

4 GAR - Commerce
CHAPTER 7
Guam Airport Authority

NOTE: (Adopted June 13, 1983. Amended June 8, 1985)

- Article 1. General
2. Operation of Vehicles
 3. Taxicabs and Courtesy Cars
 4. Tour Buses
 5. Rental Car Operations by Non-concessionaires
 6. Operation of Vehicles in Operational Areas
 7. Taxiing Rules
 8. Rules for Ground Operation of Aircraft
 9. Conditions of Use of Air Terminal - General
 10. Conduct of the Public
 11. Use of Particular Areas
 12. Safety Rules
 13. Miscellaneous
 14. Rates, Fees and Charges
 15. Miscellaneous

NOTE: Rule-making authority cited for formulation of regulations for the A.B. Won Pat International Air Terminal by the Board of Directors of the Guam Airport Authority, 12 GCA §1105.

The regulations of the Guam Airport Authority Rules and Regulations are reprinted here in form as exact as possible to those filed on September 20, 1991 with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the editor.

Preamble

§7000. Preamble. The following rules and regulations are hereby promulgated by the Board of Directors of the Guam Airport Authority in accordance with 10 GCA §1105(l), and pursuant to the provisions of the Administrative Adjudication Act. They shall have the force and effect of law, and shall become effective as of forty-five (45) days from the date of filing with the Legislative Secretary of the Guam Legislature. Such rules were so filed on April 29, 1983 and have become effective as of June 13, 1983.

Article 1
General

- §7101. Definitions.
- §7102. Compliance With Rules and Regulations.
- §7103. Commercial Activity.
- §7104. Sightseeing Flights.
- §7105. Storage of Cargo.
- §7106. Parking and Storage of Aircraft.
- §7107. Use of Operational Areas.
- §7108. Payment of Charges.
- §7110. Commercial Photography.

§7101. Definitions. The following terms as used in

these rules and regulations shall have the following meanings:

(a) *Aircraft* means those contrivances now or hereafter used for flight in air or space, including but not limited to airplanes, airships, dirigibles, helicopters, gliders, amphibians and seaplanes, which are registered or otherwise supervised by the Federal Aviation Administration.

(b) *Air Terminal and Airport* means the civilian air terminal premises in the municipality of Barrigada, Guam adjacent to Brewer Airfield, Naval Air Station.

(c) *Air Terminal Rules and Regulations* means these rules and regulations and subsequent amendments thereto or modifications thereof.

(d) *Airport Tariff Schedule* means that schedules posted in the Office of the Manager setting forth the rates, fees and charges to airport users of the air terminal, aprons and airfield facilities not otherwise set forth herein. Such schedule may be changed from time to time after thirty (30) days following posting of such changes in four (4) conspicuous areas at the Airport so that such changes may be reviewed and inspected and copies of such changes delivered to the affected operators or persons engaged in commercial activities at the Airport.

(e) *Authority* means the Guam Airport Authority, a public corporation created by the Guam Airport Authority Act.

(f) *Cargo Ramp and Apron Areas* means those areas immediately adjacent to and contiguous with those cargo facilities where cargo, mail, express items, airlines' supplies and parts are customarily handled either immediately prior to a flight or after arrival and unloading of a flight. The term also means that specific aircraft parking ramp and apron so designated by the Manager for all cargo aircraft.

(g) *Commercial Activity* means activity by a person which is intended to make money for that person upon the profits of which activity taxes will be due to the government of Guam.

(h) *Federal Aviation Administration or FAA* means that agency of the United States government, reporting to the secretary of the Department of Transportation or his successor, responsible for supervising and regulating national aviation interests and activities as

mandated by the Congress of the United States.

(i) *Fuel Handling* means the transportation and delivery of fuel into an aircraft or a vehicle at the Airport and the draining of fuel or of fuel waste products therefrom.

(j) *Fuel Storage Areas* means those locations at the Airport designated temporarily or permanently by the Authority as areas in which gasoline, jet fuel or other types of fuel may be stored, including, but not limited to, fuel tank farms and barrel, container and truck-tender parking areas where fuel is stored prior to delivery.

(k) *Ingress and Egress* mean the use of an area within or portion of the Airport as a means of going from one place to another without delay.

(l) *Loading Bridge and Loading Ramp* mean that device positioned next to an aircraft door used for passenger boarding or disembarkation from such aircraft.

(m) *Maintenance Areas* means any portion of the Airport designated temporarily or permanently by the Authority to be used for major aircraft maintenance.

(n) *Manager* means the executive manager of the Authority or his duly authorized representative.

(o) *Operational Areas* means those portions of the Airport from which the general public is restricted by fences, barriers or appropriate signs, and not leased to anyone for exclusive use, and includes runways, taxiways, all common ramp and apron areas, and the nonexclusive areas for aircraft parking and storage, fuel storage maintenance and service roads.

(p) *Operator* means the owner of an aircraft or vehicle or any person who has leased or otherwise has the lawful use of an aircraft or vehicle to operate by himself, or by his agents or employees.

(q) *Passenger Terminal* means that new terminal building which became operational on January 19, 1982 and houses the passenger arrival areas, including the baggage claim area and the customs and immigration area, the passenger departure lounge and other ticketing, food service and related passenger facilities.

(r) *Permission or Permit* means permission granted by the Manager unless otherwise herein provided, and means written permission, except that verbal permission may be granted by the Manager under special circumstances where, in his view, issuing written permission is not practical.

(s) *Person* means any individual, firm, partnership, copartnership, corporation, trust association or company (including any assignee, receiver, trustee or similar representative thereof).

(t) *Public Areas* means those areas of the Airport that are not leased or otherwise restricted as to entry or use and includes, but is not limited to, those areas used for the roadway system, the meeting and greeting of incoming passengers, the accompanying of departing passengers as far as the security inspection area, sightseeing areas, public toilets and similar areas intended for the use of the general public.

(u) *Public Parking Areas* means any portion of the Airport made available temporarily or permanently by the Authority for the parking of passenger vehicles other than taxicabs or buses.

(v) *Ramp and Apron Areas* means those areas of the Airport made available temporarily or permanently by the Authority for parking aircraft, for loading and unloading passengers, baggage, cargo, mail and supplies on and off aircraft, for servicing aircraft with fuel and lubricants, for performing those operations commonly known as ramp service, for performing inspection, minor maintenance and other service upon or in connection with aircraft incidental to performing ramp service, and for parking of mobile support equipment when used on connection with such operations.

(w) *Taxis and Taxicabs* mean those vehicles for hire having seating accommodations for seven (7) or less passengers used or maintained for the transportation of persons on the public highways at prescribed rates or charges.

(x) *Tour Buses or Buses* means those vehicles having seating accommodations for more than seven (7) passengers used or maintained for the commercial carriage on the public highways of persons who are making a tour of or visit to Guam; such vehicles are not available to the general public but only to

members of the particular tours for which the vehicles are contracted.

(y) *Tour Bus Parking Areas* means those areas of the Airport made available temporarily or permanently by the Authority for the exclusive parking of tour buses for either departing or arriving passengers.

(z) *Vehicle* means an automobile, truck, bus, motorcycle, horse-drawn vehicle, bicycle, push cart and any other similar device used upon land, excluding aircraft.

§7102. Compliance With Rules and Regulations.

Any person entering upon the Airport is subject to, and shall comply with, these rules and regulations. Except as may be otherwise expressly provided in a lease or concession agreement, all tenants of the Authority are subject to and shall strictly comply with these rules and regulations.

§7103. Commercial Activity. No person shall carry on any commercial activity at the Airport except with a permit from the Manager.

§7104. Sightseeing Flights. No person shall conduct sightseeing flights at the Airport except with a permit from the Manager establishing the conditions thereof and specifying the fees payable to the Authority for such privilege. "Sightseeing Flights" are flights on which passengers are carried for hire, in aircraft and which originate and terminate at the Airport with no intermediate stops other than emergency stops. Nothing in this Section [§1.04] shall be construed as limiting the authority or rights granted by the U.S. Civil Aeronautics Board, or its successor, under a certificate of public convenience and necessity.

§7105. Storage of Cargo. Unless otherwise provided by a lease or other written agreement, no person shall use any area of the Airport for storage of cargo or other property, except with a permit from the Manager. If any person uses any area in the Airport for such storage without first obtaining such a permit, then the Manager may cause the cargo or other property so unlawfully stored to be removed and stored at the expense of the owner or consignee thereof without the Authority or the Manager assuming any responsibility or liability for damages

caused by such removal and storage.

§7106. Parking and Storage of Aircraft. Unless otherwise provided in a lease or other written agreement, no person shall use any area of the Airport other than the designated aircraft parking and storage are for parking and storing aircraft, except with a permit from the Manager. If a person uses any area in the Airport for parking or storing aircraft without first obtaining such a permit, then the Manager may cause the aircraft so unlawfully parked or stored to be removed and stored at the expense of the owner or consignee thereof without the Authority or the Manager assuming any responsibility or liability for damages caused by such removal and storage.

§7107. Use of Operational Areas. No person shall use or occupy an operational area for any purpose not pertaining to:

- (i) the operation and servicing of aircraft;
- (ii) airline activities associated with aircraft;
- (iii) the performance by governmental agencies of their functions; or
- (iv) the maintenance and operation of the Airport; provided, however, that this Section [§7107] shall not prohibit a bona fide contractor of the Authority or of its tenants from performing such lawful services as are contracted for.

