

## **APPENDIX G - VIOLATIONS AND FINES**

### **A. VIOLATIONS AND FINES**

#### **1. Employer Liability**

The employer of any Person who violates any provision of these Rules and Regulations shall be liable to the City of Philadelphia ("City") for payment of a fine not to exceed Two Thousand Dollars (\$2,000) or an amount otherwise authorized by Section 17 of the act of April 21, 1949, (P.L. 665, No. 155) known as the First Class City Home Rule Act, as amended.

#### **2. Owner Liability**

In the case of a violation of any provision of these Rules and Regulations by a Commercial Ground Transportation Operator or Driver, the Owner of the Commercial Ground Transportation Vehicle which the violator is using, operating or associating with at the time of the violation shall be liable to the City for a payment of a fine not to exceed Two Thousand Dollars (\$2,000.00).

### **B. ENFORCEMENT**

For the purpose of enforcing these Rules and Regulations, notice of a violation of any rule or regulation shall be issued by any police officer or any employee of the Division of Aviation ("DOA") appointed by the CEO to serve notices upon violators.

### **C. NOTICE OF VIOLATION**

1. Whenever a police officer or other person authorized to enforce these Rules and Regulations observes a violation of the Rules and Regulations, he or she shall hand to the violator a printed notice of violation. If the violator leaves the scene or if for some other reason the notice of violation cannot be handed to the violator, the notice of violation shall be delivered or mailed to the violator's residence, if known.
2. If the prohibited conduct continues or, in the sole estimation of the DOA, causes increased safety and/or security concerns a letter detailing the information contained in the notice of violation shall be delivered to the violator's employer and/or, in the case of a Commercial Ground Transportation Operator or Driver, to the Owner of the Commercial Ground Transportation Vehicle, which the violator is using, operating or associating with at the time of violation.
3. The notice of violation shall contain the following information: (i) the date, time, location and nature of the violation; (ii) when known, the identify of the violator and the address of the violator; (iii) when applicable, the

violator's employer and/or the owner of the Commercial Ground Transportation Vehicle which the violator is using, operating or associating with at the time of the violation; (iv) the amount to be remitted in response to the notice of violation; (v) instructions for contesting the notice of violation; and (vi) the penalty which can be imposed by the court for the violation. The notice of violation shall be signed by the person issuing the notice of violation and shall bear the police officer's badge number or other official identification number identifying the person issuing the notice of violation.

**D. PRIMARY VIOLATIONS**

1. **Settlement Amounts.** Any person who receives a notice of violation of any provision of these Rules and Regulations which is deemed to be a Primary Violation in Section I below, may settle the matter by admitting the violation, waiving the right to a hearing and paying the following settlement amount:

<u>When Payment Is Made</u>	<u>Settlement Amount</u>
Within (10) days of receiving the notice of violation:	\$150.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the notice of violation through ten (10) days after receiving a first reminder notice that no payment has been received:	\$175.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the first reminder notice through ten (10) days after receiving a second reminder notice that no payment has been received:	\$200.00
After an enforcement complaint has been filed in Municipal Court, but before a Municipal Court hearing has been held:	\$200.00 plus Municipal Court filing Fees

2. The notice of violation shall contain an appropriate statement for signature by the Person receiving the notice of violation for the purpose of admitting the violation and waiving a hearing, and shall be returned when the person receiving the notice of violation remits the stipulated settlement payment.

**E. SECONDARY VIOLATIONS**

**1. Settlement Amounts**

Any person who receives a notice of violation of any provision of these Rules and Regulations which is deemed to be a Secondary Violation in Section J below, may settle the matter by admitting the violation, waiving the right to a hearing and paying the following settlement amount:

<u>When Payment Is Made</u> <u>Amount</u>	<u>Settlement</u>
Within (10) days of receiving the notice of violation	\$75.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the notice of violation through ten (10) days after receiving a first reminder notice that no payment has been received:	\$85.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the first reminder notice through ten (10) days after receiving a second reminder notice that no payment has been received:	\$100.00
After an enforcement complaint has been filed in Municipal Court, but before a Municipal Court hearing has been held:	\$100.00 plus Municipal Court filing fees

2. The notice of violation shall contain an appropriate statement for signature by the person receiving the notice of violation for the purpose of admitting the violation and waiving a hearing, and shall be returned when the person receiving the notice of violation remits the stipulated settlement payment.
3. A violation of any section of these Rules and Regulations not specified in Sections I and J below shall be deemed to be a Secondary Violation.

