

## **Chapter 1** **General Provisions**

### **Section 1. Title**

~~This Code shall be entitled "The Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board," may be cited as such, and may be referred to as "this Code," or "the Code."~~

### **Section 2. Intent**

~~It is the intent of this Code to establish certain rules and regulations necessary to the maintenance and promotion of the peace, health, good government and welfare of the Dallas-Fort Worth International Airport, to provide for the best performance of the functions thereof, for the security of persons using the Dallas-Fort Worth International Airport and to provide by such rules and regulations and by concurrent ordinances of the Cities adopting this Code, for suitable penalties for the violation of its provisions.~~

### **Section 3. Scope**

~~The provisions of this Code shall constitute a special enactment of effect only within the boundaries of the Dallas-Fort Worth International Airport, pursuant to Transportation Code, Section 22.082 and adopted in cooperation and concert with the Cities of Dallas and Fort Worth in recognition of the unique and special requirements of the planning, acquiring, establishment, development, construction, enlargement, improvement, maintenance, equipment, operation, regulation, and protection and policing of the Dallas-Fort Worth International Airport. This Code shall not be construed to waive or set aside any provisions contained in other Dallas-Fort Worth International Airport Board approved rules or regulations not expressly repealed hereby or other existing ordinances of the Cities of Dallas and Fort Worth applicable to the Dallas-Fort Worth International Airport or any law of the State of Texas applicable to the Dallas-Fort Worth International Airport. To the extent of any conflict between this Code and the existing or future general ordinances of any city other than the Cities of Dallas and Fort Worth, this Code shall prevail within the boundaries of the Dallas-Fort Worth International Airport.~~

### **Section 4. Definitions**

~~I. **Air Operations Area** shall mean the area of the Dallas-Fort Worth International Airport bounded by a fence or to which access is otherwise restricted and which is primarily used or intended to be used for landing, takeoff, or surface maneuvering of aircraft, and related activities.~~

~~II. **Airport** shall mean all of the land, improvement, facilities and developments within the boundaries of the Dallas-Fort Worth International Airport.~~

~~III. **Airport Board or Board** shall mean the Dallas-Fort Worth International Airport Board.~~

~~IV. **Airport Roadway** shall mean those portions of the Airport designed and made available temporarily or permanently by the Airport Board for vehicular traffic.~~

~~V. **Director** shall mean the head of a Board department having the title Vice President.~~

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~~VI. **Disabled Person** shall mean a person who is permanently or temporarily disabled within the meaning of Transportation Code, Section 502.253, and who has applied for and received a registration insignia or identification card from the state.~~

~~VII. **Executive Director** shall mean the Chief Executive Officer of the Dallas-Fort Worth International Airport Board, or his designee.~~

~~VIII. **Ground Transportation Business** shall mean the pursuance of the occupation of transporting passengers, material or baggage for hire, either within the Airport or from or to the Airport and points outside thereof.~~

~~IX. **Identification Card** shall mean the identification card issued by the state to a temporarily disabled person for purposes of Transportation Code, Section 502.253.~~

~~X. **Permit** shall mean an official written instrument granting a special privilege and issued by the Airport Board.~~

~~XI. **Person** shall mean any individual, firm, partnership, corporation, sole proprietorship, government, association, company or an agency, trust, partnership of two or more persons having a joint or common economic interest.~~

~~XII. **Registration Insignia** shall mean the specially designed symbol, tab, or other device to be attached to the license plate of a vehicle, issued by the state to a permanently disabled person for purposes of Transportation Code, Section 502.253.~~

~~XIII. **Restricted Area** shall mean any portion of the Airport to which no ingress is permitted except upon specific authorization by the Airport Board, such area to be designated by signs where practicable.~~

~~XIV. **Vehicle** shall mean and include automobiles, trucks, buses, motorcycles, horse-drawn vehicles, bicycles, pushcarts and any other device in or upon or by which any person or property is or may be transported, carried, or drawn upon land, except aircraft and railroad rolling equipment or other devices running only on stationary rails or tracks.~~

~~XV. **Vehicular Parking Area** shall mean those portions of the Airport designated and made available temporarily or permanently by the Airport Board for the parking of vehicles.~~

#### **Section 5. Laws of the State of Texas**

~~All portions of this Code shall be cumulative of all applicable civil and criminal laws of the State of Texas.~~

## Chapter 1 General Provisions

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### SEC.1-1. TITLE.

The Codes embraced in this and the following chapters and sections shall constitute and be designated "The Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board," and may be so cited. Such code may also be referred to as "this Code" or "the Code."

### SEC.1-2. INTENT.

It is the intent of this Code to establish certain rules and regulations necessary to the maintenance and promotion of the peace, health, good government and welfare of the Dallas-Fort Worth International Airport, to provide for the best performance of the functions thereof, for the security of persons using the Dallas-Fort Worth International Airport and to provide by such rules and regulations and by concurrent ordinances of the Cities adopting this Code, for suitable penalties for the violation of its provisions.

### SEC.1-3. SCOPE.

The provisions of this Code shall constitute a special enactment of effect only within the boundaries of the Dallas-Fort Worth International Airport, pursuant to Transportation Code, Section 22.082 and adopted in cooperation and concert with the Cities of Dallas and Fort Worth. This Code shall not be construed to waive or set aside any provisions contained in other Dallas-Fort Worth International Airport Board approved rules or regulations not expressly repealed hereby or other existing ordinances of the Cities of Dallas and Fort Worth applicable to the Dallas-Fort Worth International Airport or any law of the State of Texas applicable to the Dallas-Fort Worth International Airport. To the extent of any conflict between this Code and the existing

or future general ordinances of any city other than the Cities of Dallas and Fort Worth, this Code shall prevail within the boundaries of the Dallas-Fort Worth International Airport.

**SEC.1-4. DEFINITIONS.**

**AIR OPERATIONS AREA or "AOA"** shall mean the area of the Dallas-Fort Worth International Airport bounded by a fence or to which access is otherwise restricted and which is primarily used or intended to be used for landing, taking-off or surface maneuvering of aircraft. The AOA does not include those leasehold areas within or having direct access to the AOA which are subject to security requirements imposed on the lessee or tenant under appropriate federal regulations or agreement incorporated in a signed lease.

**AIRPORT** shall mean all of the land, improvement, facilities and developments within the boundaries of the Dallas-Fort Worth International Airport.

**AIRPORT BOARD or BOARD** shall mean the Dallas-Fort Worth International Airport Board.

**AIRPORT ROADWAY** means any portions of a street, roadway, or highway within the boundaries of the Airport.

**CODE** shall mean "The Code of Rules and Regulations of the Dallas-Ft. Worth International Airport Board".

**DIRECTOR** shall mean the head of a Board department having the title Vice President.

**EXECUTIVE DIRECTOR** shall mean the Chief Executive Officer of the Dallas-Fort Worth International Airport Board, or his designee.

**GENDER.** A word imparting the masculine gender only shall extend and be applied to include females and to firms, partnerships and corporations as well as to males.

**GROUND TRANSPORTATION BUSINESS** shall mean the transportation by motor vehicle of persons or baggage for compensation.

**PERMIT** shall mean an official written instrument granting a special privilege and issued by the Airport Board.

**PERSON** shall mean any individual, firm, partnership, corporation, sole proprietorship, government, association, company or an agency, trust, partnership of two or more persons having a joint or common economic interest.

**RESTRICTED AREA** shall mean any portion of the Airport to which no ingress is permitted except upon specific authorization by the Airport Board, such area to be designated by signs where practicable.

**VEHICLE** shall mean and include automobiles, trucks, buses, motorcycles, horse-drawn vehicles, bicycles, pushcarts and any other device in or upon or by which any person or property is or may be transported, carried, or drawn upon land, except aircraft and railroad rolling equipment or other devices running only on stationary rails or tracks.