§7108. Payment of Charges. No person shall land or taxi an aircraft on, to or from the Airport, or use an operational area thereat, except upon the payment of such fees and charges as may from time to time be imposed and published by the Authority, unless such person is entitled to land or taxi such aircraft or use such area under a lease or other written agreement with the Authority providing therefor.

§7109. Commercial Photography. No person except accredited media representatives in the performance of their duties, shall take still, motion or sound pictures of the Airport nor record nor transmit any commercial program by cable or other electrical means from the Airport, except with a permit from the Manager. Promotional photography of visitors or to aid tourism is encouraged but only with a permit from the Manager. The Manager is authorized to accredit representatives of news media upon presentation of appropriate credentials.

4 GAR - Commerce

Ch. 7 - Guam Airport Authority
Art. 1 - General - 1997 - p. 7

4 GAR - Commerce
Article 2
Operation of Vehicles

- §7200. Required Licenses or Authorization.
- §7201. Commercial Vehicles.
- §7202. Obeying Signals and Orders.
- §7203. Speed Limits.
- §7204. Vehicles Within Operational Areas.
- §7205. Responsibility in Cases of Accidents.
- §7206. Right-of-Way.
- §7207. Reducing Speed.
- §7208. Parking.
- §7209. Method of Parking.
- §7210. Five-Minute Parking Areas.
- §7211. Tour Bus Parking.
- §7212. Parking in Roadways.
- §7213. Rental Cars.
- §7214. Courtesy Cars and Taxis.
- §7215. Tenant Parking.
- §7216. Public Parking.
- §7217. Change in Parking Rules.
- §7218. Removal and Disposition of Vehicles.

§7200. Required Licenses or Authorization. No vehicle shall be operated upon a public road within the Airport unless:

(a) **License and Registration.** The driver thereof is duly authorized to operate such vehicle under the laws of Guam and such vehicle is registered in accordance with the laws of Guam;

(b) **Purpose of Entry.** The driver thereof is (i) an employee of a tenant of the Authority, (ii) a member of the public with business or otherwise at the Airport, (iii) an authorized employee or agent of a contractor, servicer or supplier of the Authority, (iv) an employee of the Authority; or (v) an employee or officer of a government agency having lawful business at the Airport;

(c) **Insurance.** Such vehicle is covered with public liability and property damage insurance in amounts satisfactory to the Authority; and

(d) **Maintenance.** Such vehicle has been maintained in a safe and reliable condition and the driver thereof carries personal identification.

§7201. Commercial Vehicles. If a vehicle is used for the commercial carriage of persons to and from the Airport, in addition to the requirements of 4 GAR §7051, *supra*, before entering the Airport, there must be obtained for it a permit from the Manager to be issued upon payment of the fees

required under 4 GAR §76134, *infra*, or the airport tariff schedule.

§7202. Obeying Signals and Orders. Every person operating a vehicle upon any area or road within the Airport must at all times comply with any lawful order, signal or direction of any authorized representative of the Authority, or of the Department of Public Safety. Whenever traffic is controlled or directed by traffic lights, signs, mechanical or electrical signals, or pavement markings, all such shall be obeyed unless an authorized representative of the Authority or of the Department of Public Safety directs otherwise.

§7203. Speed Limits. All vehicles operated within the Airport shall comply with the speed limits prescribed and posted by the Manager. Where no other limit is posted, the maximum speed limit is fifteen (15) miles per hour.

§7204. Vehicles Within Operational Areas. No vehicle shall be operated within an operational area, except with a permit issued by the Manager, who may require that such a vehicle display an identifying symbol or number. The movement of vehicles within an operational area may be restricted by the Manager to specific routes or areas. Approved ramp equipment may be operated in the ramp and apron area only by employees of tenants of the Authority, certified by such tenants to the Manager as qualified to operate such equipment.

§7205. Responsibility in Cases of Accidents. In addition to all other requirements of law, the driver of any vehicle involved in an accident at the Airport which results in injury or death to any person or damage to property shall make a report of such accident to the air terminal operations or security offices of the Authority or to a police officer assigned to the Airport within four (4) hours of such accident.

§7206. Right-of-Way. A vehicle travelling the main street of the entry and departure roadway of the Airport shall have the right-of-way over any vehicle on a side street, parking lane, driveway or other intersection unless otherwise directed by traffic signals or by an authorized representative of the Authority or of the Department of Public Safety.

§7207. Reducing Speed. On approaching a street intersection or junction of any road, or any vehicle which has stopped to discharge or taken on passengers, the driver of a vehicle shall reduce its speed.

§7208. Parking. In parking vehicles at the Airport, no person shall:

(a) **Parking Areas.** Park a vehicle except in an area designated and posted for parking.

(b) **Times.** Park a vehicle in any area for a period longer than is prescribed and posted for that area by the Manager.

(c) **Restricted Areas.** Park a vehicle in a restricted area unless there is displayed on the vehicle in the manner required by the Manager a parking permit issued by the Manager for that area.

(d) **Double Parking.** Double park a vehicle on the roadways of the Airport.

(e) **Abandonment.** Abandon a vehicle at the Airport; a vehicle shall be presumed abandoned if it is left parked and unattended for a period longer than forty-eight (48) hours unless it is parked in a space set aside for parking longer than forty-eight (48) hours.

(f) **Improper Parking.** Park a vehicle in a space marked for the parking of vehicles in such a way as to occupy a part of another marked space.

(g) **Key in Ignition.** Leave a vehicle unattended or parked with a key in its ignition switch, its motor running, a key in its door lock, or with one of its doors open.

(h) **Fire Hydrants.** Park a vehicle within ten (10) feet of a fire hydrant or in front of a driveway.

(i) **Washing Cars.** Except as authorized by the Manager, park a vehicle for the purposes of washing, cleaning, polishing or repairing it, except for those minor repairs necessary to remove such vehicle to an authorized area or from the Airport.

§7209. Method of Parking. Every vehicle shall be parked at the Airport parallel to the roadway to the vehicle's extreme right and at a distance of not more than six (6) inches from the sidewalk or promenade unless the parking space is otherwise marked. Passengers shall exit and enter on the right hand side of the vehicle.

§7210. Five-Minute Parking Areas. No vehicle may be parked at the curbside vehicular lane at either the departing passenger level or the arriving passenger level in front of the Passenger Terminal for more than five (5) minutes, or for any purpose other than dropping off or picking up passengers. A vehicle parked there for longer than five (5) minutes may be ticketed or towed away at the owner's expense.

§7211. Tour Bus Parking. Tour buses may enter or exit the Passenger Terminal area only via bus lanes marked as such and must be parked in the areas designated for such buses adjacent to the Passenger Terminal on the departing or arriving side.

§7212. Parking in Roadways. Except as provided in 4 GAR §3031.10, supra, no vehicles shall be parked in the roadways in front of the Passenger Terminal, and any vehicle parked thereat may be ticketed or towed away at the owner's expense.

§7213. Rental Cars. Rental vehicles shall be parked only

in those areas designated for rental cars either in the rental car ready area or in the rental car return areas. Any non-rental vehicle parked in such areas may be ticketed or towed away at the owner's expense.

§7214. Courtesy Cars and Taxis. Unless the Manager has designated separate parking areas for courtesy vehicle and taxicabs, hotel courtesy vehicles and taxicabs may park curbside in front of the Passenger Terminal to deliver or pick up passengers as provided in 4 GAR §3031.10, supra, provided that the time limit of five (5) minutes is observed. Failure to observe such time limit may result in the suspension of the permit for such vehicle or taxicab at the discretion of the Manager.

§7215. Tenant Parking. Vehicles of Airport tenants and their employees shall be parked only at designated areas for such parking. The use of Authority and Tenant employee parking areas may be subject to additional rules established from time to time by the Authority.

§7216. Public Parking. Public parking areas at the Airport have been set aside for the use of the general public and entry and exits to such areas are identified by directional and informational signs. As provided in 4 GAR §7665, infra, such public parking is subject to the payment of parking fees at the rates established and posted in the vicinity of such areas. Failure to pay such parking charges may subject the vehicle's operator to the penalties set forth in 4 GAR §7606 , infra.

§7217. Change in Parking Rules. The parking rules set out in this Article 2 are subject to change at any time by the Manager. Any change shall be evidence by signs announcing the new parking rules, and a description of such changes shall be on file at the office of the Manager.

§7218. Removal and Disposition of Vehicles. Whenever a vehicle is parked so as to create a blockage or other hazard to the orderly flow of traffic to or from the Airport or on the roadways of the Airport, or when a vehicle has been abandoned, the Manager may order the vehicle removed to and stored at a designated parking location at the owner's expense. After thirty (30) days continuous parking in the public parking lots, a vehicle will be deemed abandoned unless prior parking arrangements have been made. The abandoned vehicle, after sixty (60) days, will be auctioned off, after public notice of sale, to the highest bidder for cash, if prior thereto no claim has been made by any person or, if there has been a claim, storage charges have not been paid.

4 GAR - Commerce
Article 3
Taxicabs and Courtesy Cars

- §7300. Taxis.
- §7301. Taxi Stands.
- §7302. Loading Passengers.
- §7303. Permits.
- §7304. Other Restrictions.
- §7305. Term of Permit.
- §7306. Decals.
- §7307. Cancellation of Permits.
- §7308. Insurance.
- §7309. Courtesy Vehicles; Definition.
- §7310. Permits.
- §7311. Parking of Courtesy Vehicles.
- §7312. Traffic Rules.
- §7313. Insurance.