**F. COURT HEARING FOR VIOLATIONS NOT RESOLVED BY SETTLEMENT OR CONTEST**

A Person who has been issued a notice of violation shall make the settlement payment described in Sections D or E above within fifteen days (15) of: (1) the date of issuance of the notice of violation; (2) a denial of the Person's appeal by the Office of Administrative Review; or (3) failing to appear at a hearing before the Office of Administrative Review. Failure to comply with these provisions shall result in the loss of unescorted access privileges to the Airport or the Person's Security Identification Display Area Badge. A Person's nonpayment may result in the filing of a complaint in Philadelphia Municipal Court. If the Person named in the complaint is found to be liable for the violation of any provision of these Rules and Regulations and/or fails to appear on the date set for the hearing in Philadelphia Municipal Court, he/she shall be subject to the imposition of fines in the amount of no more than Two Thousand Dollars (\$2,000.00) per violation, plus court costs.

**G. ABILITY TO CONTEST NOTICE OF VIOLATION**

Notwithstanding anything to the contrary set forth in this Section, any Person, Owner or employer who receives a notice of violation may contest the violation by writing to the Office of Administrative Review to request a hearing. The notice of violation shall contain instructions regarding the ability to contest a notice of violation and shall include the address of the Office of Administrative Review.

Office of Administrative  
Review 100 South Broad  
Street, Suite 400  
Philadelphia, PA 19110  
(215) 686.5216

**H. ADDITIONAL REMEDIES**

1. Neither the assessment of any fines or penalties set forth above nor a violator's payment of any fines or penalties set forth above shall prevent the DOA from exercising any other right or remedy it may have against the violator (including without limitation operating suspensions) which are described in the individual Sections of these Rules and Regulations. Further, the fines and penalties set forth above shall be in addition to every other right or remedy now or hereafter existing at law or in equity or by statute or ordinance. The exercise of any one or more of such remedies shall not preclude the exercise by the City, at the same or different times, of any other remedies for the same violation or any other violation.
2. The fines and penalties set forth above are in addition to any other

finances, penalties or other payment set by statute, ordinance, law, code or otherwise that may be assessed or imposed against the Violator for the misconduct.

## **I. PRIMARY VIOLATIONS**

### **1. Section 2 - General**

Section 2(D)(1)	Unauthorized Carriage of firearm
Section 2(D)(4)	Unauthorized discharge of gun on Airport.
Section 2(D)(5)	Transfer of weapon or simulated weapon to others on Airport.
Section 2(D)(6)	Unauthorized armed guards or guard dogs.
Section 2(H)	Smoking or using electronic smoking devices in unauthorized areas described in Section 2(H) of the Rules and Regulations.
Section 2(O)	Violation of Tenant Construction requirements.
Section 2(P)	Violation of Airport Construction and Obstruction Control regulations.
Section 2(Q)	Damage to Airport Property.
Section 2(R)	Violation of Environmental Protection Requirements regulations.
Section 2(U)(1)	Failure to obey traffic signs, signals, and/or traffic control devices.
Section 2(U)(2)	Unauthorized parking or stopping of vehicle.

