional Airport Authority employees is prohibited on Airport Authority property. Gulfport-Biloxi Regional Airport Authority is a Blue Cross/Blue Shield of Mississippi tobacco-free workplace.

CHAPTER 10: DRUG FREE WORK PLACE

The Airport is a drug-free work place. All tenants, concessionaires, permittees, licensees, or other commercial operators (hereinafter referred to as "commercial users") doing business on the Airport premises, who use, consume, possess, or who are under the influence of, any form of alcohol or illegal controlled substances, while in the course of their business activities at the Airport, may be immediately barred from the commercial use of the Airport. All "commercial users" of the Airport who are involved in the sale, distribution, solicitation, or transfer of controlled substances, while in the course of their business activities at the Airport, may be immediately barred from the commercial use of the Airport. Controlled substances will be confiscated and turned over to appropriate law enforcement officials. [All "commercial users" at the Airport may be required to submit to drug and alcohol testing, either on the basis of reasonable suspicion or neutral selection or both.]

The Federal Public Law Drug Free Workplace Act of 1998 is incorporated herein by reference.

CHAPTER 11: ENFORCEMENT AND PENALTIES

SECTION 1 - EXTRAORDINARY CIRCUMSTANCES WARRANTING IMMEDIATE SUSPENSION OF COMMERCIAL USER PRIVILEGES

If the Executive Director of the Gulfport-Biloxi Regional Airport Authority, after interviewing the involved parties (accusers, accused and witnesses) finds, that there is a violation of any of the Airport Authority rules or regulations governing commercial user privileges and that said violation constitutes an extraordinary and immediate threat to the physical safety of airport users, the Executive Director may immediately suspend, restrict, evict and/or bar from access to the Airport the commercial user for a period not to exceed ten (10) calendar days. Within said period the Executive Director shall conduct a proceeding in accordance with **Section 6 of this Chapter**. If the Executive Director does conduct a proceeding in accordance with **Section 6** of this Chapter, and subsequent to that proceeding, the alleged violator correctly and timely requests an administrative hearing in accordance with **Section 6** of this Chapter, then the Executive Director may extend the suspension period until the date of the administrative hearing for a period no longer than sixty (60) days from the date the Executive Director receives the proper request for the hearing.

SECTION 2 - PENALTIES APPLICABLE TO COMMERCIAL USERS

Any commercial user violating any Airport Authority rule or regulation may be suspended from its commercial use of the Airport, and/or restricted in its commercial use of the Airport, and/or evicted from the Airport, and/or barred from the Airport for a cumulative period not to exceed one (1) year. Any penalty imposed pursuant to this Section may, in the Governing Board's discretion, include a revocation of the Airport Business Permit of the offending commercial user and a requirement that the commercial user apply for a new permit, which may or may not be granted.

SECTION 3 - EXTRAORDINARY CIRCUMSTANCES WARRANTING IMMEDIATE EVICTION OF PERSON WHO IS NOT A COMMERCIAL USER

If the Executive Director of the Airport Authority, after interviewing the involved parties (accusers, accused and witnesses) finds, that there is a violation of any of the Airport Authority rules or regulations governing non-commercial users and that said violation constitutes an extraordinary and immediate threat to the physical safety of airport users, the Executive Director may immediately evict and bar from access to the Airport such person for a period not to exceed ten (10) calendar days. Within said period the Executive Director shall conduct a proceeding in accordance with **Section 6 of this Chapter**. If the Executive Director does conduct a proceeding in accordance with **Section 6** of this Chapter, and subsequent to that proceeding, the alleged violator correctly and timely requests an administrative hearing in accordance with **Section 6** of this Chapter, then the Executive Director may extend the suspension period until the date of the administrative hearing for a period no longer than sixty (60) days from the date the Executive Director receives the proper request for the hearing.

SECTION 4 - PENALTIES APPLICABLE TO NON-COMMERCIAL USERS

Any person who is not a commercial user and who violates any Airport Authority rule or regulation may be evicted from the Airport and/or barred from the Airport for a period not to exceed one (1) year.

SECTION 5 - NOTICE OF VIOLATION

Any user (commercial or non-commercial) charged with a violation of these rules and regulations shall be furnished written notification of same within sixty (60) calendar days after the alleged violation, but at least one (1) calendar day prior to any Executive Director's proceeding described in Section 6. The written notice shall include, but not be limited to the following:

- (a) The name of the alleged violator¹.
- (b) The date, time and place of the alleged violation[s].
- (c) A description of the alleged violation[s] referenced to the chapter and section number of the rules and regulations and a summary description of the specific alleged conduct, act of commission or omission.
- (d) Specific "aggravating factors²," if any, such as prior acts of commission or omission, which may be considered by the Airport Authority in imposing a penalty.
- (e) The maximum penalty that may be imposed by the Authority.