VEHICULAR PARKING AREA shall mean those portions of the Airport designated and made available temporarily or permanently by the Airport Board for the parking of vehicles.

**SEC. 1-5. CATCHLINES OF SECTIONS.**

Catchlines of the sections of this Code are intended as mere catchwords to indicate general contents of the section, and for index or search convenience and shall not be taken or deemed to be titles nor shall same be construed as a substantive part of any section.

**SEC.1-6. SEVERABILITY.**

The sections, subsections, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, subsection or section of this Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections and sections of this Code, since the same would have been enacted without the incorporation in this Code of any such unconstitutional phrase, clause, sentence, paragraph, subsection or section.

**SEC. 1-7. CULPABLE MENTAL STATE.**

- (a) A culpable mental state is not required for the commission of an offense under this code or another city ordinance that is punishable by a fine not exceeding \$500, unless the provision defining the conduct expressly requires a culpable mental state.
- (b) In accordance with Section 6.02 of the Texas Penal Code and notwithstanding any code or ordinance provision to the contrary, a culpable mental state is required for the commission of an offense under this code or another city ordinance that is punishable by a fine exceeding \$500.
- (c) When a culpable mental state is required for the commission of an offense under this code or another city ordinance, a person must have acted knowingly or with knowledge, unless the provision defining the conduct expressly requires a different degree of culpability.
- (d) A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

**SEC. 1-8. ADOPTION OF CODE.**

- (a) The Board may from time to time adopt certain additional resolutions, rules, regulations and orders which it deems to be necessary to the maintenance and promotion of the peace, good government and welfare of the Airport, for the performance of the functions thereof, for the order and security of its inhabitants, users and visitors, and to protect the peace, lives, health and property of such inhabitants, users and visitors, and prescribed suitable penalties for the violation thereof, all in the manner prescribed by Transportation Code Chapter 22, and such

rules, regulations and orders shall not be construed as an attempt to waive or set aside any provisions contained in the existing ordinances of any city or in any law of the State of Texas. To the extent of any conflict between the existing or future general ordinances of any city, such rules, regulations and orders of the Board shall prevail and be effective within the boundaries of the Airport, but not otherwise.

- (b) Duly certified copies of all rules, regulations and orders of the Board pertaining to the subjects mentioned in SEC. 1-8(a), and prescribing penalties for violations, shall be forwarded by the Executive Director to the chief administrative officer of the Cities of Dallas and Fort Worth to adopt the Code; and the duly authorized and commissioned peace officers or other enforcement officers of the Board shall thereafter be authorized to file cases arising thereunder in such municipal courts, in addition to any other convenient and proper forum.

**SEC. 1-9. PENALTY, CONTINUING VIOLATIONS.**

- (a) The violation of any provision of this Code where an act or a failure to act is made unlawful or is otherwise prohibited, shall be punishable by a fine:

- 1) not to exceed \$500.00;
- 2) not to exceed \$2,000.00 if the provision violated governs fire safety, or public health and sanitation, including dumping of refuse; or
- 3) fixed by State law if the violation is one for which the State has fixed a fine.

- (b) A person violating a provision of this Code is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted, unless otherwise provided.

**SEC. 1-10. LAWS OF THE STATE OF TEXAS.**

All portions of this Code shall be cumulative of all applicable civil and criminal laws of the State of Texas.

## **Chapter 2** **Traffic Regulation**

### **Section 1. General Law Governing**

All of the provisions of State Law governing the regulation of motor vehicles, including but not limited to Transportation Code Title 7 “Vehicles and Traffic” Subtitle C “Rules of the Road”, Transportation Code Chapter 502 “Registration of Vehicles”, Transportation Code Chapter 501 “Certificate of Title Act”, Transportation Code Chapter 521 “Driver’s Licenses and Certificates”, Transportation Code Chapter 601 “Motor Vehicle Safety Responsibility Act”, and Transportation Code Chapter 683 “Abandoned Motor Vehicles”, are hereby declared to be in effect on the Airport Roadways, as defined, except insofar as the provisions of the said Statutes are changed by this Code under the authority of State Law.

### **Section 2. Traffic Control Installations**

I. It shall be unlawful to disobey any traffic control device, sign, signal, marking or insignia erected, installed or placed by authority of the Airport Board. This shall apply, when applicable, to both vehicular and pedestrian traffic. Insofar as possible, all such devices, signs, signals, markings or insignia shall conform to the manual and specifications adopted by the Texas Transportation Commission, as set forth in Transportation Code, Section 544.001 and Transportation Code, Section 544.002.

II. Except for speed limit signs, all traffic control devices, signs, signals, markings and insignia as presently located, erected or installed on the premises of the Airport, are hereby adopted, affirmed and ratified. Hereafter, the Executive Director shall conduct studies and investigations relating to all such traffic control devices, signs, signals, markings and insignia, and in accordance with such studies and determinations shall make such changes as are deemed necessary in the interest of traffic safety. Such changes, when effected, shall be entered upon an official record to be maintained by the Executive Director. Provided, however, the delegation of authority herein granted shall not extend to establishing or changing speed limits, whether maximum or minimum, but same shall be established by the Airport Board according to the requirements of State Law as delegated to the Cities by Legislative enactment.

III. Based upon the authority vested in the Cities of Dallas and Fort Worth by Transportation Code, Section 545.356 and Transportation Code, Section 545.363, the speed limits upon the streets, ways, passages and vehicular routes within the boundaries and confines of the Airport are set, affirmed and ratified as described in Appendix I of this Code. Unless otherwise provided, the maximum speed limit on streets, ways, passages and vehicular routes within the boundaries and confines of the Airport shall be thirty (30) miles per hour. The streets, ways, passages and vehicular routes, and their corresponding block numbers within the boundaries and confines of the Airport, are set, affirmed, and ratified as described in Appendix I of this Code. In compliance with and in obedience to the above authority, the Airport Board directs the Executive Director to perform engineering and traffic investigations to insure that the prima facie maximum speed limits herein set forth in Appendix I are reasonable and safe under the conditions found to exist at all intersections and other places and upon any part of the Airport roadway system described therein, taking into consideration the width and condition of the pavement and other circumstances on such portion of said Airport roadway system as well as the usual traffic speed limits

~~thereat and thereon, which limits when appropriate signs giving notice thereof are erected shall be effective at any such intersection or other place or part of the Airport roadway system at all times during hours of daylight or darkness, or at such other times as may be determined.~~

### **Section 3. Parking**

~~I. A person commits an offense, if he stops, stands, or parks a vehicle within the boundaries of the Airport except at such places and for such periods of time, and upon payment of such parking fees and charges as may from time to time be prescribed by the Airport Board. Any vehicle which is disabled or which is parked in violation hereof or which represents an operational hazard at the Airport may be removed or towed away and impounded, all at the operator's or owner's expense and without liability for any damage to the vehicle which may ensue from such removal or towing. Such expense shall be a lien against the vehicle and payment in full therefor shall be a prerequisite to the reclaiming of the vehicle by the operator or owner.~~

~~II. A person commits an offense if the person:~~

~~A. is neither a disabled person nor transporting a disabled person and stops, stands, or parks a vehicle displaying a registration insignia or identification card in a parking space or area designated specifically for the disabled;~~

~~B. stops, stands, or parks a vehicle displaying neither a registration insignia nor an identification card in a parking space or area designated specifically for the disabled; or~~

~~C. stops, stands, or parks a vehicle in such a manner that the vehicle blocks an access or curb ramp or any other architectural improvement designed to aid the disabled.~~