### **2. Section 3 - Aircraft Operations**

Section 3(B)	-Operation of Aircraft in a manner that creates unreasonable risk of harm to persons or property. -Failure to follow directives, signs, lights, mechanical or electrical signals or pavement markings. -Failure to navigate, land, service, maintain and repair Aircraft in accordance with standards, rules and /or regulations. -Violation of regulations regarding intoxicants and drugs.
Section 3(C)	Failure to report Aircraft incident/accident.
Section 3(D)	Failure to remove or dispose of disabled Aircraft.
Section 3(E)	Violation of regulations regarding irregular operations/long on-board delays.
Section 3(F)(2)	Failure to follow Notice to Airmen (NOTAM).
Section 3(G)	Violation of regulations regarding two-way communication, brakes and airspace

	requirements.
Section 3(H)	Violation of regulations regarding starting of Aircraft engines.
Section 3(I)	Violation of regulations regarding the run-up of Aircraft engines.
Section 3(J)	Violation of noise abatement regulations.
Section 3(K)	Violation of regulations regarding taxiing or moving Aircraft on operational areas.
Section 3(L)	Unapproved power-back operations. Failure to follow safety precautions during power-back operations.
Section 3(M)	Violation of Aircraft parking regulations.
Section 3(N)	Taxiing Aircraft in or out of hangars under its own powers.
Section 3(O)	Violation of regulations regarding Aircraft marking during low visibility periods.
Section 3(P)	Violation of regulations regarding Aircraft repairs and maintenance.
Section 3(Q)	Unauthorized washing of Aircraft.
Section 3(R)	Unauthorized deicing of Aircraft.
Section 3(S)	Use of Aircraft for unauthorized flight training or by student pilots.
Section 3(T)	Use of Aircraft in unsafe areas.
Section 3(U)	Failure to operate Aircraft in accordance with markings, signs, signals, orders or directions of the CEO or FAA.
Section 3(V)	Unauthorized use of terminal ramp or gates.
Section 3(W)	Violation of regulations regarding passenger enplaning and deplaning.
Section (X)	Violation of Helicopter Operation regulations.
Section (Y)	Violation of Air Traffic Rules.

### 3. Section 4 - Airfield Vehicle Operations

Section 4(C)	Failure to comply with driver requirements.
Section 4(D)	Failure to comply with vehicle requirements.
Section 4(E)(1)(a)	Failure to comply with AOA Driving Rules and Regulations.
Section 4(E)(1)(b)	Reckless or careless driving on the AOA.
Section 4(E)(1)(c)	Failure to obey traffic signage on the AOA.
Section 4(E)(1)(f)	Failure to comply with gate use regulations.
Section 4(E)(1)(g)	Operation of unauthorized motorized equipment or vehicles on the Airfield.
Section 4(E)(1)(h)	Unauthorized operation of personal vehicles on the AOA.
Section 4(E)(1)(j)	Passing or parking between an aircraft parked at a gate position and a passenger terminal.
Section 4(E)(1)(k)	Unauthorized driving between terminal and

	ground crews during aircraft push back operation.
Section 4(E)(1)(l)	Operation of a motorized vehicle or Aircraft on the Airport while under the influence of intoxicating liquors or illegal, prescription or over the counter drugs that impair or may impair driver's abilities.
Section 4(E)(1)(m)	Improper horn usage.
Section 4(E)(1)(n)	Operations of overloaded or improperly loaded motor vehicle or riding in a motorized vehicle in an improper manner as described in Section 4(E)(1)(n) of the Rules and Regulations.
Section 4(E)(1)(o)	Smoking or using electronic smoking devices on the airfield and inside terminals.
Section 4(E)(1)(p)	Improper badge display while on AOA.
Section 4(E)(1)(r)	Use of vehicle AM/FM radios, personal cell phones, entertainment headsets, iPods or other personal electronic/entertainment devices or texting while operating a vehicle on the movement area.
Section 4(E)(1)(t)	Improper passing on the AOA.
Section 4(E)(1)(u)	Failure to use guide person as required under Section 4(E)(1)(u) in the Rules and Regulations.
Section 4(E)(1)(v)	Failure to maintain safe distances between vehicle and Aircraft on the AOA.
Section 4(E)(1)(w)	Leaving vehicle unattended with engine running on AOA when not servicing an Aircraft.
Section 4(E)(1)(x)	Failure to comply with FOD Regulations.
Section 4(E)(1)(y)	Improper operation of vehicles at night or during poor weather conditions.
Section 4(E)(1)(z)	Failure to report dangerous conditions or abandoning disabled vehicles on the AOA.
Section 4(E)(2)	Failure to yield to vehicles having right-of-way as described in Section 4(E)(2)(a), (b), (c) and (d) of the Rules and Regulations.
Section 4(E)(3)	Violation of speed limits on outer service roadway and apron, inner service roadway, doily concourse or baggage tunnels.
Section 4(E)(4)(a)-(d)	Unauthorized vehicle operation on the Non-Movement Area.
Section 4(E)(5)(a)-(d)	Unauthorized vehicle operation on the AOA.
Section 4(E)(6)	Violation of Contractor/Subcontractor access regulations.
Section 4(E)(7)	Violation of vehicle escort regulations on the AOA as outlined in Section 4(E)(1)(q) and 4(E)(7)(a)-(k) of the Rules and Regulations.
Section 4(E)(8)	Violation of service roadway driving