SECTION 6 - EXECUTIVE DIRECTOR'S PROCEEDING

- (a) For all alleged violations by any commercial user, who has not been immediately suspended pursuant to Section 1, and any non-commercial user who has not been evicted pursuant to Section 3, the Executive Director shall schedule an informal conference in the Airport Administrative Office at the Airport at a time and date selected by the Executive Director. The Executive Director shall notify the alleged violator of the informal conference orally or in writing at least one (1) calendar day in advance of the day of the conference.

¹ Violator is the non-commercial user and/or the commercial user as defined in Section 5 of these Rules and Regulations.

² "Aggravating factors" are defined to mean violations of these rules and regulations determined at a prior administrative hearing conducted pursuant to this Chapter 11, or any of its preceding or succeeding version or amendments. Any agreed disposition of any alleged violation reached at an informal Executive Director's conference shall not be considered as an "aggravating factor" at any subsequent proceeding.

At this conference, the Executive Director and the alleged violator shall discuss the alleged violation[s] and determine whether a mutually satisfactory disposition may be reached. If there is reached a mutually satisfactory disposition, the alleged violator and the Executive Director shall execute a written documentation of same.

- (b) In the event the Executive Director and the alleged violator do not reach and document an informal disposition of the alleged violation, or in the event the alleged violator does not participate in the informal conference or rejects an informal conference, the Executive Director may nevertheless find a violation and impose a penalty after interviewing the accused, the accusers and witnesses. Provided, however, the Executive Director's findings and penalty shall not be final or implemented unless the alleged violator fails to request an administrative hearing within seven (7) calendar days after being notified of said finding and penalty and the right to an administrative hearing. When the Executive Director makes a finding and imposes a penalty as aforesated, he shall notify the alleged violator in writing of the finding, the penalty and the right to request an administrative hearing by hand-delivery. The alleged violator shall have seven (7) calendar days after the date of hand-delivery of the Executive Director's written notice within which to hand deliver to the Executive Director a request for an administrative hearing. All timely requests for an administrative hearing shall be granted. If a request for an administrative hearing is not timely made, the Executive Director's action becomes final and is implemented the day after the time within which to request an administrative hearing has expired.

If the alleged violator timely requests an administrative hearing, the Executive Director's action shall be void and not considered at the administrative hearing, which shall be *de novo*. Such an administrative hearing shall be conducted within sixty (60) calendar days from the date the Executive Director receives the written request.

SECTION 7 - ADMINISTRATIVE HEARING

If an Administrative Hearing is requested in accordance with the aforesated sections in this Chapter, the Airport Authority will conduct an administrative hearing to determine whether the alleged violations have occurred, and if so, what suspension and/or restrictions, and/or evictions, and/or barring, if any of the aforesated, should be imposed.

The procedure for an administrative hearing is as follows:

1. The Airport Authority will deliver written notice of the hearing to the alleged violator at least five (5) calendar days in advance of the day of the hearing.
 - (a) For commercial users, delivery of written notice may be in person to the alleged violator, his/her employee, agent or representative; or by certified United States mail to the business or residence address of the alleged violator. If in person, delivery

shall be effective at the instant it is delivered. If by certified United States mail, delivery shall be effective on the date of the postmark.

- (b) For non-commercial users, delivery of written notice may be in person to the alleged violator; or by certified United States mail to the business or residence address of the alleged violator. If in person, delivery shall be effective at the instant it is delivered. If by certified United States mail, delivery shall be effective on the date of the postmark.

2. The written notice shall include, but not be limited to, the following:

- (a) The name of the alleged violator.
- (b) The date, time and place of the hearing.
- (c) A description of the alleged violation(s) referenced to the Chapter and Section number of the rules and regulations and a summary description of the specific alleged conduct, act of commission or omission.
- (d) An explanation of the Airport Authority evidence.
- (e) The maximum penalty that may be imposed by the Airport Authority for the alleged violation[s].
- (f) Specific "aggravating factors," if any, such as prior acts of commission or omission, which may be considered by the Airport Authority in imposing a penalty.
- (g) An invitation to appear at the hearing:
 - 1) to rebut the allegations;
 - 2) to defend against the allegations; and to otherwise present the alleged violator's side of the story;
 - 3) to be represented by counsel at the alleged violator's expense;
 - 4) to introduce testimony and other evidence; and/or
 - 5) to furnish a written response to the alleged violation[s].
 - 6) These opportunities afforded in Paragraph (g) also apply to any aggravating factors identified by the Airport Authority.

