



STATE OF WASHINGTON

JOHN J. O'CONNELL
ATTORNEY GENERAL
OLYMPIA, WASHINGTON



July 21, 1961

Mr. Richard O. White
Code Reviser
Legislative Building
Olympia, Washington

Dear Sir:

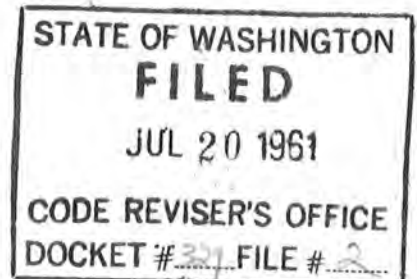
Enclosed please find copies of several regulations recently adopted by the Washington State Aeronautics Commission. These regulations were adopted at a meeting of the commission on July 14, 1961, notice of which has previously been filed with your office. Will you please file these regulations as required by RCW 34.04.040.

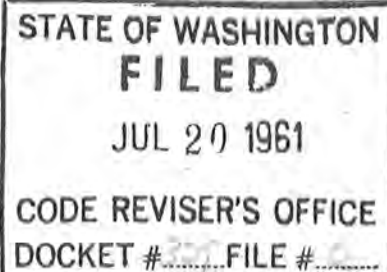
Very truly yours,

JOHN J. O'CONNELL
Attorney General

R. TED BOTTIGER
Assistant Attorney General

RTB:lr
Encls.





July - 1961

SPECIAL FLIGHT REGULATION 1-61

The Seafair Trophy Race will take place on Lake Washington, Sunday, August 6, 1961. In the interest of safety to lives and property, both in the air, on the water, and on the ground, this coordinated special regulation is issued by the Washington State Aeronautics Commission, under the authority provided by the laws of the State of Washington, R.C.W. Chapter 14.04.

No aircraft shall fly VFR below 10,000 feet (M.S.L.) within the area bounded by the Lake Washington Floating Bridge on the north; the north shore of Seward Park on the south; the west shore of Mercer Island on the east and east shore of Seattle on the west or within 1,000 feet horizontally of the congested spectator area thereto from 11:00 a.m. to 7:00 p.m., Day Light Saving Time, Sunday, August 6, 1961.

Exceptions:

- (A) Military aircraft officially participating or U.S. Coast Guard aircraft assigned official responsibilities in connection with the Seafair Trophy Races.
- (B) Accredited press aircraft having two-way radio, having the word "press" clearly marked in letters a minimum of 30 inches (height) on the bottom and top surfaces of the aircraft or on the sides of fuselage, having telephone clearance from Boeing Field Tower prior to take off into the area, and flying a minimum altitude of 1,000 feet. (M.S.L.)
- (C) Aircraft on enforcement or other authorized missions.
- (D) Any aircraft preparatory to landing or taking off from a public service type of airport or seaplane facility within this area shall follow a safe pattern and course avoiding the Lake Washington race area described in paragraph 2 and flying at a minimum altitude of 1,000 feet above the terrain. It is recommended that such flights be covered by a flight plan or receive Boeing Tower clearance before operating aircraft in the area.

In addition, all seaplanes taxiing in the above described area will be subject to the special regulation for surface vessels issued by the Commander, U.S. Coast Guard, 13th District Hdqrs.

By order of the Washington State Aeronautics Commission July, 1961.

Wm. A. Gebenig, Director of Aeronautics.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 1

Lake Washington Flight Rules

STATE OF WASHINGTON
FILED

JUL 20 1961

CODE REVISER'S OFFICE
DOCKET # 329 FILE # 2

Resolution adopting traffic and operating rules for Lake Washington and the Lake Washington ship canal between Lake Washington and Lake Union, King county, Washington, May 10, 1947.