	regulations.
Section 4(E)(9)	Violation of parking regulations.
Section 4(E)(10)	Violation of equipment towing regulations.
Section 4(E)(11)	Violation of aircraft escort procedures.
Section 4(F)(5)	Movement Area or runway incursion or vehicle/pedestrian deviation.

4. Section 5 – Other Operations

Section 5(A)	Cleaning of Motor Vehicles/Equipment in unauthorized areas.
Section 5(C)	Violation of regulations regarding wildlife hazard reduction.
Section 5(G)	Improper disposal of plastic or lightweight covers or materials.

5. Section 6 – Fire and Safety

Section 6(B)	Violation of regulations regarding the handling of Explosives and other Hazardous Materials.
Section 6(C)	Violation of regulations regarding fire extinguishers and equipment.
Section 6(D)	Unauthorized open flame operations.
Section 6(E)	Failure to report an unattended or uncontrolled fire.
Section 6(F)	Violation of regulations regarding litter and cleaning of allotted space.
Section 6(G)	Violations of regulations regarding cleaning Ramps and other surfaces.
Section 6(H)	Violation or regulations regarding control of contaminants.
Section 6(I)	Violation of fueling regulations.
Section 6(J)	Violation of regulations regarding fuel spills.
Section 6(K)	Violation of regulations regarding Tenant Fueling Services.
Section 6(N)	Violation of regulations regarding discharge of sewage and industrial waste into wastewater system.

6. Section 7 – Airport Security

Section 7(A)	Failure to comply with Rules and Regulations or Airport Security Program (ASP).
Section 7(B)	Tampering, interfering with, compromising, modifying or attempting to circumvent or causing another person to tamper, interfere with, compromise, modify or attempt to circumvent any security system. Measure or



Section 7(D)	procedure implemented pursuant to the ASP. Failure to comply with procedures for access to Restricted Areas.
Section 7(D)(5)(a)-(c)	Carrying prohibited items into the Restricted Area.
Section 7(D)(6)(b)(1)	Improper use of PHL ID Badge.
Section 7(D)(6)(b)(2)	Use of another person's PHL ID Badge.
Section 7(D)(6)(b)(3)	Use of invalid badge to access Restricted Area.
Section 7(D)(6)(b)(4)	Unauthorized use of PHL ID Badge to bypass or escort others around the TSA security screening checkpoint process.
Section 7(D)(6)(b)(5)	Piggybacking or Tailgating as described in Section 7(D)(6)(b)(5).
Section 7(D)(6)(b)(6)	Failure to swipe badge in secured elevators.
Section 7(D)(7)(a)-(n)	Failure to comply with regulations for escorting individuals in the Restricted Area.
Section 7(F)(9)(e)	Failure to return expired PHL ID Badges to the PHL ID Badging office in the event of badge expiration or employee transfer or termination.
Section 7(G)(3)	Violation of AOA vehicle access requirements.
Section 7(G)(4)	Violation of AOA vehicle escort procedures.

7. Section 8 – Operating Permits

Section 8(A)	Failure to obtain and comply with a proper Air Carrier/Airport Operating Agreement.
Section 8(B)	Failure to obtain and comply with a proper Non-Exclusive License Agreement.