~~III. The method of disposition of abandoned or junked motor vehicles or other vehicles shall be as set forth in the Transportation Code Chapter 683, insofar as same may be applied to the operation of the Airport.-----~~

### **Section 4. Employee Parking Areas**

~~A person commits an offense if he operates, parks or stands a motor vehicle within a parking area designated for employee parking unless a permit, decal, or other authorization therefor is prominently displayed on the vehicle. For the purposes of this section, prominent display of an authorized permit, decal or other authorization may be accomplished by clearly displaying said permit, decal or other authorization in plain view in the front windshield of the motor vehicle.~~

### **Section 5. Restricted Areas**

~~I. The Air Operations Area is expressly declared a "Restricted Area." The Airport Board may designate additional Areas or Zones at the Airport as "Restricted Areas" by posting signs to that effect. A person commits an offense if the person:~~

~~A. operates, parks, stops or stands any vehicle in a "Restricted Area" without:~~

~~1. displaying on the vehicle an approved valid decal issued by the Airport;~~

- ~~2. displaying on the vehicle an approved valid placard issued by the Airport;~~
- ~~3. the prior approval of the Executive Director;~~
- ~~4. a lawful escort; or~~
- ~~5. complying with requirements established by the Airport Security Program.~~

~~B. enters or remains on or in property designated a "Restricted Area" without:~~

- ~~1. displaying an appropriate Airport issued identification badge;~~
- ~~2. the prior approval of the Executive Director;~~
- ~~3. a lawful escort; or~~
- ~~4. complying with requirements established by the Airport Security Program.~~

~~H. The Department of Public Safety shall be authorized to immediately remove any vehicle parked in violation of this section or where such vehicle represents an operational hazard in or impedes the efficient operations of the Air Operations Area.~~

### **Section 6. Air Operations Areas**

~~I. A person commits an offense if the person operates a vehicle on the Air Operations Area:~~

- ~~A. in excess of 20 miles per hour, except on the ARFF service roads where the speed limit is 45 miles per hour;~~
- ~~B. operates a vehicle in willful and wanton disregard of the safety of persons or property;~~
- ~~C. without a valid driver's license; or~~
- ~~D. refuses to present a driver's license upon demand by a Peace Officer.~~

~~II. A person commits an offense if the person operates a vehicle on the Air Operations Area and fails to:~~

- ~~A. yield the right of way to any aircraft immediately approaching or moving within the person's path of travel;~~
- ~~B. present a driver's license upon demand of a Peace Officer; or~~
- ~~C. stop and wait until the Air Operations Area gate is closed before driving away.~~

~~III. A person commits an offense if the person is in possession of or consumes an alcoholic beverage within the confines of the Air Operations Area, except if the alcoholic beverage is being consumed by a ticketed passenger on an aircraft where alcoholic beverages are served to customers by airline personnel.~~

~~IV. A person commits an offense if the person parks a vehicle or equipment, or places,~~

deposits or stores property or materials within ten (10) feet of an AOA fence.

### **Section 7. Passenger Loading Zones**

The Airport Board may establish zones for loading or unloading passengers to or from vehicles at the Airport. Such zones shall be designated with appropriate control devices, signs, signals, markings or insignia, and a person commits an offense if the person parks, stops, stands or leaves any vehicle unattended in any such Passenger Loading Zone except to load or unload passengers, and then only if it is a vehicle authorized in such zone and only for the time limit established by the Board and posted in such zone. A vehicle is unattended if the driver has exited the vehicle and is not actually engaged in the immediate loading or unloading of passengers and/or baggage to or from the vehicle.

### **Section 8. Loading Zones**

The Airport Board may establish Loading Zones for the loading and unloading of material at the Airport. Such zones shall be designated with appropriate control devices, signs, signals, markings or insignia, and a person commits an offense if the person stops, stands or parks any vehicle in a Loading Zone other than for the expeditious unloading and delivery, pickup and loading of material by a vehicle authorized by the Executive Director for such use. In no case shall the loading and unloading of materials exceed the time limit established by the Airport Board and posted in such Loading Zone.

### **Section 9. Impeding Flow of Traffic**

No person shall park, stop or stand a vehicle in any Airport Roadway, Driveway, Air Operations Area, Taxiway, Parking Area, Passenger Loading Zone, Loading Zone or in front of or near any entrance or exit to any building at the Airport so as to block, obstruct or impede the free passage of any vehicles or pedestrians.

### **Section 10. Solicitation of Ground Transportation**

A person commits an offense if the person solicits ground transportation business on the Airport, or picks up passengers or baggage for hire on the Airport without a ground transportation permit from the Airport Board, or without having an Airport Board Concession, License or Franchise therefor, and, to the extent of any operations outside the Airport Boundaries, without a license, permit or franchise from any city through which said business is conducted if lawfully regulated by the ordinances of any such city.

### **Section 11. Inoperable Vehicles**

A person commits an offense if the person stores an inoperable vehicle on Airport premises. For purposes of this section, an inoperable vehicle includes, but is not limited to, any vehicle required by law to have a current registration or inspection sticker attached or displayed upon such vehicle and which does not display such current registration or inspection sticker. Any type or kind of trailer shall be considered inoperable if not attached to a motor vehicle. The Department of Public Safety shall be authorized to impound any inoperable vehicle found upon Airport premises.

### **Section 12. Administrative Adjudication of Parking Violations**

#### **I. Parking Violations Made Civil Offenses**

Every violation of Sections 3, 4, 5, 6, 7, 8, 9, and 11 of this chapter governing the stopping, standing, or parking of a vehicle is a civil offense.

## H. General Authority and Duty of Director

~~The Director of Operations of the Airport Board or his designated representative, shall implement and enforce this section and may by written order establish such rules or regulations, not inconsistent with this section, as the Director determines are necessary to discharge the Director's duty under, or to effect the policy of, this section.~~

## III. Hearing Officers; Powers, Duties, and Functions

~~A. Hearing officers shall be appointed by the Director, or his designated representative, to administratively adjudicate all parking violations for which a parking citation has been issued under this chapter of this Code.~~

~~B. Hearing officers shall have the following powers, duties, and functions:~~

- ~~1. to administer oaths;~~
- ~~2. to accept admissions to, and to hear and determine contests of, parking violations under this section;~~
- ~~3. to issue orders compelling the attendance of witnesses and the production of documents, which orders may be enforced by a municipal court;~~
- ~~4. to assess civil fines, penalties, and other costs for a parking violation in accordance with subsection XI of this section;~~
- ~~5. to waive penalties assessed for a parking violation in accordance with subsection XI of this section; and~~
- ~~6. to preside over, hear evidence, and make findings at an immobilization or impoundment hearing in accordance with this section.~~

## IV. Parking Citations; Form

~~A. A parking citation serves as the summons and complaint for purposes of this section.~~

~~B. A parking citation must be on a form prescribed by the Director, or his designated representative, and must include the following information:~~

- ~~1. the nature, date, time, and location of the alleged parking violation;~~
- ~~2. the license plate number of the illegally parked vehicle, or if not visible or legible, the vehicle identification number or the inspection tag number;~~
- ~~3. the make of the illegally parked vehicle;~~
- ~~4. the date, time, and location of the administrative adjudication hearing, to be set not later than 15 calendar days after the date of issuance of the parking citation;~~
- ~~5. a notification that the person charged with the parking violation has the right to an instant hearing any business day before the scheduled administrative adjudication hearing; and~~

~~6. a notification that failure to timely appear at either an instanter hearing or a scheduled administrative adjudication hearing is considered an admission of liability for the parking violation charge and will result in the assessment of appropriate civil fines, penalties, and costs and may result in the immobilization, towing, and impoundment of the vehicle for which the citation was issued.~~