Be It Resolved by the members of the State Aeronautics Commission of the State of Washington, as follows:

WHEREAS, Lake Washington, Lake Union, the canals joining Lake Washington with Lake Union and Puget Sound, present certain conditions which make it necessary to impose rules for the flight and operation of aircraft in such areas, additional to those rules promulgated by the Civil Aeronautics Board, such conditions in part are as follows:

Such areas are densely populated and congested, are used for commercial and pleasure operation of surface craft and aircraft; Lake Union in particular, being densely crowded with commercial operations and Lake Washington being largely a recreational area;

AND WHEREAS, in the general public interest and safety, the safety of persons operating, using or traveling in aircraft, or persons receiving instruction in flying, and the safety of persons and property on land or water and developing and promoting aeronautics in this state;

AND WHEREAS, Lake Washington, Lake Union and the canals joining Lake Washington with Lake Union and Puget Sound, are areas over which this Commission has jurisdiction, rules and regulations should be promulgated by this Commission concerning the use of such areas. That the rules and regulations shall be as follows:

1. Aircraft, operating over the waters of Lake Washington, shall be flown, when over the congested areas immediately adjacent thereto, or when over open air assemblies of persons, at altitudes sufficient to permit emergency landings outside such areas, and in no case, less than 1000 feet above such areas.

2. Excepting those operations necessary to permit access to regularly established fixed base operations or individual hangar storage or anchorage, no aircraft shall operate on the waters of Lake Washington at a distance of less than 500 feet from the adjacent shoreline.
3. No aircraft shall, while on or over the waters of Lake Washington, operate within 500 feet of the outer limits of public bathing areas or privately operated resorts or beach clubs, unless flown at an altitude sufficient to permit emergency landings outside such areas, and in no case, less than 1000 feet above such areas.
4. No aircraft shall be operated on or over the waters of Lake Washington at a distance of less than 300 feet of any surface craft.
5. Aircraft operating between Lake Washington and Lake Union, flying via the Lake Washington Ship Canal, shall not be flown at an altitude of less than 500 feet over all obstructions to flight, except when circumstances render such deviation necessary as a safety measure.
6. Any fixed base operator of aircraft on Lake Washington or Lake Union shall submit to the Civil Aeronautics Administration for its recommendation to the State Aeronautics Commission for final approval, a set of air traffic rules and a chart of proposed sealanes adjacent to his base, necessary for the safe and efficient operation of said base, within 10 days of the promulgation of these regulations, for presently established operators and prior to commencement of operations on the part of future operators.
7. ~~No aircraft shall be operated within 1000 feet of the site of the Century 21 Exposition.~~

not adopted
R. Fred Barty

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 2

Spraying and Dusting Regulation

Being cognizant of the growing use of aircraft for application of various chemicals and other products as an aid to agriculture; and being cognizant of the potential danger to persons and property thereby involved; and being cognizant that such potential danger is vastly increased if such application is done by those not having special training therefor and specially designed and carefully maintained equipment, the Washington State Aeronautics Commission, by virtue of authority vested in it by the State Aeronautics Commission Act (Rem. Rev. Stat. 1947 Supp. 10964-81-114), hereby promulgates the following rules and regulations controlling all instances, except as hereinafter provided, of the application and distribution from aircraft within the State of Washington of any agricultural chemicals, fertilizers, hormones, herbicides, fumigicides, insecticides, seed or bait. This regulation is effective March 25, 1950.

Section I -- Aircraft

(1) No aircraft as defined in the State Aeronautics Commission Act (Rem. Rev. Stat., 1947 Supp. 10964-81-114), shall be used or permitted to be used for the application or distribution from the air within the State of Washington of any agricultural chemicals, fertilizers, hormones, herbicides, fumigicides, insecticides, seed or bait, excepting in so far as the same shall be done in strict compliance with these rules and regulations and in strict compliance with any rules, regulations or requirements issued or promulgated or hereafter issued or promulgated by the Washington State Department of Agriculture.

(2) Aircraft shall be kept at all times in airworthy condition as specified by the Civil Aeronautics Administration. Aircraft shall be up to date in the matter of compliance with CAA repair bulletins, and the operator shall have a valid, current CAA waiver for crop dusting operations.

(3) The owner or operator of each aircraft so engaged shall provide proof to the State Aeronautics Commission that he either owns adequate maintenance facilities, or that he has a contract for the maintenance of his aircraft with the owner of such adequate maintenance facilities, provided that said facilities are within a reasonable flight radius of the actual applying operation, as determined by the State Aeronautics Commission. Compliance with Section 50.12e of Civil Aeronautics Manual 50, issued by the CAA, which states in full: "Adequate shop or readily available facilities suitable to insure proper maintenance of the aircraft to be used," shall constitute full compliance with this subsection.

(4) An aircraft shall not be flown within the state, for the purpose of engaging in the application specified above, unless it has a current and valid state crop duster's license plate, issued by the State Department of Agriculture. Failure to display such license, as provided for in the regulations of the State Department of Agriculture shall be prima facie evidence that the aircraft does not have such license.