3. At the hearing, the alleged violator has all the rights stated in the invitation to appear described in Paragraph 2(g).
4. The Airport Authority may call witnesses and introduce other evidence in support of the alleged violations and any aggravating factors. The Governing Board of the Gulfport-Biloxi Regional Airport Authority shall select a Hearing Officer, who shall control the conduct and decorum of the hearing. The Governing Board may or may not attend the hearing, at their sole discretion.
5. Hearings will be conducted in the Administrative Offices of the Gulfport-Biloxi Regional Airport Authority, on the Third Floor of the Passenger Terminal Building, 14035-L Airport Road, Gulfport, Mississippi.
6. The procedure at the hearing shall be as follows:
 - (a) The alleged violation[s], and any aggravating factors, if any, shall be presented first.
 - (b) The alleged violator shall then present his/her/its case.
 - (c) The Hearing Officer may question all witnesses who testify in support of the alleged violation[s] or in opposition to the alleged violation[s]. The Hearing Officer may make part of the record evidence in addition to that offered in support of or in opposition to the alleged violation[s].
 - (d) Although the Hearing Officer may be liberal in allowing matters to be presented and become part of the hearing record, only evidence relevant to the alleged violation[s] and aggravating factors, if any, shall be considered by the Governing Board in deciding a disposition of the alleged violation[s] and aggravating factors, if any, and in determining what penalties, if any, should be assessed.
7.
 - (a) If the administrative hearing is conducted at a meeting of the Airport Authority Governing Board, the Governing Board may render a disposition of the alleged violation at the conclusion of the hearing.
 - (b) If the administrative hearing is not conducted at a meeting of the Airport Authority Governing Board, the Hearing Officer shall forward a copy of the hearing record, to the Governing Board of the Airport Authority, within thirty (30) calendar days after the conclusion of the hearing. Within forty-five (45) calendar days after receiving a copy of the hearing record from the Hearing Officer, the Governing Board of the Airport Authority shall consider the record and deliberate in Executive Session at a regular or special meeting and shall render a decision as to whether the alleged violation occurred, and if so, what penalties, if any, to impose. The Governing Board shall render a decision based solely on the record and no additional evidence will be considered. The meeting of the Governing Board of the Airport Authority shall not

be a *de novo* hearing, and no evidence may be offered to the Governing Board or considered by the Governing Board other than the record. The Airport Authority shall furnish written notification to the alleged violator of the Governing Board's decision within fifteen (15) calendar days after rendering a decision.

8. Any penalty imposed by the Governing Board may, in their discretion, take effect immediately following the regular or special meeting at which the decision is rendered.
9. With regard to commercial users, the Governing Board, in its discretion, may impose any penalty provided by this Chapter 11 on:
 - (a) The commercial user holding the Airport Business Permit who employs, contracts with, or otherwise controls the alleged violator;
 - (b) The alleged violator directly, whether or not the Airport Business Permit is issued in his/her/its name; or
 - (c) Both.
10. Any commercial or non-commercial user who feels aggrieved by the action taken by the Airport Authority Governing Board, may appeal such action on the record to the Circuit Court of the First Judicial District of Harrison County, Mississippi.
11. In the event any commercial or non-commercial user refuses to comply with the action taken by the governing board, the Gulfport-Biloxi Regional Airport Authority may enforce the action of the Governing Board in any court of appropriate jurisdiction.

SECTION 8 - ADDITIONAL REMEDIES

- (a) The penalties provided herein are in addition to any penalties, contract remedies, default provisions, payment of rental fees, lease fees, concession fees, and all other fees and charges, legal remedies, and equitable remedies that may be in the provisions of any lease, concession agreement, operating agreement, permit, license or other contract between the Airport Authority and the respective Airport users. The exercising of any penalty or remedy by the Airport Authority shall not be deemed an election of any penalty or remedy to the exclusion of any other or additional penalties or remedies available to the Airport Authority in any court of appropriate jurisdiction.
- (b) In addition to or in lieu of the procedures provided in this Chapter or elsewhere in these Rules, Regulations and Fees, the Airport Authority may pursue equitable or legal remedies available in any court of appropriate jurisdiction.

SECTION 9 - SEVERABILITY

If any part of these Penalties and Enforcement Policy of Airport Authority Rules and Regulations is held unenforceable or invalid by any court or administrative agency having jurisdiction, all remaining parts not held unenforceable or invalid shall continue in full force and effect.