~~C. The original or any copy of a parking citation is a record kept in the ordinary course of Airport Board business and is prima facie evidence of the facts contained in the parking citation.~~

#### ~~V. Service of a Parking Citation; Presumption of Service~~

~~A. A parking citation must be served personally upon the operator of a vehicle who is present at the time of service. If the operator is not present, or cannot otherwise be personally served, the parking citation must be served upon the registered owner of the vehicle by affixing the parking citation to the vehicle in a conspicuous place.~~

~~B. An operator of a vehicle who is not the vehicle's owner, but who uses or operates the vehicle with the express or implied permission of the owner, shall be considered the owner's agent authorized to receive a parking citation required to be served upon the registered owner or operator of a vehicle in accordance with the provisions of this section.~~

~~C. If the owner or operator of a vehicle drives the vehicle away from or in any manner leaves the site of the parking violation while the issuing officer is preparing the parking citation, or refuses service of the parking citation, this fact shall be noted on the original and all copies of the parking citation.~~

~~D. The original parking citation must be signed by the issuing officer who shall affirm the truth of the facts set forth in the citation.~~

~~E. The original and all copies of a parking citation are prima facie evidence that the parking citation was issued and that an attempt at service was made in accordance with the provisions of this section.~~

#### ~~VI. Liability of the Vehicle Owner and Operator; Presumption of Liability~~

~~A. Except as provided in subsection (B), the registered owner and the operator of a vehicle, when not the same, shall both be liable to the Airport Board for a parking violation charge, except that the operator of a vehicle shall be solely liable if the owner can prove that the vehicle was operated without the owner's express or implied consent. A vehicle owner who pays any civil fines, penalties, or costs pursuant to this section shall have the right to recovery from the vehicle operator.~~

~~B. A vehicle owner who is engaged in the business of renting or leasing vehicles under written rental or leasing agreements shall not be liable for parking fines, penalties, and costs imposed by the Airport Board on a rented or leased vehicle if, within 30 days after receiving written notice of a parking violation, the vehicle owner provides in affidavit form the true name, address, driver's license number and state or country of issuance of the person in possession of the vehicle at the time the parking citation was issued, or a true copy of the lease or rental agreement in effect at the time the~~

~~parking citation was issued.~~

~~C. A lessor of a vehicle who fails to comply with subsection (B) shall be treated as any other vehicle owner and shall be liable with the vehicle operator for a parking violation charge.~~

~~D. It is a defense to any charge of a parking violation that, at the time of the violation, the illegally parked vehicle was reported to a police department as having been stolen prior to the time of the violation and had not yet been recovered.~~

~~E. In any hearing to administratively adjudicate a parking citation, it is presumed that the registered owner of the vehicle for which the citation was issued is the person who stopped, stood, or parked the vehicle at the time and place of the parking violation. Proof of ownership may be made by a computer-generated record of the registration of the vehicle showing the name of the person to whom the license plate was issued. This proof is prima facie evidence of the ownership of the vehicle by the person to whom the certificate of registration was issued.~~

## ~~VII. Answering a Parking Citation~~

~~A. A person who has been issued a parking citation shall answer to the charge of the parking violation by the date shown on the citation. An answer may be made in any of the following ways:~~

- ~~1. an admission of liability with payment of the applicable civil fine, and any additional penalties and costs;~~
- ~~2. a denial of liability made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date;~~
- ~~3. an admission of liability with an explanation made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date;~~
- ~~4. a request for permission from a hearing officer to adjudicate by mail; or~~
- ~~5. a request to reset a scheduled administrative adjudication hearing from the date shown on the parking citation. A scheduled hearing may not be reset more than once unless the person charged pays to the Director, or his designated representative, an amount equal to the applicable civil fine for the parking violation, with any additional penalties and costs. The Director, or his designated representative, shall issue a receipt for any amounts paid under this paragraph. After presentation of the receipt, all amounts paid will be refunded to the person charged if the hearing officer, or a municipal court on appeal, finds that the person is not liable for the parking violation.~~

~~B. Payment of the civil fine and any additional penalties and costs may be made in person or by mailing to the Airport Board the parking citation accompanied by payment of the amount shown on the citation. Payment by mail may be made only by money order, check, or in a manner prescribed by the Director or his designated~~

~~representative. Payment of the civil fine and all penalties and costs assessed pursuant to this section shall operate as a final disposition of the parking violation charge, except when payment is made to reset a scheduled hearing or to file an appeal.~~

#### ~~VIII. Adjudication by Mail~~

~~A. If a person charged with a parking violation shows good cause for not attending a hearing, either personally or through a representative, the hearing officer may permit the matter to be adjudicated by mail, which adjudication must be completed within 90 calendar days of the date of the citation.~~

~~B. Letters, memoranda, affidavits, photographs, and other documentary materials shall be admissible as evidence for the purposes of adjudication by mail. The hearing officer may exclude from consideration any material that is not relevant to the adjudication of the alleged violation.~~

~~C. Failure of the person charged to proceed with an adjudication by mail after requesting and receiving permission to adjudicate by mail is an admission by the person charged of liability for the parking violation and shall subject the person who requested the adjudication by mail to the appropriate civil fines, penalties, and costs assessed by the hearing officer.~~

~~D. If a hearing officer determines that an adjudication cannot proceed by mail the hearing officer shall advise the person charged by first class mail that the person must appear to answer the charge at a hearing.~~

#### ~~IX. Hearings for Disposition of a Parking Citation; Parking Citation as Prima Facie Evidence~~

~~A. Every hearing for the adjudication of a parking violation charge under this section shall be held before a hearing officer.~~

~~B. At a hearing, the parking citation is prima facie proof of its contents and the officer or other authorized person who issued the parking citation is not required to be present; except, that the issuing officer or other authorized person shall be present at a scheduled administrative adjudication hearing if requested by the person charged or by the hearing officer.~~

~~C. At a hearing, the hearing officer shall hear and consider evidence presented by the Airport Board and by the person charged. The formal rules of evidence do not apply to a hearing under this section, and the hearing officer shall make a decision based upon a preponderance of the evidence presented at the hearing, after giving due weight to all presumptions and prima facie evidence established by this section or other applicable law.~~

~~D. At the conclusion of an instant or a scheduled administrative adjudication hearing, the hearing officer shall immediately render an order or decision, either by:~~

~~1. finding the person charged liable for the parking violation, assessing the applicable civil fine and any penalties and other costs in accordance with this~~

~~section, and notifying the person of the right to appeal to municipal court; or~~

~~2. finding the person charged not liable for the parking violation.~~

~~E. An order of a hearing officer may be filed with the Director or his designated representative. The order may be recorded using computer printouts, microfilm, microfiche, or similar data processing techniques.~~

#### ~~X. Failure to Answer a Parking Citation or Appear at a Hearing~~

~~A. The failure of any person charged with a parking violation to answer to the charge within 15 calendar days after the date of issuance of the parking citation or to appear at any hearing, including a hearing on appeal, when required to appear is an admission of liability for the parking violation, and the hearing officer, or the municipal court in the case of an appeal, shall issue an order of liability and assess against the person charged with the violation the appropriate civil fines, penalties, and other costs.~~

~~B. Within 7 calendar days after filing an order of liability issued under this section, a hearing officer shall notify the registered owner or operator of the vehicle in writing of the order. The notice must be sent by first class mail to the last address of the registered owner on record with the Texas Department of Transportation, or to the address of the registered owner or operator last known to the hearing officer. The notice must include a statement:~~

~~1. of the amount of civil fines, penalties, and costs assessed;~~

~~2. of the right to appeal to municipal court; and~~

~~3. that failure to pay can result in immobilization and impoundment of the vehicle and the debt being placed on the debtor's credit report for seven years or until such time as the debt is paid.~~