8. Section 9 – Common Use Terminal Area

Section 9(B)	Failure to comply with operating procedures in Common Use Areas.
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9. Section 10 – Ground Transportation

Section 10(C)	Improper and/or unauthorized use of the Airport premises by Commercial Ground Transportation Operators.
Section 10(D)(1)	Failure to pay fees and charges or comply with passenger authorization pick-up procedures.
Section 10(D)(2)	Failure to comply with vehicle standards.
Section 10(D)(3)	Failure to comply with all certification and insurance requirements.

Section 10(D)(4)	Failure to comply with applicable statutes, codes, ordinances, regulations, standards and directives.
Section 10(D)(6)	Unauthorized agreement with any third party.
Section 10(D)(7)	Willful diversion or attempt to divert any business away from the Airport.
Section 10(D)(9)	Unauthorized solicitation.
Section 10(D)(10)	Unauthorized signage.
Section 10(D)(11)	Violation of Commercial Ground Transportation Operator and Driver conduct regulations.
Section 10(E)	Violation of Rental Car Operations regulations
Section 10(F)	Violation of Hotel/Motel Operations
Section 10(G)	Violation of Taxicab Operations regulations.
Section 10(H)	Violation of Limousine Operations regulations.
Section 10(I)	Violation of Van Service Operations regulations.
Section 10(K)(1)	On-Airport Rental Car Operator's failure to pay fees or maintain records.
Section 10(K)(2)	Off-Airport Rental Car Operator's failure to pay fees or maintain records.
Section 10(K)(3)	Off-Airport Parking Operator's failure to pay fees or maintain records.
Section 10(K)(4)	Failure to pay Per-trip Charge or violations of procedures regarding Per-trip Charge receipts or vehicle access cards.
Section 10(K)(5)	Failure to pay Taxicab Egress Fees or Per-trip Charge.

## **J. SECONDARY VIOLATIONS**

### **1. Section 2 – General**

Section 2(A)	Unauthorized Expressive Activity
Section 2(C)	Unauthorized Solicitation of Funds.
Section 2(F)	Wagering or gambling on Airport Property.
Section 2(G)	Littering.
Section 2(H)(1)	Violation of regulations regarding dogs or other animals.
Section 2(I)	Smoking or using electronic smoking devices in enclosed areas or too close to the entrance of an enclosed area at PHL.
	Unauthorized photography/filming.

Section 2(J)	Unauthorized advertisements.
Section 2(K)	Unauthorized signs.
Section 2(L)	Unauthorized use of elevators, moving walkways or escalators.
Section 2(M)	Violation of Electric Cart Regulations.
Section 2(N)	Violation to Tenant/Employee conduct regulations.
Section 2(S)	Unauthorized access to Terminal Buildings during restricted hours.
Section 2(T)	Violation of Alcoholic Beverage regulations.
Section 2(W)	Misuse of luggage carts.
Section 2 (Y)	Unauthorized hoverboard use.
Section 2 (Z)	Unauthorized bicycle use.
Section 2 (AA)	Violation of Wingmate Pass program regulations.

2. Section 4 – Airfield Vehicle Operations

Section 4(B)(4)	Failure to produce proof of authorization to drive on the Air Operations Area.
Section 4(C)(4)	Driving on the Air Operations Area without completing the required training programs.
Section 4(D)	Violation of Air Operations Area driving and Motor Vehicle regulations, except those specific subsections of Section 4(F) identified as Primary Violations in Section I above.

3. Section 5 – Other Operations

Section 5(B)	Unauthorized painting, marking of Taxiway, Ramp or Gate areas.
Section 5(D)	Violation of regulations regarding transportation/transfer of livestock.
Section 5(E)	Violation of freight forwarding regulations.
Section 5(F)	Violation of regulations regarding gate hold procedures.

4. Section 7 – Airport Security

Section 7(D)(6)(a)	Failure to properly display PHL ID Badge or approved ID Badge.
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