CHAPTER 12: GENERAL CONDUCT OF ALL PERSONS ON AIRPORT PROPERTY

To the extent not otherwise required by these Rules, all persons, employees, tenants, lessees, commercial or other users, concessionaires, and all other persons or entities operating on or otherwise utilizing the Airport's premises shall control the conduct, demeanor, and appearance of their respective employees, agents, representatives, contractors, customers, guests, invitees, and those doing business with them, and upon objection from an Airport Authority representative concerning the conduct, demeanor, or appearance of any such persons, shall immediately take all steps necessary to remove the cause of the objection. Failure to comply with the provisions of this Chapter may, in the discretion of the Executive Director or his representative, constitute a violation[s] of these Rules and Regulations.

CHAPTER 13: DEPOSIT

Any commercial user whose business permit, concession agreement, lease agreement, license agreement, or operating agreement is suspended, revoked, cancelled or terminated for failure to pay rents, fees or other charges to the Airport Authority when due shall deposit with the Airport Authority monies in the amount of ninety (90) calendar days estimated rents, fees or other charges, as a condition precedent to reinstatement of and/or as a condition precedent to a subsequent issuance of or execution of a business permit, concession agreement, lease agreement, license agreement or operating agreement. Said estimated rents, fees or other charges shall be determined by averaging the rents, fees or other charges that were due the Authority from said commercial user for the ninety (90) calendar days next preceding the aforesated suspension, revocation cancellation or termination. In the event said commercial user has been a commercial user of the Airport for less than ninety (90) calendar days prior to the suspension, revocation, cancellation or termination, then the estimated rents, fees or other charges shall be determined by averaging the rents, fees or other charges that were due the Authority from said commercial user for the number of calendar days that person was a commercial user. The deposit shall be refunded to the commercial user upon the expiration, cancellation, revocation, suspension or termination of the commercial user's business permit, concession agreement, lease agreement, license agreement or operating agreement; provided however, that any rents, fees or other charges due the Airport Authority shall be withheld by the Airport Authority from the deposit refund and applied to the payment of such rents, fees or other charges due the Airport Authority.

CHAPTER 14: ETHICS IN GOVERNMENT

As a supplement to applicable Mississippi law, Federal law, Federal Regulations, and Federal grant assurances, the Gulfport-Biloxi Regional Airport Authority (GBRAA) adopts and publishes this Ethics Policy.

The Gulfport-Biloxi Regional Airport Authority is a public trust. All GBRAA commissioners, employees, representatives, consultants, and contractors shall, in all matters relating to the GBRAA, conduct themselves in compliance with Federal laws, State laws, Federal Regulations, and Federal Grant Assurances; and shall strive to avoid the appearance of impropriety. Such conduct shall include, but not be limited to, neither requesting nor accepting any personal gratuities of any type whatsoever, in whole or in part related to their official positions or association with GBRAA.

GBRAA commissioners and employees shall not solicit any monies, gifts, donations, contributions, favors, or gratuities from any GBRAA consultant, contractor, vendor, tenant, concessionaire, for any person, charity, non-profit, or any cause. Provided, however, upon official request from the GBRAA, as reflected in its minutes, GBRAA may notify such consultants, contractors, vendors, tenants, or concessionaires of sponsorships that are available for an official GBRAA event; and such consultants, contractors, vendors, tenants, or concessionaires may sponsor such events in an amount not to exceed a cumulative annual total of \$1,000.00 for all such sponsorships.

No GBRAA commissioner or employee may engage in a business or professional practice in which the GBRAA commissioner or employee receives any remuneration, directly or indirectly, from such business or professional practice, or from any GBRAA consultant, contractor, vendor, tenant, or concessionaire; unless a prior written opinion from the Mississippi Ethics Director, and a full written disclosure, has been entered into the GBRAA minutes.

Any violation of this policy shall be immediately reported to the GBRAA executive director and the governing board at an official meeting of the GBRAA. The executive director shall immediately report to the GBRAA legal counsel and all GBRAA commissioners any violations of this policy of which the executive director is aware.

All GBRAA consultants, contractors, vendors, tenants, and concessionaires shall immediately report any violations of this policy to the GBRAA executive Director, GBRAA legal counsel, and all GBRAA commissioners.

If any GBRAA commissioner, employee, consultant, contractor, tenant, vendor, or concessionaire is uncertain as to whether or not any action he or she is considering taking may violate this Ethics Policy, such person shall submit a written request to GBRAA for a written opinion on the issues.