#### ~~XI. Civil Fine Schedule~~

~~A. The following is the schedule of civil fines for parking violations under this section of this Code that are made civil offenses under this section:~~

<del>Violation</del>	<del>Civil Fine</del>
<del>No Parking Zone</del>	<del>\$58.00</del>
<del>Double Parking</del>	<del>\$68.00</del>
<del>Blocking Cross Walk</del>	<del>\$58.00</del>
<del>Blocking Roadway</del>	<del>\$58.00</del>
<del>Limited Parking</del>	<del>\$58.00</del>
<del>Unauthorized Zone</del>	<del>\$58.00</del>
<del>Failed to Park in Marked Space</del>	<del>\$58.00</del>
<del>Boot Fee</del>	<del>\$100.00</del>
<del>Fire Lane</del>	<del>\$68.00</del>
<del>Handicap Space</del>	<del>\$293.00</del>
<del>Passenger Loading Zone—Unattended Vehicle</del>	<del>\$58.00</del>

~~B. If a civil fine is assessed, it must be in accordance with this section. A civil fine may not be waived or modified by a hearing officer, or by a municipal court on appeal, except that additional penalties and other costs may be added in accordance with this section.~~

~~C. An additional penalty in an amount equal to the original civil fine will be assessed if a vehicle owner or operator or the agent of the owner or operator fails to:~~

- ~~1. answer to a parking violation charge within 15 calendar days after the date of issuance of the parking citation or fails to appear at any hearing scheduled after 15 calendar days from the date of the parking citation; or~~
- ~~2. after being found liable, pay all civil fines, fees, and costs assessed for a parking violation within the time designated by the hearing officer.~~

~~D. A penalty assessed under subsection (C) of this section may be waived by a hearing officer, or by a municipal court on appeal, if the vehicle owner or operator, or agent of the vehicle owner or operator, can establish that:~~

- ~~1. through no fault of the vehicle owner or operator, or agent of the vehicle owner or operator:
  - ~~a) no notice of the parking violation was received as required by this section;~~
  - ~~b) no notice of the hearing officer's order was received as required by this section; or~~
  - ~~c) payment of the civil fine assessed for the parking violation was not posted in a timely manner;~~~~
- ~~2. the penalty was assessed in error; or~~
- ~~3. the vehicle was at the time of the violation stopped, standing, or parked in response to a medical emergency.~~

## XII. Enforcement of Order

A. A hearing officer's order may be enforced by:

- ~~1. impounding the vehicle that is the subject of the order when it is found within the boundaries of the Airport, if the person charged has committed three or more parking violations in any calendar year that have not been resolved either by a finding of no liability or by payment of all civil fines, penalties, and costs assessed by the hearing officer;~~
- ~~2. placing a boot on the vehicle that is the subject of the order when it is found within the boundaries of the Airport, if the person charged has committed three or more parking violations in any calendar year that have not been resolved either by a finding of no liability or by payment of all civil fines, penalties, and costs assessed by the hearing officer;~~

- ~~3. imposing an additional penalty to a civil fine not paid within the designated period;~~
- ~~4. canceling or denying any permit to park or operate a transportation service at the Airport; or~~
- ~~5. reporting the debt to a credit reporting bureau to remain on the debtor's credit report for seven years or until such time as the debt is paid.~~

### XIII. Removal of Immobilization Device

~~A. The registered owner of an immobilized or impounded vehicle, or other authorized person, may secure the release of the vehicle upon:~~

- ~~1. payment of the amount of the civil fine and late fees, if any, for each delinquent parking citation plus the applicable boot fees and/or towing and storage fees; or~~
- ~~2. the posting of a cash bond in the amount of such civil fines, late fees, boot fees and/or towing and storage fees to ensure appearance at the immobilization/impoundment hearing.~~

~~B. Payment of the civil fines, late fees, boot fees, and any towing and storage fees shall constitute a waiver of the right to contest such civil fines and fees.~~

~~C. It shall be unlawful for any person, other than an officer or employee of the Airport Board acting in the course and scope of his duties under this section, to remove or attempt to remove or to tamper in any manner with an immobilization device (boot) installed on any vehicle pursuant to this section.~~

~~D. It shall be unlawful for any person, except under the direction of a peace officer, or an employee of the Airport Board to tow, move, or to cause to be towed or moved any vehicle on which a boot is then installed pursuant to this section from the place where it was booted.~~

~~E. It shall be unlawful for any person, other than a peace officer or employee of the Airport Board acting in the course and scope of his duties, to remove or relocate any notice placed upon a booted vehicle under this section.~~

~~F. An offense under this section shall be a criminal offense punishable upon conviction by a criminal fine not to exceed Five Hundred Dollars (\$500). To the extent that any conduct declared to be unlawful under this section also constitutes a violation of an applicable state law, then it shall be punishable as provided by state law.~~

### XIV. Immobilization/Impoundment Hearing

~~A. The registered owner of a vehicle that is immobilized or impounded for the purpose of enforcing a hearing officer's order shall have the right to a prompt immobilization/impoundment hearing before a hearing officer.~~

~~B. The request for an immobilization/impoundment hearing must be made in writing to the Director, or his designated representative, on a form provided for that purpose.~~

~~within 3 calendar days from the date the vehicle was immobilized or impounded, whichever occurred first.~~

~~C. An immobilization/impoundment hearing must be held within 48 hours after the Director, or his designated representative, receives the request for a hearing, excluding Saturdays, Sundays, and Airport Board holidays, at the parking adjudication office or at such other convenient and reasonable place as the hearing officer may designate.~~

~~D. The issue to be determined at the immobilization/impoundment hearing is whether the immobilization or impoundment of the vehicle was authorized by this section.~~

~~E. The immobilization or impoundment of a vehicle is valid if it complies with the requirements of this section, unless the vehicle owner or operator, or agent of the vehicle owner or operator, can establish that:~~

- ~~1. the vehicle was registered to or operated by another person at the time the unresolved parking violations occurred;~~
- ~~2. the vehicle was being operated without the owner's express or implied consent at the time the unresolved parking violations occurred;~~
- ~~3. through no fault of the owner, notice of the unresolved parking violations was never received as required by this section;~~
- ~~4. one or more citations for the unresolved parking violations are defective and, if dismissed, would leave no more than two unresolved parking violations within the calendar year; or~~
- ~~5. at the time of immobilization or impoundment of the vehicle, the registered owner had no more than two unresolved parking violations within the calendar year.~~

~~F. The determination of the hearing officer at the immobilization/impoundment hearing is final and is not subject to appeal.~~

~~G. If the hearing officer determines that immobilization or impoundment of a vehicle was not valid, all fees paid for immobilization, towage, storage, and impoundment of the vehicle and any other amount paid to redeem the vehicle shall be refunded, including any civil fines, penalties, and costs for any parking violation that the hearing officer determines should not have been considered in counting parking violations for the purposes of immobilizing or impounding the vehicle. Any civil fines, penalties, and costs paid for a parking violation for which the registered owner was liable will not be refunded.~~

#### ~~XV. Appeal From Hearing~~

~~A. A person determined by a hearing officer, at either an instant or scheduled administrative adjudication hearing or by failure to answer a parking citation or appear at a hearing in the time required, to be liable for a parking violation may appeal this determination to the municipal court by filing a petition, along with a filing fee, with the~~

municipal court clerk or a deputy clerk within 30 calendar days after the hearing officer's order is filed with the Director or his designated representative. If the hearing officer's order is reversed, the filing fee shall be returned by the city to the appellant.

