

**Title 11 DEPARTMENT OF TRANSPORTATION**  
**Subtitle 03 MARYLAND AVIATION ADMINISTRATION**  
**Chapter 01 Baltimore/Washington International Thurgood Marshall Airport**

Authority: Transportation Article, §§5-204, 5-208 and 5-426 Annotated Code of Maryland

**.01 Definitions.**

A. As used in these regulations, the following terms have the meanings indicated unless the context requires otherwise. Words not specifically defined that relate to aeronautical practices, processes, and equipment shall be construed according to their general usage in the aviation industry.

B. Terms Defined.

(1) *"Abandoned"* – means *forsake, desert, give up and surrender one's claim or right.*

[(1)] (2) "Administration" means the Maryland Aviation Administration of the Maryland Department of Transportation, established pursuant to the Transportation Article, §2-102(b)(2), Annotated Code of Maryland.

[(2)] (3) "Air carrier" means the commercial system of air transportation consisting of the certified air carriers, supplemental air carriers, and commercial operators of large aircraft.

[(3)] (4) "Airfield operator's permit" means a license issued by the Maryland Aviation Administration for operating motor vehicles, loading bridges, or any other motorized equipment on the air operations area.

[(4)] (5) "Air operations area" means the nonmovement area (taxilanes, loading ramps, apron, parking, cargo areas, and vehicle service roads within the airport operations area used for servicing aircraft and movement of vehicles), and movement area (runways, taxiways, and other areas of the Airport which are used for taxiing, takeoff, and landing of aircraft).

[(5)] (6) "Airport" means Baltimore/Washington International Thurgood Marshall Airport (BWI), owned by the State of Maryland and operated by the Maryland Aviation Administration, as it exists or may be developed.

[(6)] (7) "Airport Director" means the Executive Director or the Executive Director's designated representative.

[(7)] (8) "Airport police" means any person vested with a police power of arrest on the Airport and providing police services on behalf of the Maryland Aviation Administration, either as an employee of the Administration or under contract to the Administration.

[(8)] (9) "Airport police office" means an office established in the Airport terminal by the Maryland Aviation Administration for use by the Airport police.

[(9)] (10) "Airport taxicab" means a taxicab driven by an authorized person who is working for, or under contract to, the authorized Airport taxicab concessionaire.

[(10)] (11) "Airport taxicab concessionaire" means a company, partnership, corporation, or proprietorship which holds a contract with the Administration for the provision of taxicab service at the Airport.

[(11)] (12) "Authorized" means acting under or pursuant to a written contract, permit, or other evidence of right issued by the Maryland Aviation Administration.

[(11-1)] (13) "Authorized signatory" means an individual designated by an Airport tenant or contractor and approved by the Administration to sign for the company and verify that each identification badge applicant for the company has a continuous need for an Airport identification badge.

[(12)] (14) "Bus" means a motor vehicle operated by an appropriately authorized agent on a fixed route and predetermined schedule to and from the Airport.

[(13)] (15) "Combustible liquid" means any liquid that has a closed cup flash point at or above 100°F.

[(14)] (16) "Commercial activity" means the sale, exchange, trading, buying, merchandising, hiring, marketing, promotion, or selling of commodities, goods, services, or property of any kind, or any revenue-producing activity.

[(15)] (17) "Commercial vehicle" means any vehicle operated in connection with a commercial activity at the Airport as defined by §B(14)(6) of this regulation and Regulation .06A of this chapter.

[(16)] (18) "Courtesy service" means the operation of a business involving transportation of persons, baggage, or message/package delivery to or from the Airport in a courtesy vehicle.

[(17)] (19) "Courtesy vehicle" means a vehicle operated to and from the Airport by a person for the transportation or convenience of its patrons or by a business whose airport activity is directly related to an off-Airport commercial activity.

[(18)] (20) "Curbside" means the curb of the upper or lower motor vehicle ramp adjacent to the terminal building.

[(19)] (21) "Deadheading" means a taxicab being driven to the Airport without a paying passenger in the taxicab.

(22) *"Derelict vehicle"* – means *very poor condition as a result of disuse and neglect*

[(20)] (23) "Department" means the Maryland Department of Transportation.

[(21)] (24) "Division" means the Division of Transportation and Terminal Services of the Maryland Aviation Administration.

[(22)] (25) "Domestic animal" means any animal of a species usually domesticated in the United States and customarily found in the home.

[(23)] (26) "Executive Director" means the Executive Director of the Maryland Aviation Administration, whose office is established pursuant to Transportation Article, §5-202.1, Annotated Code of Maryland, or the Executive Director's authorized representative.

[(24)] (27) Fire Marshal.

(a) "Fire marshal" means an individual from the Airport Fire Marshal's Office or a fire prevention inspector who is employed by the BWI Airport Fire and Rescue Department.