§7300. Taxis. Before being permitted to load or unload passengers at the Passenger Terminal, a taxicab operator shall:

(a) **License.** Be currently licensed as a taxicab operator by the government of Guam;

(b) **Permit.** Have secured from the Authority a current permit authorizing operation at the Airport;

(c) **Fees.** Have paid to the Authority the fees required for said permit as set out in 4 GAR §7653, infra, or in the airport tariff schedule.

§7301. Taxi Stands. Taxicab operators shall conduct their business at the Airport in a manner and at places to be designated from time to time by the Manager by written notice to the taxi permit holders, and shall otherwise conform to these rules and regulations. No person shall park a taxicab except in such manner and in such areas as may be designated from time to time by the Manager.

§7302. Loading Passengers. Operators of taxicabs shall load and unload passengers at the Airport only in loading zones as may be from time to time be designated by the Manager.

§7303. Permits. No taxicab operators without a current taxi permit may solicit taxi fares at the Airport; provided, however, that the Authority will not issue any exclusive authorization under this Section to any one taxi company or taxi operator; and provided further, that solicitation for fares is restricted to the curbside area outside of the Passenger Terminal arrival and departure areas as designated by the Manager. The term "solicitation" as used in this Section means asking a person if he desires a taxi or accepting a person's request for a taxi. Upon request, taxicab operators

shall courteously inform passengers or others of alternate means of ground transportation at the Airport, the location of such transportation, and its frequency.

§7304. Other Restrictions. Taxicab operators shall not "cruise" their cabs through the Airport, are subject to the orders of authorized members of the Department of Public Safety on duty at the Airport, and if required by authorized employees of the Authority or the Department of Public Safety, shall move from their usual places in front of the Passenger Terminal when traffic conditions so warrant.

§7305. Term of Permit. Taxicab permits shall be valid for a period of approximately one (1) year, commencing from date of issuance and expiring on the last day of that month in the following year in which the permit was issued in the initial year.

§7306. Decals. The Authority shall issue a decal for each taxicab with a valid permit which decal shall be displayed at all times on the vehicle in the manner required by the Manager.

§7307. Cancellation of Permits. A taxi permit shall be automatically cancelled upon the issuance to the permit holder of a third (3rd) citation of a violation of these rules and regulations within one (1) year, and shall not be reinstated or reissued until the commencement of the next permit period for that particular permit holder.

§7308. Insurance. No permit shall be issued for a taxicab to service the Airport unless it is covered by insurance in the amounts and with the coverage prescribed by the Manager. Failure to maintain such insurance shall cause the immediate cancellation of the permit. The Manager shall issue, from time to time as circumstances require, a set of minimum standards of service and other rules required to be met by all taxicab operators servicing the Airport.

§7309. Courtesy Vehicles; Definition. Courtesy Vehicle means a passenger vehicle utilized for the free transportation of patrons of territorial business establishments who wish to go to and from the Passenger Terminal for air transportation purposes. The most common type of courtesy vehicle is that provided by a local hotel.

§7310. Permits. Each business establishment desiring to provide courtesy transportation service at the Passenger Terminal shall first obtain a permit from the Authority and pay the fee for each vehicle so utilized, as provided in 4 GAR §3043.13, *infra*, or in the airport tariff schedule. A decal will be issued to be displayed on such vehicle in the manner required by the Manager.

§7311. Parking of Courtesy Vehicles. No special areas for the parking of courtesy vehicles will be provided by the

Authority; provided, however, that upon application, the Manager shall consider a request for a designated parking location for such vehicles subject to annual parking charges.

§7312. Traffic Rules. All courtesy vehicles operating at the Airport shall observe and conform to all traffic rules and regulations and signs relating thereto.

§7313. Insurance. No permit for a courtesy vehicle shall be issued unless it carries and maintains the minimum coverage of insurance prescribed by the Manager during the validity of the permit. Failure to maintain such insurance shall cause immediate cancellation of the permit. The Manager shall issue from time to time as circumstances require, a set of minimum standards of service and other rules required to be met by all courtesy vehicle operators servicing the Airport.

Article 4

Tour Buses

- §7400. Tour Bus Requirements.
- §7401. Term of Permit for Tour Buses.
- §7402. Off-Loading Locations.
- §7403. Loading Locations.
- §7404. Passenger Fees.
- §7405. Cancellation of Permits.
- §7406. Insurance.

§7400. Tour Bus Requirements. Before being permitted to load and unload passengers at the Passenger Terminal, each person owning or leasing a tour bus must:

(a) **License.** Cause each of its bus drivers to be currently licensed as a tour bus operator by the government of Guam;

(b) **Permit.** Have secured from the Authority a current permit for each of its tour buses carrying persons to and from the Airport.

(c) **Fee.** Have paid to the Authority the appropriate fee required for each permit, as provided in 4 GAR §7664, *infra*, or in the airport tariff schedule. Decals shall be issued by the Authority to vehicles having valid permits which decals must be displayed on the vehicles in the manner required by the Manager.

§7401. Term of Permit for Tour Buses. Tour bus permits shall be valid for a period of approximately one (1) year, commencing from date of issuance and expiring on the last day of that month in the following year in which the permit was issued in the initial year.

§7402. Off-Loading Locations. Each tour bus off-loading passengers shall stop and park at the west (departure) side of the Passenger Terminal in areas designated by the Manager. No such bus shall park anywhere in the front of the Passenger Terminal.

§7403. Loading Locations. Each tour bus loading passengers shall stop and park at the east (arrival) side of the Passenger Terminal in a controlled area designated by the Manager and manned by an Authority employee.

§7404. Passenger Fees. Each tour bus operator shall be assessed a facility users charge as prescribed by 4 GAR §7662, *infra*, or in the airport tariff schedule based on the number of passengers carried by his buses. Passenger counts will be monitored by the Authority on a vehicle-by-vehicle basis. Unless an alternative method of verifying passenger counts is worked out between the Manager and any organization of tour bus operators, upon entry to the controlled area, the Authority's attendant shall issue a form to be completed by the driver of the bus which form will be returned to the attendant when the bus leaves the area. At

any time and without notice, the attendant or another Authority representative may perform spot checks to verify passenger counts. The passenger count for each operator will be compiled by the Authority and the fees billed monthly as provided in 4 GAR §7663, *infra*.

§7405. Cancellation of Permits. A tour bus permit shall be automatically cancelled upon the issuance of a third (3rd) citation of violation of these rules and regulations within one (1) year and shall not be reinstated or reissued until the commencement of the next permit period for that particular permit holder.

§7406. Insurance. No tour bus permit shall be issued unless the bus maintains the minimum coverage of insurance prescribed by the Manager during the validity of the permit. Failure to maintain such insurance shall cause the immediate cancellation of the permit. The Manager shall issue from time to time as circumstances require, a set of minimum standards of service and other rules required to be met by all tour bus operators.

4 GAR - Commerce
Article 5
Rental Car Operations by Non-concessionaires

§7500. No Solicitation.

§7501. Fees for Pick Ups.

§7500. No Solicitation. No rental car company that does not hold a concession agreement with the Authority nor any of its agents or employees shall solicit for customers or advertise its services at the Airport in any way.

§7501. Fees for Pick Ups. Any such non-concessionaire rental car company that answers a telephone request, or by means of prior arrangements with a customer, delivers a rental car or picks up customers at the Passenger Terminal is subject to a charge for doing business at the Airport, which charge shall be a fixed fee for each such delivery or pick up and shall be paid to the Authority at the times designated by the Manager. Said fee shall be as set out in the airport tariff schedule then in effect which schedule shall be posted in the office of the Manager.

Article 6

Operation of Vehicles in Operational Areas

- §7600. N.A.S. Consents.
- §7601. Operational Area Rules.
- §7602. Safety of Aircraft Operation.
- §7603. Deviation From Rules.

§7600. N.A.S. Consents. Drivers of all vehicles operating in the Airport's operational areas must first obtain permission from the Naval Air Station Control Tower before leaving such areas and entering upon the taxiways and runways under the control of such Control Tower.

§7601. Operational Area Rules. No vehicle shall move on or across the ramp and apron areas in which aircraft are being moved or parked except in conformity with traffic directives issued by the Manager or as may be required in the handling of the aircraft. No vehicle shall operate without lights in any operational area during hours of darkness or during the period of low visibility.

§7602. Safety of Aircraft Operation. The Manager may suspend or restrict any or all operations without regard to weather conditions, whenever such action is deemed reasonably necessary in the interest of safety.

§7603. Deviation From Rules. Any person wishing to deviate from these rules shall first coordinate with the Manager prior to such deviation; provided, however, the Control Tower may temporarily authorize deviation or suspension of portion of these rules if required in the interest of safety. Any person conducting an operation which is not in strict accord with the provisions of these rules shall be responsible for any injury or damage resulting therefrom.

Article 7
Taxiing Rules

- §7700. Right-of-Way for Aircraft.
- §7701. Permission to Taxi or Tow Aircraft.
- §7702. Radio Guard.
- §7703. Speed of Aircraft on Ground.
- §7704. Pattern Requirement.
- §7705. Taxi-In, Push or Tow-Out of Aircraft.

§7700. Right-of-Way for Aircraft. Taxiing aircraft shall have the right-of-way over all vehicles, except authorized emergency vehicles.

