

# ARTICLE 4. LIGHTER-THAN-AIR AIRCRAFT

## Rule 1. General Provisions

### 105 IAC 4-1-1 Applicability

Authority: IC 8-21-1-8

Affected: IC 8-21-1-10.1

Sec. 1. Applicability. These regulations shall apply to any lighter-than-air aircraft and to any pilot-in-command of a lighter-than-air aircraft, including free balloons (both hot air with and without an airborne heater and gas) and airships (both hot air with and without an airborne heater and gas), but specifically excluding any moored balloons, kites, unmanned rockets and unmanned free balloons and any lighter-than-air aircraft that are not subject to Federal Aviation Regulations as now in effect or hereafter amended, operating within the territorial limits of the State of Indiana. *(Indiana Department of Transportation; 105 IAC 4-1-1; filed Mar 26, 1980, 4:05 p.m.: 3 IR 925; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA; readopted filed Oct 2, 2013, 11:39 a.m.: 20131030-IR-105130295RFA; readopted filed Oct 4, 2019, 9:49 a.m.: 20191030-IR-105190422RFA) NOTE: Transferred from Department of Transportation (100 IAC 4-1-1) to Indiana Department of Transportation (105 IAC 4-1-1) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

### 105 IAC 4-1-2 Operations

Authority: IC 8-21-1-8

Affected: IC 8-21-1-10.1

Sec. 2. Operations. All operations of balloons, airships, and other lighter-than-air aircraft operating in the State of Indiana shall be in compliance with the Federal Aviation Regulations and the Regulations of the Aeronautics Commission of Indiana.

All lighter-than-air aircraft shall carry airworthiness certificates, registrations, certificates of inspections, and display the state registration sticker with the airworthiness certificate.

For purposes of this article, a person, other than a student pilot, shall be deemed to be the pilot-in-command with respect to any period of time during which he is manipulating the controls of a lighter-than-air aircraft or acting as flight instructor on said aircraft. A student pilot shall be deemed to be the pilot-in-command only when he is manipulating the controls of a lighter-than-air aircraft during a solo flight.

Each pilot-in-command of lighter-than-air aircraft shall assure the following items:

(1) Before beginning a flight, familiarize himself/herself with all available information concerning that flight including weather reports and forecasts.

(2) All flights shall be properly logged in the pilot log book and shall contain information locating initial takeoff and final landing sites, date, time of flight and number of intermediate landings.

(for the purposes of this article, an intermediate landing, shall be any contact of the aircraft with earth or any object thereon).

(3) Minimum fuel required for initial takeoff will be sufficient to allow for an estimated 30 minutes of flight on hot air balloons with airborne heaters.

(4) Maximum flight time will allow for a minimum of 15% usable fuel, by volume, to remain in one tank at the time of final landing.

(5) Before inflation and initial takeoff passengers and crew members shall be instructed as to the appropriate procedures relating to the operation of said aircraft, the retrieval of said aircraft after final landing and the appropriate methods of crowd control to promote the safety of persons and property within the near vicinity of said aircraft.

*(Indiana Department of Transportation; 105 IAC 4-1-2; filed Mar 26, 1980, 4:05 p.m.: 3 IR 925; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA; readopted filed Oct 2, 2013, 11:39 a.m.: 20131030-IR-105130295RFA; readopted filed Oct 4, 2019, 9:49 a.m.: 20191030-IR-105190422RFA) NOTE: Transferred from Department of Transportation (100 IAC 4-1-2) to Indiana Department of Transportation (105 IAC 4-1-2) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

### 105 IAC 4-1-3 Area of operations

Authority: IC 8-21-1-8

Affected: IC 8-21-1-8; IC 8-21-1-10.1

Sec. 3. Area of Operations. If a balloon takeoff or landing area is located where operations do not endanger lives or property on the ground and do not interfere with other authorized use of the navigable airspace, the takeoff or landing area need not be approved, licensed or registered by the Commission. Operations at the takeoff or landing area shall be carried out in a prudent manner and with due regard for safety.

- (1) The pilot-in-command assumes financial responsibility for any damage caused by the takeoff, landing or the recovery of the balloon.
- (2) The pilot-in-command shall make every reasonable effort to contact the property owner on whose property a final landing has been made.

In the case of a Balloon School.

- (1) If it is an approved school under Part 141 of the Federal Aviation Regulations, the field must have Aeronautics Commission site approval.

*(Indiana Department of Transportation; 105 IAC 4-1-3; filed Mar 26, 1980, 4:05 p.m.: 3 IR 925; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA; readopted filed Oct 2, 2013, 11:39 a.m.: 20131030-IR-105130295RFA; readopted filed Oct 4, 2019, 9:49 a.m.: 20191030-IR-105190422RFA) NOTE: Transferred from Department of Transportation (100 IAC 4-1-3) to Indiana Department of Transportation (105 IAC 4-1-3) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

#### **105 IAC 4-1-4 Minimum standards**

Authority: IC 8-21-1-8

Affected: IC 8-21-1-8; IC 8-21-1-10.1

Sec. 4. Minimum Standards. All pilots-in-command and/or owners of hot air balloons with airborne heaters shall comply with the following equipment requirements to be carried on board the balloon in addition to those items normally required by the aircraft manufacturer or the Federal Aviation Regulations. Aircraft normally required to carry items as listed shall not be required to duplicate.

- (1) A dry type fire extinguisher of the type and kind normally used to extinguish electrical and liquid fuel fires.
- (2) At least two methods of pilot light ignition such as a stirker *[sic.]* and a cigarette lighter, or two strikers or a stirker *[sic.]* and matches.

*(Indiana Department of Transportation; 105 IAC 4-1-4; filed Mar 26, 1980, 4:05 p.m.: 3 IR 926; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA; readopted filed Oct 2, 2013, 11:39 a.m.: 20131030-IR-105130295RFA; readopted filed Oct 4, 2019, 9:49 a.m.: 20191030-IR-105190422RFA) NOTE: Transferred from Department of Transportation (100 IAC 4-1-4) to Indiana Department of Transportation (105 IAC 4-1-4) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

\*