(b) "Fire marshal" includes any designated representative of the State Fire Marshal's Office.

[(25)] (28) "Fire Prevention Code" means the State Fire Prevention Code as defined in COMAR 29.06.01.

[(26)] (29) "Flammable liquid" means any liquid that has a closed cup flash point below 100°F.

[(26-1)] (30) ( "Grace period" means a period of time not to exceed 120 minutes for which on-Airport rental car businesses do not charge fees for late returns of rental cars.

[(27)] (31) Gross Revenue — Off-Airport Rental Car Business.

(a) "Gross revenue — off-Airport rental car business" means all monies paid or payable from Airport customers to the off-Airport rental car business for the rental of its vehicles, or any vehicle-related item or service under a rental agreement with car pick up at the off-Airport site:

(i) Regardless of the ownership, area fleet, or location assignment of the vehicles;

(ii) Without regard to the manner in which, or place at which, the vehicles are furnished to the rental car business' customers; and

(iii) Without regard to whether the vehicles are returned to the off-Airport site or to some other location.

(b) "Gross revenue — off-Airport rental car business" includes the total amount billed by the rental car business on its Airport customer invoices, including any separately stated fees and charges related to its rental car business at the off-Airport site.

(c) "Gross revenue — off-Airport rental car business" does not include:

(i) Federal, State, or local sales, or similar taxes, which are separately stated and collected from customers;

(ii) Amounts received as insurance proceeds, or otherwise, for damages to vehicles and other property;

(iii) Sums received for loss, conversion, or abandonment of its vehicles;

(iv) Sums received from customers under its right to recover from its customers for damages to the rented vehicles to the extent the charges do not exceed the actual cost of repair or replacement;

(v) Proceeds from the sale of its vehicles;

(vi) Revenues realized as reimbursement for refueling a vehicle rented pursuant to a rental agreement under which the customer is obligated to return the vehicle with the same amount of gasoline furnished at the inception of the rental; and

(vii) Revenues realized from advance charges to customers for fuel, pursuant to a rental agreement.

[(28)] (32) "Grounding or bonding" means providing a conductive path to equalize the potential static electricity between fueling equipment and aircraft by use of a cable.

[(29)] (33) "Hazardous waste" means those wastes which are listed by the U.S. Environmental Protection Agency (EPA) or possess the qualities as specified by the EPA in accordance with its criteria as set forth in the Resource Conservation Recovery Act (RCRA) and as defined in COMAR 26.13.02.03.

[(30)] (34) "IBC" has the meaning stated in COMAR 05.02.07.03B(7).

[(31)] (35) "Identification badge" means an official identity card or badge used for the purpose of entering the air operations area and other restricted areas of the Airport, issued and approved by the Administration for Airport employees.

[(32)] (36) "Labeled" means equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization:

(a) That is acceptable to the authority having jurisdiction and is concerned with product evaluation;

(b) That maintains periodic inspection of production of labeled equipment or materials; and

(c) By whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

[(33)] (37) "Law enforcement officer" means any person vested with a police power of arrest under federal, State, county, or city authority, and generally identifiable by uniform, badge, or other indicia of authority.

[(34)] (38) "Limousine" means any motor vehicle having a rated seating capacity of six or more persons, not including the driver, operating to and from the Airport in accordance with a valid certificate issued by the appropriate governmental agency.

[(35)] (39) "Listed" means equipment, materials, or services included in a list published by an organization:

(a) That is acceptable to the authority having jurisdiction and concerned with evaluation of products or services;

(b) That maintains periodic inspection of production of listed equipment or materials; and

(c) Whose listing states that either the equipment, material, or service meets identified standards or has been tested and found suitable for a specified purpose.

[(36)] (40) "Motor vehicle" means a device in, upon, or by which a person or property may be propelled, moved, or drawn upon land, except a device moved by human or animal power and except aircraft and devices moved exclusively upon stationary rails or tracks.

[(37)] (41) "Movement area" means the runways, taxiways, and other areas of the Airport that are used for taxiing, takeoff, and landing of aircraft, wherein movement of aircraft is under the control of the Federal Aviation Administration.

[(38)] (42) "NFPA" has the meaning stated in COMAR 29.06.01.05B(5).

[(39)] (43) "Non-Airport taxicab" means any properly licensed taxicab other than an "Airport taxicab".

[(40)] (44) "Nonmovement area" means the taxilanes, loading ramps, apron, parking, cargo areas, and vehicle service roads within the air operations area used for servicing aircraft and movement of vehicles exclusive of the movement area.

[(41)] (45) "Off-Airport commercial activity" means a commercial activity operated by a business not physically located on Airport property that derives revenue in whole or in part from Airport customers.