§7701. Permission to Taxi or Tow Aircraft. No person shall taxi or tow an aircraft off the Airport onto the Naval Air Station until radio contact has been established with its Control Tower (the "Control Tower"), or until the person in charge of the aircraft has made previous arrangements with the Control Tower, by telephone or other means, for appropriate light signals. A qualified operator must at all times be at the controls of the aircraft being towed.

§7702. Radio Guard. While taxiing, the operator of an aircraft equipped with a functional radio receiver shall guard the appropriate frequency of the Control Tower.

§7703. Speed of Aircraft on Ground. All aircraft shall be taxied at a safe and reasonable speed, with due regard for other aircraft, persons and property. In no case shall an aircraft on ramp or aprons be taxied in excess of twenty (20) miles per hour or in excess of such lesser speed limit as is established by the Manager.

§7704. Pattern Requirement. Aircraft taxiing at the Airport shall conform to the taxi patterns issued by the Manager unless permission to deviate therefrom is obtained from the Control Tower.

§7705. Taxi-In, Push or Tow-Out of Aircraft. All airline jet aircraft parking anywhere on the ramp in front of the Airport, including the maintenance hangar ramp, shall be permitted to power in, but must be towed out or pushed out upon departure. It is recognized some models of jet aircraft require starting of engines prior to tow-out due to lack of an internal APU, but, nevertheless, tow-out or push-out to a safe distance on the taxiway is required before breakaway jet engine power may be applied.

Article 8

Rules for Ground Operation of Aircraft

§7800. Engine Run-up Restrictions.

§7801. Aircraft Parking.

§7802. Areas for Repairs.

§7803. Runway Restrictions.

§7804. Overparking of Aircraft.

§7800. Engine Run-up Restrictions. Aircraft engines shall only be started or operated by qualified persons and at places designated by the Manager for such purposes. No engine run-ups will be made unless adequate safeguards have been observed to protect hangars, shops, other buildings or spectators in the path of propeller streams or jet blasts. The aircraft operator shall be absolutely liable for any damage that may result from prop wash or engine blast regardless of what safeguards may have been provided.

§7801. Aircraft Parking. Aircraft shall not be parked except in areas and in the manner designated therefor and only after clearance for parking is given by the Manager or the ground handling agency.

§7802. Areas for Repairs. All repairs to aircraft or engines, except emergency repairs, shall be made in the areas designated by the Manager for such purpose, and not in the areas reserved for ramps, aprons or terminal gate positions.

§7803. Runway Restrictions. No person except one authorized by the Control Tower shall be permitted to enter the runway area. An authorized entrant shall advise of, and coordinate his activities in the area with the ramp control office prior to entering the area.

§7804. Overparking of Aircraft. Any aircraft operator, upon notice from the Manager, shall move or cause to be moved any aircraft from any portion of the ramp and apron areas within twenty (20) minutes of such notification, notwithstanding the fact that the published rules of the Authority may prescribe fees for ramp occupancy by aircraft, and establish definite periods of time for such purpose.

Article 9

Conditions of Use of Air Terminal - General

- §7900. Aircraft Operations.
- §7901. Aircraft Parking Areas to be Used.
- §7902. Passenger Aircraft.
- §7903. Aircraft.
- §7904. Commuter Aircraft.
- §7905. General Aviation Aircraft.
- §7906. Aircraft Fueling Facilities.
- §7907. Passenger-Handling Restrictions.
- §7908. Departing Passengers.
- §7909. Arriving Passengers.
- §7910. Transit Passengers.
- §7911. Private Non-Revenue Passengers.

§7900. Aircraft Operations. No person shall operate an aircraft at the Airport without first having received permission from the Manager. Subsequent operation of an aircraft at the Airport shall be conclusive evidence that such operator fully accepts and understands these rules and regulations and will provide all certificates, conduct all operations, and pay all fees required for such operation.

§7901. Aircraft Parking Areas to be Used. All aircraft, whether operated for revenue or non-revenue purposes, shall use the appropriate parking area under the conditions stated in these rules and regulations and shall be subject to fees and charges as may from time to time be established by the Authority.

§7902. Passenger Aircraft. All passenger aircraft shall park in the designated gate position on the air side of the Passenger Terminal. Jet-engined passenger aircraft shall use assigned gates with passenger loading bridges unless such gates are not available. All such gates are equipped with electronic "guide-in systems which must be observed for the taxi-in; if the pilot-in-command is not familiar with this system, the aircraft must either be towed into the gate or guided in by qualified personnel.

§7903. Cargo Aircraft. All cargo aircraft shall utilize the aircraft parking aprons on the air side of the Cargo Building and all cargo, in-bound and out-bound, must be cleared from these facilities. Arrangements must be made on a prior basis within either freight-handling companies or tenant airlines authorized to do business at the Airport. The use of such cargo areas shall be subject to such fees and charges as may from time to time be established by the Authority.

§7904. Commuter Aircraft. Aircraft utilized for commuter services to nearby destinations which are not jet-engined must utilize the ramp and parking areas designated by the Manager. Such aircraft operators who do not have a valid operating lease agreement with the

Authority shall be subject to such fees and charges as may from time to time be established by the Authority.

§7905. General Aviation Aircraft. Facilities for general aviation aircraft operations at the Airport are extremely limited, and, hence, such operations are restricted. Parking of such aircraft, movement of passengers and fueling and maintenance must be cleared with the Manager prior to the conduct of any general aviation operations, which shall be subject to such fees and charges for the use of the Airport as may from time to time be established by the Authority.

§7906. Aircraft Fueling Facilities. No aircraft may be fueled at the Airport unless the fueling facilities of the Authority are utilized. The operator of the fueling facilities must be contacted for arrangements for fueling of all aircraft. Payment for fuels, oils and lubricants must be made by the aircraft operator directly to the fueling system operator. All safety precautions relating to aircraft fueling must at all times be closely observed.

§7907. Passenger-Handling Restrictions. All passengers, whether originating, terminating or in-transit, shall be handled in accordance with the provisions of these rules. Prior arrangements for any changes shall be made with the Manager and the passenger-handling agency.

§7908. Departing Passengers. All departing passengers shall be first processed through the passenger security inspection and the sterile departure lounge of the Passenger Terminal.

§7909. Arriving Passengers. All passengers terminating in Guam and their baggage (checked and hand-carry) shall be processed through the passenger arrival facilities of the Passenger Terminal, which include immigration, health and customs.

§7910. Transit Passengers. All passengers transiting Guam either on a through flight or a connecting flight shall be held in the sterile departure lounge of the Passenger Terminal immediately after disembarking from the aircraft and shall remain in such lounge until their flight is ready for boarding.

§7911. Private Non-Revenue Passengers. All passengers boarding or alighting from private aircraft whose destination or origination is outside of Guam shall be processed through the passenger facilities of the Passenger Terminal as provided in 4 GAR §7409 [§9.10], supra. Passengers on an aircraft whose origination and destination is Guam, without any intermediate landing, may utilize other areas of the Airport provided that prior arrangements have been made with the Manager.

4 GAR - Commerce
Article 10
Conduct of the Public

- §71001. Applicability.
- §71002. Applicable Laws.
- §71003. Sanitation.
- §71004. Preservation.
- §71005. Airport and Equipment.
- §71006. Dangerous Objects.
- §71007. Coin-operated Machines.
- §71008. False Report.
- §71009. Interfering or Tampering with Aircraft.
- §71010. Repairing of Aircraft.
- §71011. Restricted Areas.
- §71012. Commercial Activity.
- §71013. Certain Non-Commercial Activities.
- §71014. Prohibited Conduct Relating to Non Commercial Activity.
- §71015. Commercial Photography.
- §71016. Use of Roads and Walks.
- §71017. Loitering.
- §71018. Gambling.
- §71019. Pets.
- §71020. Other Animals.
- §71021. Forgery and Counterfeiting.
- §71022. Loudspeakers.
- §71023. Penalties.

§71001. Applicability. This Article prescribes the rules governing the use and occupancy of the A.B. Won Pat International Air Terminal, including, but not limited to, the terminal building, the Air Operations Area, all restricted and unrestricted walkways and sidewalks, public and reserved parking lots, roadways, and all adjoining buildings and lands (inclusively referred to hereafter as *Airport*.)

The Executive Manager of the Guam Airport Authority may issue such orders and instructions as are necessary for administering this Article. The Executive Manager may post such signs at the Airport which state or apply outstanding rules, regulations, orders or instructions. Each person on the Airport shall comply with these orders, instructions and signs.

§71002. Applicable Laws. Title 9 of the Guam Code Annotated - Crimes & Corrections - applies to the Airport in its totality, including the following crimes, among others:

- (a) Assault.
- (b) Reckless Conduct
- (c) Terroristic Conduct
- (d) Terrorizing
- (e) Criminal Intimidation
- (f) Obscenity
- (g) Criminal mischief

- (h) Criminal trespass
- (i) Hindering apprehension or prosecution
- (j) Resisting arrest of self or others
- (k) Obstructing governmental functions
- (l) Riot
- (m) Disorderly Conduct
- (n) Harassment
- (o) Public drunkenness
- (p) Loitering or prowling
- (q) Obstructing the public way
- (r) Disrupting public gatherings
- (s) Disinterring a corpse.

§71003. Sanitation. (a) No person may spit, release, deposit, blow, or spread any bodily discharge on the sidewalks, wall, floor, partition, furniture, or any other part of a public comfort station, restroom, terminal building on the Airport, other than directly into a fixture provided for that purpose.

(b) No person may place any foreign object in any plumbing fixture of a public comfort station, restroom, terminal building, hangar, or other building on the Airport.