Section II -- Operation of Aircraft

No aircraft shall be used or permitted to be used for any of the purposes described in subsection (1) of section I above, excepting only when the following rules and regulations pertaining to pilots have been and are being complied with.

(1) All pilots must hold valid and current Civil Aeronautics Administration commercial pilots' licenses, and have met the physical requirements for such licenses.

(2) Each person, partnership, company, corporation, cooperative or association commercially engaged in the type of application specified in this regulation shall have in its employ at least one pilot who has a total of at least 1,000 hours as solo pilot, of which at least 200 hours shall be actual experience as pilot while applying chemicals from aircraft in flight.

(3) Pilots holding a valid CAA commercial pilot's license shall be allowed to pilot aircraft engaged in the type of application

specified in this regulation, provided that:

- (a) Such pilot shall work during the application under the direct supervision of a pilot who fully meets the requirements of Section II (2) of this regulation.

Section III -- Manner of Application

No aircraft shall be used or permitted to be used for any of the purposes covered by these regulations without complying also with the following:

(1) Caution shall be used in the application of 2, 4-D, 2, 4, 5-T or any other chemicals or substances designed to control or kill weeds or other vegetation, as follows:

- (a) Dust forms shall not be used.
- (b) Each applicator and/or pilot shall give reasonable consideration to existing wind, size of the field to be treated, nearness to susceptible crops to windward and leeward, and to general likelihood of chemical drift before he undertakes an application. In the event above conditions are such that danger to susceptible crops should reasonably be present, the applicator and/or pilot shall not make application at that time, but shall delay application until wind, field and drift conditions are such that nearby susceptible crops will not be damaged.

Section IV -- Violations and Penalties

Any person, firm, partnership, cooperative, corporation or other organization committing any violation of any of these rules and regulations, directly or through others, or causing the same to be committed by others or permitting his aircraft or aircraft under his ownership or control to be used in violation of any of these rules and regulations or operating or permitting to be operated an aircraft by one not holding a valid and subsisting crop duster's license issued by the Department of Agriculture, except when used as an employee of one holding such a license, for any of said uses shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days, or both such fine or imprisonment, and/or shall be guilty of a gross misdemeanor as

well if such violation consist of or include the operation of an aircraft in a careless manner so as to endanger the life or property of another, in which case such person upon conviction shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both, all as provided in RCW 14.04-240.

The penalties herein provided shall be in addition to those penalties, forfeitures, suspension and/or revocation of license and "grounding" provided by law.

Section V -- Exceptions

(1) These rules and regulations do not apply to a property owner making application or distribution from the air to his own property.

Section VI

That if any section, sentence, clause or phrase of this code should be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this code.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 3

In the interest of public safety, it shall hereafter be the responsibility of all owners and/or operators of commercial airports within this state to provide minimum fire fighting and crash facilities upon airport property as follows:

NOTE:

Commercial airports served by scheduled airlines in excess of 60,000 lbs. gross weight with movements over 150 per month will comply with Section A of this regulation.

Commercial airports served by scheduled airlines in excess of 60,000 lbs. gross weight with movements under 150 per month will comply with Section B of this regulation.

Commercial airports served or used by aircraft under 15,000 gross weight will comply with Section C of this regulation.

A movement of an aircraft is a process of taking off or landing.

Section A. Minimum requirements for commercial airports served by scheduled aircraft in excess of 60,000 lbs. gross weight:

(1) Extinguishing agents: 2,000 U-S. gallons water (for foam production) and 600 lbs. carbon dioxide (CO₂); or equivalent or 150 lbs. dry chemical;

(2) Properly designed and approved type mobile equipment to be available operationally at all times and capable of dispensing the aforementioned extinguishing agents in such a manner that the total amount of water, to be dispensed as foam and the total amount of carbon dioxide (CO₂) or dry chemical can be discharged within 2½ minutes maximum time;

(3) Multi units to be available to attack a fire from more than one point or quarter and to comply with the following specifications;

(a) Vehicles to be capable of carrying their full load at a reasonable rate of speed under all conditions of weather and over terrain on airport property and in the immediate vicinity thereof;

(b) Vehicles to have a cruising speed of 50 miles per hour

minimum on paved road;

(c) Acceleration such that the vehicle fully loaded is able to achieve 50 miles per hour within 60 seconds or in a distance of 1,400 feet without engine preheating and with ambient temperature above 45 degrees fahrenheit (7 degrees centigrade);