[(42)] (46) "Off-Airport rental car business" means a rental car business which:

(a) Is not located on Airport property; and

(b) Utilizes vehicles to transport Airport patrons to or from the off-Airport rental car business to or from the Airport consolidated rental car facility.

[(43)] (47) "Office of Administrative Hearings (OAH)" means the unit within Maryland's Executive Branch responsible for scheduling and conducting administrative hearings.

[(44)] (48) "On-Airport" means property at Baltimore/Washington International Thurgood Marshall Airport which is owned by the State and operated by the Maryland Aviation Administration or its contractors, as it exists or may be developed.

[(44-1)] (49) "On-Airport rental car business" has the same meaning as "rental vehicle company" stated in Transportation Article, §18-108(a), Annotated Code of Maryland.

[(45)] (50) "Operator" means any person who is in actual physical control of an aircraft or a motor vehicle.

[(46)] (51) "Owner" means a person who holds the legal title of an aircraft or a motor vehicle. If the aircraft or motor vehicle is the subject of conditional sale or lease, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the conditional vendee or lessee or anyone in possession of an aircraft or motor vehicle on the Airport or, if a mortgagor of an aircraft or motor vehicle is entitled to the possession, then the conditional vendee, lessee, or mortgagor shall be deemed the owner.

[(47)] (52) "Permit" means a courtesy/commercial vehicle permit or decal issued to a person or a qualified business permitting use of designated Airport property for conducting commercial activity or courtesy service.

[(48)] (53) "Permit holder" means a qualified business that:

(a) Owns, operates, or authorizes a person to operate a permitted commercial or courtesy vehicle as defined in §B(1[5]7) and (1[7]9) of this regulation; and

(b) Is granted authority to operate commercial and courtesy vehicles by the Maryland Public Service Commission or the Office of Motor Carriers of the Federal Highway Administration.

[(49)] (54) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and includes any trustee, receiver, committee, assignee, or other representative or employee of one.

[(50)] (55) "Privilege fee" means a certain percent of gross revenue imposed on an off-Airport rental car business by the Administration for the privilege granted to the business to operate a commercial activity on and at the Airport.

[(51)] (56) "Regulations" means these regulations as amended and supplemented.

[(51-1)] (57) "Restricted area" means airport areas where access by the general public is prohibited or limited to authorized persons only with a business need.

[(52)] (58) "Soliciting" means conducting unauthorized commercial activity including, but not limited to, generating business by speaking, distributing printed material, or any other means.

[(53)] (59) "Solid waste" means any garbage, refuse, sludge, solid, liquid, semisolid, or contained gaseous materials which are the by-products of commercial activity, as defined under COMAR 26.03.03 and 26.13.02.

[(54)] (60) "State" means the State of Maryland.

[(55)] (61) "Terminal" means any passenger terminal facility at the Airport, including all roadways and parking facilities associated with it.

[(56)] (62) "Traffic" means pedestrians and vehicles, singly or together, using any Airport area.

[(56-1)] (63) "Transportation facility charge" means amounts collected by on-Airport rental car businesses to recover actual operation and maintenance costs related to operating a common shuttle bus fleet and a common bus maintenance facility at the Airport.

## **.02 (text unchanged)**

## **.03 (text unchanged)**

## **.04 Control of Vehicular Traffic on the Air Operations Area.**

A. – M. (text unchanged)

N. – S. (text unchanged)

*(T) Abandoned, Derelict, Inoperable, and Surplus Motor Vehicles and Equipment*

*(1) Abandoning or parking a derelict, inoperable, or surplus motor vehicle or equipment on the Air Operations Area is prohibited. The Airport Director, or the Airport Director's designee, may remove from the Air Operations Area, any motor vehicle or equipment that is abandoned, derelict, inoperable, or surplus and which presents an operational or security problem for the Air Operations Area. The owner of a motor vehicle or equipment that has been removed pursuant to this regulation shall be held liable for the reasonable costs of the removal and storage of the motor vehicle and/or equipment.*

*(2) Airport tenants are responsible for the prompt removal of abandoned, derelict, inoperable, or surplus motor vehicles and equipment from their leased premises, at the owner's expense.*

*(3) The Airport Director or Airport Director's designee will attempt to identify the owner of any abandoned, derelict, inoperable, and surplus motor vehicles or equipment on the Air Operations Area and any which present an operational or security concern on the Air Operations Area. The Airport Director or Airport Director's designee will attempt to contact the owner via certified mail, return receipt requested, bearing a postmark of the USPS, no less than thirty days to prior to removal,*

*using the most updated tenant provided contact information. The Airport Director or Airport Director's designee will maintain the certified mail receipts. A removal notice shall also be posted on the windshield of any motor vehicle and on the most visible surface of equipment deemed to be abandoned, derelict, inoperable, and surplus and any which present an operational or security concern on the Air Operations Area.*

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