(c) No person may dispose of sewage, garbage, refuse, paper, or other material on the airport except in a receptacle provided for the purpose.

(d) No person may eat food or drink a beverage on the Airport except in areas specifically designed for that purpose.

§71004. Preservation. No person may, without the specific permission of the Executive Manager:

(a) Destroy, injure, deface, or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other public property on the Airport;

(b) Walk on a lawn or seeded area of the Airport;

(c) Alter, add to, or erect any building or other structure on the Airport;

(d) Make an excavation on the Airport; or

(e) Willfully abandon any personal property on the Airport.

§71005. Airport and Equipment. No person may interfere or tamper with, or injure, any part of the Airport or its equipment.

§71006. Dangerous Objects. (a) No person except a peace officer, an authorized postal officer, Airport or air carrier employee, or a member of an Armed Force on official duty, may carry any weapon, explosive, or inflammable material on or about his person, openly or concealed, on the Airport without the written

permission of the Executive Manager.

(b) No person may furnish, give, sell, or trade a weapon on the Airport.

(c) For the purpose of this section a weapon includes, but is not limited to, a gun, dirk, bowie knife, black jack, switch blade knife, slingshot, or metal knuckles.

§71007. Coin-operated Machines. No person may, on the Airport:

(a) Use or attempt to use a coin-operated machine that required the deposit of a coin for its use, without first depositing the coin required by the instructions on the machine.

(b) Place or attempt to place, in a coin- operated machine, a slug, foreign coin or object other than the coin required by the instructions on the machine.

§71008. False Report. No person may make a false report of conduct on, or the operation or use of, the Airport to the Executive Manager or any Airport Security Officer.

§71009. Interfering or Tampering with Aircraft. No person may interfere or tamper with an aircraft on the Airport or put its engine in motion, or use any aircraft, aircraft parts, instruments, or tools on the Airport, without the permission of the owner.

§71010. Repairing of Aircraft. No person may repair an aircraft, aircraft engine, propeller, or apparatus in an area of the Airport other than that specifically designated for the purpose by the Executive Manager. However, this does not prevent a minor adjustment being made while the aircraft is on a loading ramp preparing to takeoff, if the adjustment is necessary to prevent a delayed takeoff.

§71011. Restricted Areas. (a) Except as otherwise provided in these rules, no person may, without the written permission of the Executive Manager, enter any restricted area of the Airport that is posted as closed to the public.

(b) No person may enter the Air Operation Area, the Control Tower, any hangar, the apron, the reserved parking lots, or any other part of the Airport specified by the Executive Manager as being a restricted area except:

- (1) a person assigned to duty at that place;
- (2) an authorized representative of the Airport, the Civil Aeronautics Board, or a tenant of the Airport;

(3) a passenger who, under appropriate supervision, is entering the apron to embark or debark; or

(4) any other person authorized by the Executive Manager.

§71012. Commercial Activity. (a) No person may engage in any commercial activity on the Airport without the written approval of, and under terms and conditions prescribed by, the Executive Manager.

(b) For the purpose of this section, "Commercial Activity" means any activity undertaken for profit, including the sale, delivery, provision, advertisement or display of goods or services.

§71013. Certain Non-Commercial Activities. (a) This section applies to the following activities undertaken not for profit but for non-commercial purposes (hereafter referred to as *non-commercial* activities):

(1) The distribution of any written or printed matter to the general public including distribution for the conduct of surveys and petitions. The distribution of items or material other than printed material will be treated as "commercial activity" under §7461.

(2) The solicitation of funds from the general public whether or not in connection with the distribution of written or printed matter.

(3) The sale of written or printed matter. All other sale of any material, items, or services will be treated as "commercial activity" under this part.

(b) Each person conducting a non-commercial activity must hold a valid permit issued by the Executive Manager and conduct the activity in conformity with applicable laws, regulations and the terms of the permit. Each permit shall describe the activity authorized and the area in which it may be conducted.

(c) Unless by prior application all available permits have been granted, applications will be processed as follows:

(1) Each person who seeks to distribute written or printed matter without soliciting funds or selling such matter shall immediately be given a single permit for leafletting for non-commercial purposes upon his request.

(2) Each person who seeks to solicit contributions or sell written or printed matter may do so only in connection with religious expression or as a representative of a noncommercial organization. Each person shall immediately be given a single permit upon submission of an application, signed by the

applicant, containing the following:

(i) The applicant's name, address, telephone number;

(ii) The name, address and telephone number of the organization that the applicant purports to represent, and a letter or other documentation that the applicant has authority to represent that organization. (This submission is not required of an individual who would be soliciting in connection with religious expression and who is not representing an organization.)

(iii) The name and title of the person in the organization who will have supervision of and responsibility for the activity at the Airport, if applicable.

(iv) A statement that the sale of printed matter and/or the solicitation of funds is for noncommercial purposes.

(v) One of the following:

(A) A statement signed by the applicant that the applicant represents, and will be soliciting funds and selling written or printed matter for the sole benefit of a religion or religious group.

(B) A statement signed by the applicant that the applicant represents, and will be soliciting funds or selling written or printed matter for the sole benefit of a political organization, a function of which is to influence the nomination, election, or appointment of one or more individuals to federal, state, or local public office; to influence federal, state or local legislation; or to advocate issues or causes to the public.

(C) A statement signed by the applicant that the applicant's organization has received an official Internal Revenue Service (IRS) ruling or letter of determination stating that the organization or its parent organization qualifies for tax-exempt status under 26 U.S.C. §501(c)(3), (c)(4), or (c)(5).

(D) A statement signed by the applicant that the applicant's organization has applied to the IRS for a determination of tax-exempt status under 26 U.S.C. §501(c)(3), (c)(4), (c)(5),

and that the IRS has not yet issued a final administrative ruling or determination of such status.

(E) A statement signed by the applicant that the applicant's organization has on file with the Government of Guam, Department of Revenue & Taxation, a current registration statement in accordance with §651 et seq. of the Civil Code of Guam.

(d) Failure to submit the information required by paragraph (c) of this section shall result in denial of a solicitation permit. Upon request, for a leafletting permit, or upon submission of a completed signed application, for a solicitation permit, a permit shall be issued unless all available permits have been issued to prior applicants.

(e) Applications for permits must be submitted to the Executive Manager. Permits will be granted on a "first come first served" basis. The permits are not transferable except among individuals who have completed and submitted applications for the same permit.

(f) Each permit shall authorize the holder to conduct noncommercial activities for a period of up to 48 hours. Permits shall not be extended or renewed. After the expiration of the permit, a new leafletting or solicitation permit may be issued to the former permit holder upon request or submission of a new application respectively. In such a case, applicants may be permitted to incorporate by reference any required documentation filed with a previous application.

(g) Each permit shall specify the area in which the noncommercial activity may be conducted by the permit holder. Permits shall be issued for the following areas up to the maximum number indicated:

(1) The sidewalk in front of the main entrance and main exit of the Terminal - five permits;

(2) the sidewalk in front of the main lower level entrance and exit - five permits.

The areas described above are on display on a floor plan at the office of the Executive Manager.

(h) Nothing in this section shall be construed as impairing or expanding any right which an Airport lessee may otherwise have, by virtue of its leasehold interest in Airport premises, to regulate access to those areas under its exclusive control.

COMMENT: The Compiler assumes that the documentation required under subsection (c)(2)(v)(C) and (D), when required from an organization organized solely on Guam and not in the United States, will be obtained from the Director of Revenue and Taxation under the mirrored Guam Territorial Income Tax. The IRS does not issue determinations for enforcement under the Guam Territorial Income Tax. That is the province of Guam officials, even though the sections and the law are the same.

§71014. Prohibited Conduct Relating to

Noncommercial Activity. No person may conduct noncommercial activities:

- (a) without a permit or with a permit that has expired;
- (b) With a permit issued in response to an intentionally false application;
- (c) With a permit outside the area designated on the permit;
- (d) Within ten feet of the following:
 - (1) An anti-highjack security screening point,
 - (2) Premises leased for the exclusive use of a concessionaire,
 - (3) Restroom facilities,
 - (4) A stair, escalator or elevator,
 - (5) A doorway or entrance way,
 - (6) A motor vehicle with embarking or disembarking passengers,
 - (7) A public service information counter,
 - (8) Persons waiting in line at any of the above listed areas.
- (e) If that person is selling written or printed matter of soliciting funds, without wearing or displaying, in a conspicuous manner, a solicitation permit and the name of the organization that the person represents.
- (f) Inside the Terminal.
- (g) By intentionally touching or making physical contact with another person or the vehicle which the person is occupying unless the other person has consented to such physical contact.
- (h) By use of a loudspeaker, sound or voice amplifying apparatus without the written permission of the Executive Manager.
- (i) By setting up a table, counter or stand without the written permission of the Executive Director.

§71015. Commercial Photography. (a) Except as provided in paragraph (b) of this section, no person may take a still, motion, or sound picture on the

Airport for commercial purposes without the permission of the Executive Manager.

(b) The Executive Manager may allow any of the following to take pictures on the Airport for commercial purposes:

(1) Professional photographers and motion picture cameramen photographing events on the Airport as representatives of news concerns or bona fide news publications;

(2) Professional photographers or motion picture cameramen photographing scenes on the Airport for general artistic purposes.

§71016. Use of Roads and Walks. (a) No person may travel on the Airport except on a road, walk, or other place provided for the kind of travel he is doing.