(d) Braking such as to permit the vehicle to be brought to a stop in 30 feet when traveling 20 miles per hour fully loaded on dry pavement;

(e) Radio facilities for 2-way communication between vehicles and airport control;

(f) Sufficient accessories to allow fire fighting personnel to enter crashed or disabled aircraft for the immediate removal of aircraft's occupants;

(g) Vehicles to carry adequate first aid equipment;

(h) Sufficient water repellent and flame resistant protective clothing to allow all fire fighting personnel to achieve maximum efficiency;

(i) Equipment to be painted a distinguishing color to identify it as emergency equipment.

(4) Operational requirements.

(a) Equipment to be located where maximum practicable accessibility and observance can be obtained of the operational runways;

(b) Access to runway area to be unobstructed;

(c) Running distance to active runways to be the shortest possible distance;

(d) Visibility of flight activity to be obtainable;

(e) Direct communication with airport control to be available.

(5) Personnel requirements.

(a) A chief of emergency crew and trained fire fighting personnel to be available on a full time basis during all periods of fighting operations to immediately employ full manned at least 1/3 of the total extinguishing media specified or a minimum of one unit, whichever is the greater within 30 seconds of

an alarm;

(b) All other units to be fully manned with full time or auxiliary personnel within 90 seconds of an alarm;

(c) All full time and auxiliary trained personnel to be fully schooled in the performance of their duties under the direction of the designated chief of the emergency crew;

(d) The designated chief of the emergency crew is to have authority and responsibility for decisions affecting rescue and fire fighting activity and to be in command of such operations during an emergency.

Section B. Minimum requirement for commercial airports served by scheduled aircraft over 15,000 lbs. gross weight but under 60,000 lbs. gross weight:

(1) Extinguishing agents: Minimum of 500 U.S. gallons of water (to be dispensed as foam) plus sufficient foam production concentrate and a total of 30 lbs. carbon dioxide (CO₂) or equivalent.

(2) Aircraft equipment to be mobile and to be equipped with a turret or hand line capable of discharging the extinguishing agent contents, rapidly and effectively.

(a) Vehicle able to achieve when fully loaded a speed of 50 miles per hour within 60 seconds or within a distance of 1,300 feet without engine preheating and with ambient temperature above 45 degrees fahrenheit (7 degrees centigrade);

(b) Sufficient accessories to allow immediate entering of disabled aircraft;

(c) Vehicle to carry adequate first aid equipment;

(d) Equipment to be painted or marked to be identified as emergency equipment.

(3) Operational requirements.

(a) Equipment shall be kept readily available and located where maximum practicable accessibility and observance can be obtained of the operational runways;

(b) Vehicle shall be kept in such mechanical condition as to be operational at all times;

(c) Arrangements shall be made for a method of alerting local fire fighting facilities.

(4) Personnel requirements.

(a) Trained personnel to be available to insure maximum utilization of equipment.

Section C. All other commercial airports

(1) Approved hand-type fire fighting equipment to be provided and readily accessible, consisting of either foam or carbon dioxide (CO₂) type extinguishing agents or equivalent.

These regulations shall be effective the ___ day of _____ 1961.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 4

Rockets and Missiles

WHEREAS the firing of home made or organizational built rockets or missiles into the airspace overlying the State of Washington, without proper directional controls, guidance, or knowledge of whether the contrivances will represent a hazard to persons or aircraft traveling through the air or to persons or property on the ground, points to the need of regulations commensurate with and for the purpose of protecting and insuring the general public interest and safety of persons operating, using or traveling in aircraft, and the safety of persons and property on land or water;

NOW, THEREFORE, under the powers and jurisdiction vested in the Washington State Aeronautics Commission for and on behalf of the State of Washington, it is deemed necessary for the purpose of assuring the safety of all persons, to issue the following order relating to the firing or propelling of any self-propelled contrivances now known or hereafter invented, which are not manned or piloted, through the sovereign airspace of and over this state.

IT IS HEREBY ORDERED that no self-propelled, unmanned or unpiloted missile, projectile, object or contrivance shall be fired or projected from within the borders of Washington into and through the airspace without first obtaining a permit from the Washington State Aeronautics Commission for each such firing or projecting of rockets or missiles. Such applications for permits shall clearly set forth the dimensions, propellant, means of directional control, name of supervisor, proposed place of firing, proposed time of firing, proposed date of firing, and the name of the person or group seeking such permit. The issuance of permits may be granted for operations or launchings from predetermined land areas which offer the least hazard to the general public, said areas to be approved by the commission, upon proper notice being given to the public and to air users.

