

ARTICLE 2. AIRCRAFT OPERATION

Rule 1. Registration of Aerial Applicators

105 IAC 2-1-1 Definitions

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 1. Definitions. For the purpose of this regulation, the following words, terms and phrases shall have the meaning herein given.

"Aerial Applicator" means any person who uses an aircraft in the application of any chemicals such as germicides, insecticides, fungicides, or herbicides, or other chemicals or materials such as fertilizers or seeds upon the lands or waters of this State.

"Aircraft" means any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.

"Person" means any individual, firm, partnership, corporation, company, association, joint stock association or body politic; and includes any trustees, receiver, assignee, or other similar representative thereof. (*Indiana Department of Transportation; Reg 2, Sec 1; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 4; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Transportation (100 IAC 2-1-1) to Indiana Department of Transportation (105 IAC 2-1-1) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 2-1-2 Registration required

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 2. Registration Required. Any person who is engaged or intends to become engaged as an "Aerial Applicator" in this State, shall register with the Aeronautics Commission of Indiana. (*Indiana Department of Transportation; Reg 2, Sec 2; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 4; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Transportation (100 IAC 2-1-2) to Indiana Department of Transportation (105 IAC 2-1-2) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 2-1-3 Place and time of registration

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 3. Place and Time of Registration. An "Aerial Applicator" shall register upon such forms as may from time to time be prescribed by the Aeronautics Commission of Indiana. Any person desiring to make registration as an "Aerial Applicator" shall file such executed registration form in the office of the Director of Aeronautics of the State of Indiana, prior to the beginning of aerial application operations by any such person. Any person engaged in "Aerial Applicator" operations in this state prior to the effective date of this regulation shall register as an "Aerial Applicator" within 30 days from the date of adoption of such regulation. (*Indiana Department of Transportation; Reg 2, Sec 3; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 4; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Transportation (100 IAC 2-1-3) to Indiana Department of Transportation (105 IAC 2-1-3) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 2-1-4 Prerequisite of registration

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 4. Prerequisite of Registration. Any person registering with the Aeronautics Commission of Indiana as an "Aerial Applicator" shall tender along with such executed registration form, as a prerequisite to registration, evidence satisfactory to the Director of Aeronautics that the registrant is the holder of an appropriate waiver or letter of authority from the Civil Aeronautics Administration relative to such aerial application. (*Indiana Department of Transportation; Reg 2, Sec 4; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 5; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Transportation (100 IAC 2-1-4) to Indiana Department of

Transportation (105 IAC 2-1-4) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 2-1-5 Certificate; filing; presentation on request

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 5. Display of Certificate. The Certificate of Registration issued pursuant to this Regulation shall be on file at the home office of the "aerial applicator". A copy of the Certificate of Registration shall be carried at all times in each aircraft of the "aerial applicator" while engaged in aerial application operation in the State of Indiana. The Certificate of Registration, or a copy thereof, shall be presented upon the request of any duly authorized representative of the Indiana Aeronautics Commission, any state or local official charged with enforcing state or local laws or regulations, or any other person directly interested in such aerial application operations. *(Indiana Department of Transportation; Reg 2, Sec 5; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 5; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Transportation (100 IAC 2-1-5) to Indiana Department of Transportation (105 IAC 2-1-5) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 2-1-6 Notice of cessation of activities; return of certificate

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 6. Notification of Ceasing of Activities. When any person registered as an "aerial applicator" ceases to be engaged as an "aerial applicator", in the State of Indiana, such person shall notify the Aeronautics Commission of the cessation of such activity, forwarding along with such notice, the certificate of registration and all copies thereof to the Aeronautics Commission of Indiana. *(Indiana Department of Transportation; Reg 2, Sec 6; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 5; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Transportation (100 IAC 2-1-6) to Indiana Department of Transportation (105 IAC 2-1-6) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 2-1-7 Submission of reports

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 7. Submission of Reports. Any person registered as an "aerial applicator" in this State shall submit to the Aeronautics Commission of Indiana such factual information pertinent to such operation as the Commission may from time to time prescribe. *(Indiana Department of Transportation; Reg 2, Sec 7; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 5; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Transportation (100 IAC 2-1-7) to Indiana Department of Transportation (105 IAC 2-1-7) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 2-1-8 Penalty

Authority: IC 8-9.5-5-8; IC 8-9.5-5-13

Affected: IC 8-21-1-10.2; IC 8-21-1-12; IC 15-3-3.6-6; IC 15-3-3.6-7

Sec. 8. Penalty. Any person found to be in violation of any part of this regulation shall be subject to the provisions of Section 12 [IC 8-21-1-12], Chapter 360, Acts of 1945. *(Indiana Department of Transportation; Reg 2, Sec 8; filed Mar 20, 1951, 11:30 a.m.: Rules and Regs. 1952, p. 6; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Transportation (100 IAC 2-1-8) to Indiana Department of Transportation (105 IAC 2-1-8) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

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