~~B. Upon receipt of an appeal petition, the municipal court clerk or deputy clerk shall schedule an appeal hearing and notify all parties of the date, time, and location of the hearing. The officer or other authorized person who issued the parking citation is not required to be present at the appeal hearing unless requested by the person charged or by the municipal court.~~

~~C. The appeal hearing must be a trial de novo in municipal court and is a civil proceeding for the purpose of affirming or reversing the hearing officer's order. The person filing the appeal may request that the hearing be held before a jury. The decision from the municipal court is final.~~

~~D. Service of notice of appeal under this section does not stay the enforcement and collection of any order of a hearing officer, unless the person filing the appeal pays to the Director, or his designated representative, an amount equal to all civil fines, penalties, and costs assessed against the person charged. The Director, or his designated representative, shall issue a receipt for any amounts paid under this subsection. After presentation of the receipt, all amounts paid will be refunded if the hearing officer's order is overturned on appeal.~~

#### ~~XVI. Disposition of Civil Fines, Penalties, and Costs~~

~~All civil fines, penalties, and costs assessed under this section shall be paid into the Airport Board's general fund for the use and benefit of the Airport Board.~~

## **Chapter 2 Traffic Regulation**

### **ARTICLE I. IN GENERAL.**

- Sec. 2-1.      General Law Governing.
- Sec. 2-2.      Traffic Control Installations.
- Sec. 2-3.      Definitions.

### **ARTICLE II. ENFORCEMENT.**

- Sec. 2-5.      Law Enforcement.
- Sec. 2-6.      Parking Enforcement.
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### **ARTICLE III. LANDSIDE TRAFFIC.**

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- Sec. 2-73. Immobilization/Impoundment Hearing.
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- Sec. 2-75. Disposition of Civil Fines, Penalties, and Costs.

**ARTICLE I.**  
**IN GENERAL.**

**SEC. 2-1. GENERAL LAW GOVERNING.**

All of the provisions of State Law governing the regulation of motor vehicles, including but not limited to Transportation Code Title 7 - "Vehicles and Traffic" Subtitle C - "Rules of the Road", Transportation Code Chapter 502 - "Registration of Vehicles", Transportation Code Chapter 501 - "Certificate of Title Act", Transportation Code Chapter 521 - "Driver's Licenses and Certificates", Transportation Code Chapter 601 - "Motor Vehicle Safety Responsibility Act", and Transportation Code Chapter 683 - "Abandoned Motor Vehicles", are hereby declared to be in effect on Airport Roadways, except the provisions of said Statutes changed by this Code under the authority of State Law.

**SEC. 2-2. TRAFFIC CONTROL INSTALLATIONS.**

- (a) All devices, signs, signals, markings or insignia shall conform to the manual and specifications adopted by the Texas Transportation Commission, as set forth in Transportation Code, Section 544.001 and Transportation Code, Section 544.002.
- (b) Except for speed limit signs, all traffic control devices, signs, signals, markings and insignias as presently located, erected or installed on the premises of the Airport, are hereby adopted, affirmed and ratified. The Executive Director shall conduct studies and investigations relating to all such traffic control devices, signs, signals, markings and insignia, and in accordance with such studies, make changes deemed necessary. This includes declaring a parking ban for specified areas of the Airport in the interest of traffic safety or security. Any changes, when effected, shall be entered upon an official record to be maintained by the Executive Director.
- (c) Based upon the authority vested in the Cities of Dallas and Fort Worth by Transportation Code, Section 545.356 and Transportation Code, Section 545.363, the speed limits upon the streets, ways, passages and vehicular routes within the boundaries and confines of the Airport are set, affirmed and ratified as described in Appendix I of this Code. Unless otherwise provided, the maximum speed limit on streets, ways, passages and vehicular routes within the boundaries and confines of the Airport shall be thirty (30) miles per hour. The streets, ways, passages and vehicular routes, and their corresponding block numbers within the boundaries and confines of the Airport, are set, affirmed, and ratified as described in Appendix I of this Code. In compliance with the above authority, the Airport Board directs the Executive Director to perform engineering and traffic investigations to ensure the prima facie maximum speed limits set forth in Appendix I are reasonable and safe under the conditions found to exist at all intersections and Airport Roadways. The

delegation of authority herein granted shall not extend to establishing or changing speed limits, but shall be established by the Airport Board according to the requirements of State Law as delegated to the Cities by Legislative enactment.

**SEC. 2-3. DEFINITIONS.**

**ABANDONED VEHICLE** shall have the meaning assigned in Section 683.002 of the Texas Transportation Code.

**ADMINISTRATOR** shall mean the Vice President of Operations of the Dallas-Fort Worth International Airport Board and includes his designated representatives, agents or Airport Board employees.

**AIRPORT OPERATIONS AREA or "AOA"** shall mean the area of the Dallas-Fort Worth International Airport bounded by a fence or to which access is otherwise restricted and which is primarily used or intended to be used for landing, taking-off or surface maneuvering of aircraft. The AOA does not include leasehold areas within or having direct access to the AOA which are subject to security requirements imposed on the lessee or tenant under appropriate federal regulations or agreement incorporated in a signed lease.

**AIRCRAFT RESCUE AND FIRE FIGHTER ROAD (AARF) or EMERGENCY ACCESS ROADS** shall mean roads on the AOA that are maintained to support emergency responses.

**AUTHORIZATION or AUTHORIZED** shall mean acting under or pursuant to a written contract, permit, authorization or other evidence of right issued by the Executive Director or his designee.

**BADGE** shall mean an identification card issued by the Airport to identify a person with access authorization.

**CRUISING** shall mean operating a motor vehicle so as to pass the same location 3 times within a 2 hour period.

**DISABLED PARKING PLACARD** shall mean the placard issued by the state under section 681.002 of the Texas Transportation Code, as amended.

**DISABLED PERSON** shall mean a person who has a permanent or temporary disability within the meaning of Section 681.001 in the Texas Transportation Code, as amended, and who has applied for and received:

- (a) a disabled person or disabled veteran license plate from the state;
- (b) a disabled parking placard from the state; or
- (c) a license plate or placard bearing the international symbol of access issued by a U.S. state or by a state or province of a foreign country.

**DISABLED PERSON LICENSE PLATE** shall mean the specially designed license plate of a vehicle, issued by the state to a permanently disabled person under Section 504.201 of the Texas Transportation Code, as amended.

**DISABLED VETERAN LICENSE PLATE** shall mean the specially designed license plate of a vehicle, issued by the state to a disabled veteran under Section 504.202 of the Texas Transportation Code, as amended.

**DPS** shall mean the Dallas-Fort Worth International Airport Board Department of Public Safety.

**ESCORT** shall mean to accompany and monitor the activities of an individual who does not have unescorted access authority into or within a sterile area, secured area or SIDA.

**INTERNATIONAL SYMBOL OF ACCESS** shall have the meaning defined in Section 681.001 of the Texas Transportation Code, as amended.

**JUNKED VEHICLE** shall have the meaning defined in Section 683.071 of the Texas Transportation Code.

**MOVEMENT AREA** shall mean the area of the AOA utilized for taxiing, takeoff, and landing of aircraft and includes adjacent undeveloped areas. The movement area does not include loading ramps and parking area ramps.

**NON-MOVEMENT AREA** shall mean the area that includes all aircraft parking areas, loading ramps and aircraft maintenance ramps.

**OPERATOR** shall mean any person in control of a vehicle, including a railroad train or a vehicle being towed.

**OWNER** shall mean a person in whose name the legal title of an aircraft or a motor vehicle is held or vested.

**PARK** or **PARKING** shall mean to stand an occupied or unoccupied vehicle, other than temporarily while loading or unloading merchandise or passengers.