Nothing contained in this order shall be construed to in any way interfere with or to limit the rights of the government of the United States, or the State of Washington, or any instrumentalities thereof, from conducting such tests and experiments as they may deem necessary.

This order is not to be construed as a deterrent to the enthusiasm, scientific endeavor or supervised experiments of citizens of the State of Washington. It is promulgated in the interest of bringing order, system and proper safety practices into being, to prevent tragedies.

Authority of this order is derived from RCW 14.04.010 and RCW 14.04.070.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 5

WHEREAS, it is necessary for the purpose of protecting and insuring the general public interest, and developing and promoting aeronautics in this state to efficiently enforce the laws of the State of Washington relating to the registration of aircraft; and;

WHEREAS, it is deemed essential to the enforcement of such laws to require that aircraft subject to such registration display some insignia or other readily visible evidence of registration, and that the Washington State Aeronautics Commission be informed of conveyances of aircraft throughout the state;

IT IS HEREBY ORDERED, by virtue of the regulatory powers vested in the Washington State Aeronautics Commission for and on behalf of the State of Washington

(1) that every aircraft registered with the Washington State Aeronautics Commission shall prominently display an insignia or decal, to be provided by the Washington State Aeronautics Commission, on the tail or fuselage of such aircraft, just above N number as evidence of registration;

(2) that no aircraft which is not lawfully registered shall display such insignia or evidence of registration, or any other mark, number, decal or insignia which might be reasonably believed to be evidence of state registration; and

(3) that failure to display such insignia shall be prima facie evidence that such aircraft is not registered.

Authority of this order is derived from RCW 14.04.250, RCW 14.04.210 and RCW 14.04.310.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 6

WHEREAS, it is necessary for the purpose of protecting and insuring the general public interest, and developing and promoting aeronautics in this state to efficiently enforce the laws of the State of Washington relating to the registration of aircraft, and;

WHEREAS, it is deemed essential to the enforcement of such laws to require that aircraft subject to such registration display some insignia or other readily visible evidence of registration, and that the Washington State Aeronautics Commission be informed of conveyances of aircraft throughout the state;

IT IS HEREBY ORDERED, by virtue of the regulatory powers vested in the Washington State Aeronautics Commission for and on behalf of the State of Washington that whenever any aircraft shall be conveyed by sale or otherwise, the vendor or conveyor, including but not limited to aircraft dealers as defined by law, shall within thirty (30) days notify the Washington State Aeronautics Commission of such conveyance.

WASHINGTON STATE AERONAUTICS COMMISSION

REGULATION NO. 7

Unmanned Gliders and Model Aircraft

WHEREAS the flying of free-flight or remote-controlled internal combustion or jet-powered model aircraft in or around airports, airport approaches, and public highways constitutes a hazard and indicates the need of regulation commensurate with and for the purpose of protecting and insuring the general public interest and safety of persons operating, using or traveling in aircraft, and the safety of persons and property on land or water;

NOW THEREFORE, under the powers and jurisdiction vested in the Washington State Aeronautics Commission for and on behalf of the Citizens of the State of Washington, it is deemed necessary for the purpose of protecting the safety of all persons, to issue the following order relating to the operation of free flight or remote controlled aircraft or model aircraft or any similar contrivance now known or hereafter invented which is launched, controlled, or piloted from the ground, water, or air, through the sovereign airspace of and over the State.

It is hereby ordered that no unmanned glider or self-propelled model aircraft weighing more than four ounces, or capable of sustaining a velocity in excess of ten miles per hour, or capable of attaining an altitude in excess of five hundred feet above the local terrain, whether free flight or controlled by radio or other remote control means (other than tethered flight on lines under one hundred feet in length), shall be launched or flown from within the borders of Washington State or into and through the airspace, within one mile of any airport or airport approach (except inactive airports, or when permission has been granted by the airport manager or by the Washington State Aeronautics Commission), or within two-hundred feet of any public highway, road, or street, or within one thousand feet of any primary State or Federal highway.

Authority of this order is derived from RCW 14.04.010 and RCW 14.04-.070.