(b) No person may occupy or place an object on a road or walk on the Airport in a manner that hinders or obstructs its proper use.

(c) No person may walk in a picket line as a picket or take part in a labor or other public demonstration on any part of the Airport except:

(1) The sidewalk in front of the main entrance on main exit of the Terminal;

(2) The sidewalk in front of the main lower entrance and exit.

The areas described above are on display on a floor plan at the office of the Executive Manager.

(d) No person may operate any vehicle for the disposal of garbage, ashes, or other waste material on the Airport without the approval of the Executive Manager.

§71017. Loitering. No person may loiter or loaf on any part of the Airport. If a loitering or loafing person is told by a peace officer or any Airport security officer to move on or leave the Airport, he shall do so.

§71018. Gambling. No person shall conduct or knowingly permit gambling in any form or operate a gambling device anywhere in the Airport [except for those authorized by law and approved by the Executive Manager, subject to such fees and charges as may from time to time be approved by the Executive Manager.]

COMMENT: 12 GCA Chapter 1, Art. 3, authorizing an Airport Gambling Zone, was repealed by P.L. 19-19:27. Gambling is no longer permitted at the Airport, or elsewhere.

§71019. Pets. No person shall enter any buildings or operational area of the Airport with any pet except a "seeing-eye" dog or one confined for shipment. No

tenant of the Airport, or any employee of such tenant, shall keep any pet at the Airport without the prior permission of the Executive Manager.

§71020. Other Animals. No person shall permit livestock or any other animal under his control or custody to enter the Airport. Any stray livestock or animal at the Airport shall be disposed of by the Executive Manager in accordance with laws of Guam applicable to strays.

§71021. Forgery and Counterfeiting. No person may make, possess, use, offer for sale, sell, barter, exchange, pass, or deliver any forged, counterfeit, or falsely altered ticket, permit, certificate, placard, sign, or other authorization of direction purporting to be issued by or on behalf of the Executive Manager in controlling, operating, maintaining, or protecting the Airport.

§71022. Loudspeakers. No person shall use a loudspeaker, sound or voice amplifying apparatus in the Terminal or within 100 feet of the Terminal without the written permission of the Executive Manager. Such devices may not be used on any other part of the Airport in such a manner as to prevent the public from hearing public service announcements or flight information over public address systems at the Airport.

§71023. Penalties. (a) A person who willfully and knowingly violates a rule prescribed in this Article, including any provision incorporated by reference, or an order or instruction issued or a sign posted under this Article, is guilty of a petty misdemeanor pursuant to 12 GCA §1114.

(b) In addition to the penalties prescribed in paragraph (a) of this section and the civil penalties prescribed in 12 GCA §1114, the Executive Manager may remove or eject any person from the Airport, if that person willfully and knowingly violates any rule prescribed in this Article, or an order or instruction issued by the Executive Manager or an Airport Security Officer at his discretion. The Executive Manager may deny the use of the Airport and its facilities to such a person if the Executive Manager determines that the denial is necessary under the circumstances.

4 GAR - Commerce
Article 11
Use of Particular Areas

- §71100. Areas Designated for Specific Uses.
- §71101. Personnel Authorized to Use Areas.
- §71102. Compliance With Rules and Regulations.

§71100. Areas Designated for Specific Uses. Except as otherwise provided for in contracts with the Authority, the use of the following designated areas shall be limited to the following purposes:

(a) **Parking and Storage.** Aircraft parking and storage areas may be used only for parking and storing of aircraft and of fuel and lubricants and other supplies for use on such aircraft, and for making minor or emergency repairs to aircraft;

(b) **Ramp and Apron.** Ramp and apron areas may be used only for loading and unloading passengers, cargo, mail and supplies, to or from aircraft, servicing aircraft with fuel and lubricants, performing the operations commonly known as "ramp service," performing inspection, minor maintenance and other services upon or in connection with aircraft incidental to performing ramp service, and parking mobile equipment actively used in connection with such operations except that the washing of aircraft, vehicles or other equipment is prohibited;

(c) **Taxiways.** Taxiways may be used only for the ground movement of aircraft to, from and between runways, public cargo ramp and apron areas, public aircraft parking and storage areas, and other portions of the Airport, and for the movement of approved ramp equipment;

(d) **Roads and Sidewalks.** Airport roads may be used as means of ingress and egress for vehicles to, from and between the public highways with which such roads connect, and to, from and between the various buildings and land areas at the Airport abutting upon such roads; sidewalks along such roads (and other portions of such roads, when designated for pedestrian use) may be used by pedestrians as a means of ingress and egress to, from and between various portions of the Airport;

(e) **Picketing and Demonstrations.** Only the entrance road to the Airport and only up to a point five hundred (500) feet from the Passenger Terminal may be used for lawful picketing and for other demonstrations of a similar, lawful nature;

(f) **Common Areas in Passenger Terminal.**

Hallways, corridors, lobbies and waiting rooms in the Passenger Terminal may be used as a means of ingress and egress to, from and between the Airport roads and ramp and apron space, and the various offices and places of business within the Passenger Terminal. Such hallways, corridors, lobbies and waiting rooms may also be used at such places of business for the purpose of carrying on those transactions as are authorized by a valid lease, permit or license from the Authority pursuant to which such place is maintained and operated; and

(g) **Other Common Areas.** Hallways, corridors and lobbies in the buildings at the Airport to which members of the public are admitted, other than the Passenger Terminal, may be used as a means of ingress and egress to, from and between the Airport roads and other portions of the Airport abutting upon such buildings, and to, from and between the various offices and other places of business in such buildings.

CROSS-REFERENCES: See §7465(c) for additional, and possibly conflicting, regulations on picketing.

§71101. Personnel Authorized to Use Areas. Nothing in these rules shall be construed to limit the use of any area or part of the Airport by officers or employees of the Authority or by contractors acting specifically on behalf of the Authority or its tenants or to prevent any security officer, fireman or other police officer from entering upon any part of the Airport when required to do so in the performance of his official duties.

§71102. Compliance With Rules and Regulations. The use of any area or part of the Airport is subject to compliance with these rules and regulations, and the payment of such rates, fees or charges as may be established by the Authority for such use.

4 GAR - Commerce
Article 12
Safety Rules

- §71200. Dangerous Acts.
- §71201. Smoking.
- §71202. Fires.
- §71203. Explosives and Hazardous Articles.
- §71204. Storage of Hazardous Articles.
- §71205. Use of Fire Extinguisher.
- §71206. Storage of Inflammable Materials.
- §71207. Lubricating Oils.
- §71208. Fire Apparatus.
- §71209. Fuel Handling While Engines are Running.
- §71210. Grounding of Aircraft and Apparatus.
- §71211. Distances.
- §71212. Fire Extinguisher at Fuel-Handling.
- §71213. Operation of Radio Receivers During Fuel-Handling.
- §71214. Refueling When Passengers are Aboard.
- §71215. Smoking Near Aircraft.
- §71216. Starting Engines.
- §71217. Cleaning of Aircraft.
- §71218. Fuel and Oil Spillage.
- §71219. Waste Oil.
- §71220. Enforcement of Safety Provisions.

§71200. Dangerous Acts. No person in or upon the Airport shall do, or omit to do, any act if the doing or omission thereof endangers unreasonably, or is likely to endanger unreasonably, persons or property.

§71201. Smoking. No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any naked flame, in or upon any fuel storage area, public ramp and apron area, public cargo ramp and apron area, or public aircraft parking and storage area, or in any other place where smoking is specifically prohibited by signs, or upon any open space within fifty (50) feet of any fuel carrier or aircraft which is not in motion; nor shall any person throw from an open deck, gallery or balcony contiguous to such areas or such carriers or aircraft, cigars, cigarettes or similar articles.

§71202. Fires. No person shall start or maintain fires of any type, including flare pots and torches, on any part of the Airport without permission of the Executive Manager.

§71203. Explosives and Hazardous Articles. The Airport does not provide handling or storage facilities for hazardous articles or materials. It is the responsibility of each carrier to require that any shipping of hazardous articles comply with United States Department of Transportation regulations for transportation of hazardous articles (Title 49, Code of Federal Regulations, Parts 172-178), CAB 82 restricted article tariffs 6-D, and IATA restricted articles

regulations, as applicable.

§71204. Storage of Hazardous Articles. Prior to shipment of hazardous articles, the carrier shall store the articles in a confined security area within its cargo facility for maximum safety of personnel and equipment. The articles shall be transported to the aircraft in an enclosed container or vehicle and be loaded directly onto the aircraft.

§71205. Use of Fire Extinguisher. No person shall tamper with fire extinguishing equipment at the Airport at any time, nor use the same for any purpose other than fire fighting or fire prevention. All such equipment shall be inspected for conformity with the regulations of the National Board of Fire Underwriters. Tags, showing the date of the last inspection, shall be attached to each unit, or records acceptable to fire underwriters shall be kept showing the status of such equipment.

§71206. Storage of Inflammable Materials. No person shall keep or store any volatile inflammable liquid, gas, signal flare or other similar material, in the hangars or in any other buildings at the Airport. Such materials, however, may be kept in aircraft or vehicles in their supply or operating tanks, or in rooms or areas specifically approved for such storage by the Executive Manager. Additionally, such materials may be stored in designated maintenance areas when proper precautions are observed in accordance with statutory safety regulations and in compliance with Authority and tenant insurance requirements.