**PARKING BAN** shall mean certain hours or times during which standing, parking, or stopping of a vehicle is prohibited along the curb of designated street as indicated by signs.

**RESTRICTED AREA** shall mean any area locked or posted by the Airport to either prohibit or limit entry or access to specific authorized persons.

**STAND** or **STANDING** shall mean to halt an occupied or unoccupied vehicle, other than temporarily while receiving or discharging passengers.

**STOP** or **STOPPING** shall mean:

- (a) when required, to completely cease movement; and,
- (b) when prohibited, to halt, including momentarily halting, an occupied or unoccupied vehicle, unless necessary to avoid conflict with other traffic or to comply with the directions of a police officer or a traffic control sign or signal.

**UNATTENDED VEHICLE** shall mean a vehicle that is stopped or parked and whose driver and passengers have exited the vehicle and moved more than 50 feet away from the vehicle leaving, it unoccupied.

**ARTICLE II.**  
**ENFORCEMENT.**

**SEC. 2-5. LAW ENFORCEMENT.**

(a) Composition of Police Force

The police force of DFW International Airport shall consist of the Chief of Police and such number of officers as the Airport Board authorizes.

(b) Chief of Police

(1) shall be responsible for the proper administration and operations of the police department;

(2) shall have the authority to appoint peace officers for specific duties at the Airport.

(c) Duties and Powers of Police Officers

Law enforcement officers are charged with maintaining peace and order, and protecting the citizens of the DFW Airport. The Department of Public Safety shall provide continuous patrol services, response to citizens' calls for assistance, investigate criminal offenses and security violations, apprehend offenders, provide traffic enforcement and enforce all codes and laws, local, state and federal, the enforcement of which it is charged with.

**SEC. 2-6. PARKING ENFORCEMENT.**

In addition to DPS law enforcement officers, the VP of Operations and the VP of Customer Service and their designated representatives shall have enforcement authority in this Chapter related to parking or stopping a vehicle in terminal parking facilities, on the upper or lower level roadways adjacent to passenger terminals, at the central queue, and Consolidated Rental Car Facility.

**SEC. 2-7. TOWING.**

(a) Any vehicle which is abandoned or junked, parked in violation of this code, or representing an operational hazard at the Airport, may be booted, removed or towed away and impounded all at the operator's or owner's expense and without liability for any damage to the vehicle. Such expense shall be a lien against the vehicle and payment in full shall be a prerequisite to the reclaiming of the vehicle by the operator or owner.

(b) The method of disposition of abandoned or junked motor vehicles or other vehicles shall be as set forth in the Transportation Code Chapter 683.

(c) Any boat, trailer, storage compartment or other like property left in any terminal, remote, or employee parking facility on the Airport without authorization from the Executive Director will be towed away and impounded all at the operator's or owner's expense and without liability for any damage to the vehicle.

- (d) Law Enforcement Officers of The Department of Public Safety are authorized to remove or impound vehicles found in violation of this chapter which represent an operational hazard or that impede the efficient operations of any Airport Roadway or the Air Operations Area.
- (e) The VP of Customer Service, the VP of Operations, DPS, and their designated representatives are authorized to impound any vehicle that is in violation of parking or stopping of vehicles found:
  - (1) in terminal parking facilities;
  - (2) on the upper or lower level roadways adjacent to passenger terminals;
  - (3) at the central queue; or
  - (4) at the Consolidated Rental Car Facility.

**ARTICLE III.**  
**LANDSIDE TRAFFIC.**

**SEC. 2-10. OBEDIENCE TO TRAFFIC CONTROL DEVICES.**

No person shall operate a vehicle on any Airport roadway in violation of an official traffic-control device except when necessary to avoid conflict with other traffic or to be in compliance with the law or the directions of a police officer, a traffic or parking controller.

**SEC. 2-11. CRUISING.**

- (a) A person commits an offense if he drives a regulated vehicle and he:
  - (1) engages in cruising within 500 feet of any Airport Terminal, bus stop, rental car facility, parking facility or any other location designed to assist Airport customers locate alternate means of transportation to or from the Airport; and,
  - (2) does not possess a valid dispatch authorization or other form of permission from the Administrator.
- (b) Enforcement:
  - (1) Enforcement action may be taken under this section any time after a police officer has determined that the driver of a vehicle has passed the same location more than 3 times within a 2 hour period.

**ARTICLE IV.**  
**AIRSIDE TRAFFIC.**

**SEC. 2-20. CONTROL OF VEHICLES.**

The control of all vehicular traffic on the AOA shall be governed by applicable federal and state laws and these rules and regulations.

**SEC. 2-21. AUTHORITY TO OPERATE ON THE AOA.**

(a) No person shall enter by foot or other conveyance or operate any motor vehicle on the AOA, unless it is directly related to an aviation activity on the Airport, the business of the Airport Board, or the business of a tenant, an authorized subtenant or authorized user of the Airport.

(b) A person commits an offense if he is on the AOA and:

(1) does not display evidence of authorization issued by the Executive Director or his designee; or

(2) is not under authorized escort as described in Chapter 9.

(c) A person commits an offense if he operates a motor vehicle on the AOA and:

(1) does not have a valid government issued driver's license in his possession;

(2) does not have a license in his possession that is appropriate for the type of vehicle being operated; or,

(3) does not display or refuses to present a driver's license upon demand by a Peace Officer.

**SEC. 2-22. YIELD TO AIRCRAFT.**

A person commits an offense if he operates a vehicle and fails to yield the right-of-way to any aircraft in motion.

**Sec. 2-23. AIRCRAFT MOVEMENT AREA.**

(a) A person commits an offense if he operates a motor vehicle or travels by foot or by any conveyance and crosses the non-movement area boundary marking from the non-movement area into the movement area, unless in support of airport operations.

(b) A person commits an offense if he operates a motor vehicle or travels on foot or by any conveyance and crosses the runway holding position marking of an active runway without first having received clearance to proceed from the FAA control tower.

(c) It is a defense to prosecution for a violation of this subsection if the person is being escorted by an authorized SIDA badge holder who is responsible for receiving clearance from the FAA control tower.

**SEC. 2-24. SPEED LIMIT AND TRAFFIC CONTROL.**

A person commits an offense if he operates any motor vehicle, other than an emergency vehicle:

- (a) in the Non-Movement Area at a speed in excess of twenty (20) miles per hour; or
- (b) on the ARFF service roads in excess of forty-five (45) miles per hour.

**SEC. 2-25. RECKLESS DRIVING.**

A person commits an offense if he operates a motor vehicle on the AOA in a willful or wanton disregard for the safety of persons or property.

**SEC. 2-26. OBEDIENCE TO SIGNS.**

A person commits an offense if while on foot or operating any vehicle on the AOA:

- (a) he disregards a posted regulatory sign, special sign, signal, marking or device used to regulate, warn, or guide traffic; or
- (b) fails to comply with directions given by the control tower, a law enforcement officer, or a person designated by the Airport to control traffic.

**SEC. 2-27. PARKING ON THE AOA.**

A person commits an offense if he parks a motor vehicle, vehicle, trailer, or other equipment on the AOA:

- (a) in a manner contrary to any posted regulatory signs, traffic control devices or pavement markings; or
- (b) in any manner that prevents the passage or movement of aircraft, vehicles, trailers or pedestrians.

**SEC. 2-28. MOTOR VEHICLE ACCIDENTS.**

Any person operating a motor vehicle on the AOA which is involved in an accident resulting in injury to any person or damage to another's property shall:

- (a) immediately stop at the scene or as close as possible;
- (b) render aid if necessary;
- (c) exchange driver, vehicle, and insurance information if necessary; and
- (d) notify the DFW Airport DPS and the Airport Operations Center.