§71207. Lubricating Oils. No person shall keep or store lubricating oils in or about the Airport; except that such material may be kept in aircraft or vehicles in their supply or operating tanks, or in containers provided with suitable draw-off devices.

§71208. Fire Apparatus. All tenants of hangars or shop facilities at the Airport shall keep and supply and maintain adequate and readily accessible fire extinguisher and fire equipment of the type approved by the Guam Fire Department. Such equipment shall be subject to the periodic inspection of the Fire Department. The Manager may prescribe fire drills for all tenants and their employees from time to time.

§71209. Fuel Handling While Engines are Running. No person shall refuel an aircraft at the Airport while an engine of the aircraft is running.

§71210. Grounding of Aircraft and Apparatus. During all fuel-handling operations at the Airport,

any aircraft being refueled or drained and the fuel dispensing or draining apparatus shall be grounded by wire to prevent static ignition of volatile liquids.

§71211. Distances. No person shall handle aircraft fuel at the Airport at a distance of less than fifty (50) feet from any hangar or other building.

§71212. Fire Extinguisher at Fuel-Handling. During fuel-handling operations at the Airport, at least two (2) carbon dioxide fire extinguisher (15 pounds or larger) or other type of extinguisher approved by the fire underwriters, shall be immediately available for use.

§71213. Operation of Radio Receivers During Fuel-Handling. During fuel-handling operations at the Airport, no person shall operate any radio transmitter or receiver in the aircraft being refueled or drained, or switch any electrical appliance on or off in such aircraft, or conduct any operation likely to cause a spark at a distance within fifty (50) feet of such aircraft.

§71214. Refueling When Passengers are Aboard. During fuel-handling operations at the Airport, no passenger shall be permitted to remain in any aircraft being refueled or drained unless a cabin attendant is at each door and a passenger ramp or passenger loading bridge is in position for the safe and rapid disembarkation of passengers.

§71215. Smoking Near Aircraft. Smoking is prohibited in or about any aircraft, or on any ramp, apron or loading position. Only personnel engaged in fuel-handling, or in the maintenance and operation of the aircraft being refueled or drained, shall be permitted within a distance of fifty (50) feet of the fuel tanks of such aircraft during any fuel-handling operation.

§71216. Starting Engines. No person shall start the engines of any aircraft when there is any type of fuel on the ground under the aircraft. In the event of the spillage of any type of fuel, no person shall start an aircraft engine in the area in which the spillage occurred, even though the spillage may have been flushed, until permission has been granted for the starting of engines in that area by the Executive Manager or the airport operations officer.

§71217. Cleaning of Aircraft. No person shall clean

the exterior of any aircraft at the Airport except in areas designated for that purpose.

§71218. Fuel and Oil Spillage. In the event of any spillage or dripping of fuel, oil, grease or any other material, except such spillage or dripping as may be normal in aircraft or vehicular operation, which may be hazardous or unsightly or detrimental to the pavement in any area at the Airport, the same shall be removed immediately by the operator of the equipment causing the spillage or the tenant responsible therefor.

§71219. Waste Oil. Receptacles containing waste oil or the waste oil itself must be placed in containers provided by the responsible tenant for such purpose for further disposition. No person shall throw oil, grease or similar material on any pavement at the Airport on or any grassed or planted area and any person doing so shall be liable for all damages thereto.

§71220. Enforcement of Safety Provisions. In case of any violation of these regulations, the Executive Manager shall take such steps as he deems required by the situation to prevent any harmful effects on persons or property, and to preserve the safe and efficient operation of the Airport and its facilities.

4 GAR - Commerce

Article 13

Miscellaneous

- §71300. Conformity With Federal Regulations.
- §71301. Security and Safety Regulations.
- §71302. Careless or Reckless Operation.
- §71203. Summary Action.
- §71204. Lost and Found Articles.
- §71205. Application of Rules.
- §71206. Penalties.
- §71207. Removal of Property.
- §71208. Leases Not Affected

§71300. Conformity With Federal Regulations. All aeronautical activities at the Airport shall be conducted in conformity with the rules and regulations applicable thereto issued by the Federal Aviation Administration. The Air Traffic Rules as contained in the Federal Aviation Regulations (FAR) of the Federal Aviation Administration and all its other rules and regulations pertaining to aircraft operations at the Airport are hereby adopted by reference and made a part of these rules as though they were fully set out herein.

§71301. Security and Safety Regulations. All airport security and safety regulations, procedures and policies as promulgated by the Federal Aviation Administration, the Authority and the Guam Police Department and those procedures and policies of other safety- oriented organizations adopted by the Authority must be strictly observed for all operations conducted at the Airport.

§71302. Careless or Reckless Operation. No person shall operate an aircraft in a careless or reckless manner so as to endanger life or property or disturb the peace.

§71303. Summary Action. The Executive Manager shall at all times have authority to take such summary action as he deems to be required to safeguard the public and the premises of the Airport.

§71304. Lost and Found Articles. A person finding a mislaid article at the Airport shall turn the same over to the security officer at the Passenger Terminal. Any article unclaimed by its owner within ninety (90) days after being turned in will be deemed a lost article to be disposed of as provided under the laws of Guam. Nothing in this section shall be construed to deny the right of air carriers to maintain lost and found services

for their passengers.

§71305. Application of Rules. These rules and regulations apply to the A.B. Won Pat International Air Terminal in Barrigada, Guam, herein referred to as the Airport, and to any other airport which may be acquired or operated by the Authority. Tenants of the Airport are responsible for their employees' observance of the rules; provided, however, that for continued willful and flagrant violation of these rules, any employee of any tenant may be ejected and barred from the Airport by the Executive Manager.

§71306. Penalties. The penalty for the violation of the provisions of Article 2, supra, of these rules and regulations is as set out in 16 GCA §3343. Such Article 2 contains the special traffic conditions and regulations permitted by 16 GCA §3343, but is not intended to encompass the entire rules of the road as contained in the Guam Vehicle Code. A person violating the provisions of these rules and regulations, other than those set out in Article 2, may be ejected from the Airport by the Executive Manager, and shall be subject to a civil penalty or imprisonment as set out in 12 GCA §1114 of the Guam Airport Authority Act.

§71307. Removal of Property. Personal property found at the Airport in violation of these rules and regulations may be removed from the place where found by the Executive Manager and kept by him until reclaimed by its owner. If not so claimed within a reasonable period, the Executive Manager may dispose of such property as he sees fit. Such property may not be claimed except upon the payment of a fee to be determined by the Executive Manager covering the cost of storage and removal of the property in question.

§71308. Leases Not Affected. Nothing contained within this Article and Article 14 shall in any way alter or restrict the rights and remedies of the parties having valid leases or other operating agreements with the Authority as such rights and remedies are set out in the parties' agreements with the Authority.

4 GAR - Commerce
Article 14
Rates, Fees and Charges

- §71400. Airfield Use Charge.
- §71401. Airfield Use Charges for Class I and Class II.
- §71402. Apron, Gate and Loading Bridge Use Charges.
- §71403. Loading Bridge.
- §71404. Maximum Time at Apron or Gate.
- §71405. Aircraft Parking Charges.
- §71406. Arrival Facility Service Charge.
- §71407. Departure Facility Service Charge.
- §71408. Fueling Facility Use Charge.
- §71410. Waste Disposal Facility Use Charge.
- §71411. Ground Rental Charges.
- §71412. Catering Fee.
- §71413. Tour Bus Facility Charge.
- §71414. Vehicle Permit Charges.
- §71415. Parking Decal Charges.
- §71416. Public Parking Lot Charges.
- §71417. Payment of Fees and Charges.

§71400. Airfield Use Charge. Airfield use charges and other charges relating to aircraft operations at the Airport are assessed on the basis of classes of aircraft as follows:

(a) **Class I.** Aircraft having a gross take-off weight of thirty thousand (30,000) pounds [or more] are Class I aircraft.

(b) **Class II.** Aircraft having a gross take-off weight of less than thirty thousand (30,000) pounds are Class II aircraft.

(c) **Definition of Gross Take-Off Weight.** Gross Take-Off Weight" means that gross weight to which an aircraft is certified by the Federal Aviation Administration.

§71401. Airfield Use Charges for Class I and Class II. The airfield use charge for Class I and Class II aircraft shall be those rate and charges set forth in the airport tariff schedule posted in the Executive Manager's office as may be applicable to each aircraft operator.

§71402. Apron, Gate and Loading Bridge Use Charges. For each aircraft operation requiring aircraft parking at the Airport at either the cargo apron or the Passenger Terminal apron and gate, the charges applicable to such operation or use shall be those set forth in the airport tariff schedule. §7653.

Loading Bridge. In addition to such apron and gate charges, Class I aircraft utilizing the Passenger Terminal gates with loading bridges shall pay a use

charge as set forth in the airport tariff schedule for each use of a loading bridge. Operation of a loading bridge is the responsibility of the aircraft operator; provided, however, that only qualified operators who have been so certified by the Authority may operate the same.

§71403. Maximum Time at Apron or Gate. No aircraft shall be parked at either the cargo apron or a Passenger Terminal apron and gate for more than four (4) hours, after which the aircraft shall be moved to an aircraft parking area designated by the Executive Manager.

§71404. Aircraft Parking Charges. Aircraft parking charges at the Airport, other than the apron and gate charges set out in 4 GAR §7652, supra, commence six (6) hours after an aircraft lands at the Airport, at the rates set forth in the airport tariff schedule.

§71405. Arrival Facility Service Charge. As provided in 4 GAR §7409, supra, all passengers terminating on Guam must be processed through the passenger arrival facilities at the Passenger Terminal. The aircraft operator which brought such passengers to Guam shall pay an arrival facility service charge in lieu of rent, based on the number of such passengers, which charge is the product of the number of terminating passengers times the rate set forth in the airport tariff schedule.

§71406. Departure Facility Service Charge. As provided in 4 GAR §7408, supra, all passengers departing from Guam must be processed through the Passenger Terminal departing passenger facilities which include passenger security inspection. The aircraft operator picking up such passengers shall pay a departure facility service charge in lieu of rent, based on the number of such passengers times the rate set forth in the airport tariff schedule:

(a) **Security Inspection Service.** Excluded from the departure facility service charge payable to the Authority is the cost of the passenger security inspection service, which service is provided by the major tenant airlines of the Authority. An aircraft operator shall make appropriate arrangements for such service and its payment with such airlines that provide the same.

(b) **In-Transit Facility Service Charge.** As provided in 4 GAR §7410, supra, all passengers transiting Guam on a through or connecting flight who disembark from their aircraft must be processed

through the Passenger Terminal to the sterile departure lounge and held there until the boarding of the aircraft for its continuing flight. The aircraft operator who picks up such passengers shall pay an in-transit facility service charge in lieu of rent, based on the number of in-transit passengers, which charge is the product of the number of such passengers times the rate set forth in the airport tariff schedule, or Ten Dollars (\$10.00) per flight, whichever is greater.

§71407. Fueling Facility Use Charge. Any aircraft operator not a signatory to an operating agreement with the Authority taking on fuel into its aircraft at the Airport shall pay a fueling facility use charge at the rate of two and a quarter cents (2.25¢) per gallon of fuel taken on, and any aircraft operator which is a signatory of such an operating agreement with the Airport shall pay a fueling facility use charge for taking on fuel into its aircraft at the Airport at the rate of a quarter of a cent (.25¢) per gallon of fuel taken on. Such fees are in addition to the in-to-plane use charge made by the Authority fueling system operator, although payment of the fueling facility use charge provided for in this section shall be made to such fueling system operator.

§71408. Waste Disposal Facility Use Charge. Any aircraft operator requiring the use of the Authority's aircraft waste disposal facility when the same has been installed, shall be subject to a facility use charge, which charge shall be that reasonable fee then in effect for all other operators at the Airport and shall be paid to the waste disposal facility operator, or to the Authority, if such facility is operated by the Authority.

§71409. Ground Rental Charges. Any exclusive use of ground space at the Airport shall be subject to a ground lease with the Authority providing for ground rental subject to adjustment every three (3) years in accordance with the provisions of the ground lease. As of January 1, 1982, the prevailing ground rental rate for any lease period up to three (3) years therefrom is twenty-five (25¢) per square foot per year. For short-term ground space rentals, a different rate may apply depending upon the use of the space. For long term leases involving substantial capital improvements by the tenant, the ground rental rate

will be that included in the ground lease agreement.

§71410. Catering Fee. A supplier of in-flight food and beverages at the Airport shall pay a monthly fee equal to five percent (5%) of his gross monthly billings made for the sale, delivery, boarding and removal of such food and beverages. The payment to the Authority of such fee is a condition of access to the Airport. Inflight catering provided directly and not by contract or other indirect arrangement by a bona fide airline tenant of the Airport operating under the terms of a valid lease is excluded from payment of this fee.

§71411. Tour Bus Facility Charge. As provided in 4 GAR §7154, supra, all tour bus operators entering the Airport shall pay a charge for the handling of passengers through the arrival facilities of the Passenger Terminal. A tour operator shall pay the Authority a tour bus facility charge based on the number of passengers picked up by its vehicles, which charge is the product of the number of such passengers times the following rates:

YEARS:		RATES:
For 1982	-	Fifty Cents (50¢);
For 1983	-	Sixty-Five Cents(65¢);
and		
For 1984	-	Eighty Cents (80¢).

Such rates shall be adjusted by the Authority at the end of 1984 and set forth in the airport tariff schedule.

§71412. Vehicle Permit Charges. As provided in 4 GAR §7051, supra, if a vehicle is used for the commercial carriage of persons to and from the Passenger Terminal, as in the case of taxicabs, tour buses and courtesy vehicles, prior authorization from the Authority must be obtained and annual permit fees paid. Such permit fees are based on the seating capacity of each such vehicle at the following annual fee schedule:

SEATING CAPACITY:	ANNUAL FEE:
1 to 10 passengers,	\$25.00
11 to 20 passengers,	\$35.00
21 to 30 passengers,	\$45.00
31 to 40 passengers,	\$55.00
41 to 50 passengers,	\$65.00
Over 50 passengers,	\$75.00

The above fee schedule shall remain in force through the end of 1984; thereafter the annual fees will be subject to change as set forth in the airport tariff schedule.

§71413. Parking Decal Charges. Each tenant or

concessionaire operating at the Airport shall pay an annual charge set forth in the airport tariff schedule for each employee parking decal issued to employees of such tenant or concessionaire who uses parking facilities at the Airport designated as employee parking. The Authority shall also issue to each parking permit holder a magnetic card to be used for entry into the parking facility, which card is obtainable on the posting of a \$10.00 deposit:

(a) **Reserved Parking.** Each tenant or concessionaire shall pay an annual charge set forth in the airport tariff schedule for each reserved parking decal issued to those employees of such tenant or concessionaire who wish to park at reserved parking places.

(b) **Display of Decal.** A parking decal shall be displayed at all times on the vehicle in the manner required by the Executive Manager.

§71414. Public Parking Lot Charges. The Authority may charge parking fees for use of the public parking lots at the Airport. Any such charges shall be posted in a conspicuous spot at or near the entry to such lots and are subject to change at any time by action of the board of directors of the Authority.

§71415. Payment of Fees and Charges. Except where expressly provided otherwise in these rules and regulations, all rates, fees and charges shall be paid in U.S. currency to the Authority at the office of its Treasurer/Controller at the Airport. Where an aircraft operator contracts its ground-handling or passenger-handling services to another airline or other authorized handling agency that is a tenant at the Airport, such airline or agency shall be responsible for the payment of all applicable rates, fees and charges to the Authority:

(a) **Billings.** Ordinarily, the Authority will determine on a monthly basis the various charges and fees owed by tenants and other persons using the facilities of the Airport for which charges are made and bill the same to such tenant or person immediately following the end of each calendar month. However, the tenant or other person incurring the charge is responsible for paying the same and the failure of the Authority to send a bill therefor is no excuse for nonpayment. Failure to pay such charges or fees by the 15th day of the month following the month in which the charges

or fees were incurred constitutes a violation of these rules and regulations authorizing the Authority to cancel the use by the nonpayer of the activity at the Airport for which the charges or fees were due. In addition, overdue charges or fees shall bear interest at the rate of eighteen percent (18%) per annum until paid.

4 GAR - Commerce
Article 15
Miscellaneous

- §71500. No Waiver of Breach.
- §71501. Time of Essence.
- §71502. Computation of Time.
- §71503. Partial Invalidity.
- §71504. Interpretation and Definitions.
- §71505. Repeal of Existing Rules.

§71500. No Waiver of Breach. No failure by the Authority to insist upon the strict performance by any person of any term or provision of these rules and regulations or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or of such term or provision. No waiver of any breach shall affect or alter these rules and regulations, but each and every term and provision of these rules and regulations shall continue in full force and effect with respect to any other then existing or subsequent breach.

§71501. Time of Essence. Time is of the essence of these rules and regulations, and of each provision.

§71502. Computation of Time. The time in which any act provided by these rules and regulations is to be done is computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday or holiday, and then it is also excluded. The term "holiday" shall mean all holidays specified in 1 GCA §§1000 and 1001.

NOTE: The standard rule for computing time is to exclude the first day. It appears that the rules as published by the Authority contain an error by including the first day, particularly because the final phrase states that Saturdays, etc., are also excluded. If there were not a first exclusion, this latter could not be excluded also, or in addition to some other exclusion. **§71503.**

Partial Invalidity. If any term or provision of these rules and regulations is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms and provisions shall remain in full force and effect and shall be in no way affected, impaired or invalidated thereby.

§71504. Interpretation and Definitions. The language in all parts of these rules and regulations shall in all cases be simply construed according to its fair meaning and not strictly for or against the Authority. Unless otherwise provided in these rules and regulations, or unless the context otherwise

requires, the following definitions and rules of construction shall apply:

(a) *Number and Gender.* The masculine gender includes the feminine and neuter, the singular number includes the plural, and the word "person" includes corporation, partnership, firm or association wherever the context so requires.

(b) *Mandatory and Permissive.* *Shall, will and agrees* are mandatory; *may* is permissive.

(c) *Captions.* Captions of articles, sections and subsections of these rules and regulations and of the index thereto are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of these rules and regulations.

(d) *Premises.* Airport premises shall include the improvements to the land.

§71505. Repeal of Existing Rules. The previous rules and regulations of the Authority as originally promulgated on June 1, 1977, and as thereafter duly amended, shall remain in full force and effect until these new rules and regulations become effective, upon which effective date, such previous rules and regulations shall be deemed repealed; provided, however, that any violation of such repealed rules or fees or charges due thereunder not punished or paid prior to such repeal shall not thereby be forgiven, and punishment for such violation and payment of such fees or charges shall be undertaken as provided in such repealed rules and regulations.