**SEC. 2-29. DRIVING UNDER THE INFLUENCE.**

A person commits an offense if he operates a motor vehicle on the AOA and:

- (a) has any detectable amount of alcohol in the person's system;

- (b) has any detectable amount of a dangerous drug in the person's system; or,
- (c) does not have the normal use of his mental or physical faculties by reason of the introduction of a controlled substance, a drug, a combination of two or more substances or any other substance into the body.

**SEC. 2-30. POSSESSION OR CONSUMPTION OF AN ALCOHOLIC BEVERAGE.**

- (a) A person commits an offense if he is in possession of an alcoholic beverage on the Air Operations Area unless he is:
  - (1) an airline employee serving an alcoholic beverage in performance of his duties; or
  - (2) an employee of an airline or a contracted delivery person delivering alcohol to an aircraft or a terminal building.
- (b) A person commits an offense if the person consumes an alcoholic beverage on the Air Operations Area unless he is a ticketed passenger on an aircraft where alcoholic beverages are served by airline personnel.

**ARTICLE V.**  
**PARKING VIOLATIONS.**

**SEC. 2-40. OBEDIENCE TO SIGNS.**

- (a) A person commits an offense, if as the operator of a vehicle, he stops, stands, or parks a vehicle within the boundaries of the Airport in violation of an official sign, curb marking, or street marking prohibiting, regulating, or restricting the parking, stopping, or standing of vehicles except when necessary to avoid conflict with other traffic or to be in compliance with the law or the directions of a police officer.
- (b) A person commits an offense if he:
  - (1) is not a disabled person or transporting a disabled person and stops, stands, or parks a vehicle with a valid disabled person license plate, a disabled veteran license plate, a disabled parking placard, or a license plate or placard bearing the international symbol of access in a parking space or area designated specifically for the disabled; or,
  - (2) stops, stands, or parks a vehicle that does not display a valid disabled person license plate, a disabled veteran license plate, a disabled parking placard, or a license plate or placard bearing the international symbol of access in a parking space or area designated specifically for the disabled; or,
  - (3) stops, stands, or parks a vehicle in such a manner that the vehicle blocks an access or curb ramp or any other architectural improvement designed to aid the disabled.

**SEC. 2-41. NO PARKING.**

A person commits an offense if as the operator of a vehicle, he parks a vehicle within the boundaries of the Airport in a no parking zone designated by an official sign.

**SEC. 2-42. UNAUTHORIZED ZONES.**

A person commits an offense if:

- (a) as the operator of a vehicle he stops, stands, or parks in a zone designated by the Airport for the use of a specified transportation provider and the vehicle he is driving does not display a valid permit or other proof of authorization issued by the Airport; or,
- (b) as the operator of an authorized Limo, Taxi, Terminal Link, Shared Ride vehicle, or other courtesy vehicle he stops, stands, or parks in a zone for which his vehicle is not authorized.

**SEC. 2-43. LIMITED PARKING.**

A person commits an offense if as the operator of a vehicle he stops, stands, or parks a vehicle in violation of an official sign which designates a time limit for parking.

**SEC. 2-44. FIRE LANE.**

A person commits an offense if the person stops, stands, or parks a vehicle in a fire lane except when necessary to avoid conflict with other traffic or to be in compliance with the law or the directions of a police officer.

**SEC. 2-45. FAILURE TO PARK IN MARKED SPACE.**

A person commits an offense if in an Airport operated parking area he parks a vehicle in a marked parking space and fails to park within the lines as designated.

**SEC. 2-46. EMPLOYEE PARKING AREAS.**

A person commits an offense if he operates, parks, or stands a motor vehicle within an Airport operated parking area designated for employee parking unless a valid permit, decal, or other authorization issued by the Airport is displayed on the vehicle in a manner established by the Administrator.

**SEC. 2-47. PARKING BY AIR OPERATION AREAS FENCE.**

A person commits an offense if he parks a vehicle or leaves other property within ten (10) feet of an AOA fence.

**SEC. 2-48. PASSENGER LOADING ZONES – NO UNATTENDED VEHICLE.**

- (a) The Airport Board may establish zones for loading or unloading passengers where no unattended vehicles are permitted. Such zones shall be designated with appropriate control devices, signs, signals, markings or insignia.

- (b) A person commits an offense if the person parks, stops, or stands any vehicle and leaves it unattended in any Passenger Loading or No Unattended Vehicle zone.

**SEC. 2-49. IMPEDING FLOW OF TRAFFIC.**

A person commits an offense if he parks, stops or stands a vehicle in any Airport Roadway, Crosswalk, Sidewalk, Driveway, Air Operations Area, Taxiway, Parking Area, Passenger Loading Zone, Loading Zone, at the Central Queue, or in front of or near any entrance or exit to any building at the Airport so as to block, obstruct or impede the free passage of any vehicles or pedestrians.

**SEC. 2-50. LOADING ZONES.**

- (a) The Airport Board may establish Loading Zones for the loading and unloading of material at the Airport. Loading zones shall be designated with appropriate control devices or signs and may designate specific times for the activity.

- (b) A person commits an offense if he:

- (1) stops, stands or parks any vehicle in a Loading Zone other than for unloading and delivery, pickup and loading of material by a vehicle authorized by the Executive Director for such use; or,
- (2) stops, stands or parks any delivery vehicle authorized by the Executive Director in a Loading Zone and exceeds the time limit or specified time window established by the Airport Board and posted in such Loading Zone.

**SEC. 2-51. PARKING DEFENSES.**

- (a) Law Enforcement and Emergency Service Vehicles.

- (1) It is a defense to prosecution under this Chapter that a vehicle in violation was owned or operated by a law enforcement agency, fire department or Emergency Medical Service provider and parked to support the performance of official duties.

- (b) Authorized persons.

- (1) It is a defense to prosecution under this Chapter that a vehicle in violation: `

- (a) was parked in a limited parking space and had parking authorization, in a form approved by the Executive Director and authorization was placed to be clearly visible on the front windshield of the vehicle; or,
- (b) stopped, stood, or parked at the direction of a law enforcement officer, a traffic or parking controller, or an official traffic-control device.

**ARTICLE VI.**  
**ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS.**

**SEC. 2-60. PARKING VIOLATIONS MADE CIVIL OFFENSES.**

Every violation of Article V of this chapter governing the stopping, standing, or parking of a vehicle is a civil offense.

**SEC. 2-61. GENERAL AUTHORITY AND DUTY OF THE VICE PRESIDENT OF OPERATIONS.**

The Vice President of Operations of the Airport Board or his designated representative shall implement and enforce this section and may by written order establish such rules or regulations, not inconsistent with this section, as the Vice President of Operations determines are necessary to discharge his duty under, or to effect the policy of, this section.

**SEC. 2-62. HEARING OFFICERS; POWERS, DUTIES, AND FUNCTIONS .**

(a) Hearing officers shall be appointed by the Vice President of Operations, or his designated representative, to administratively adjudicate all parking violations for which a parking citation has been issued under this chapter of this Code.

(b) Hearing officers shall have the following powers, duties, and functions:

(1) to administer oaths;

(2) to accept admissions to, and to hear and determine contests of, parking violations under this section;

(3) to issue orders compelling the attendance of witnesses and the production of documents, which orders may be enforced by a municipal court;

(4) to assess civil fines, penalties, and other costs for a parking violation in accordance with SEC.2-70 of this section;

(5) to waive penalties assessed for a parking violation in accordance with Sec.2-70 of this section; and

(6) to preside over, hear evidence, and make findings at an immobilization or impoundment hearing in accordance with this section.

**SEC. 2-63. PARKING CITATIONS; FORM.**

(a) A parking citation serves as the summons and complaint for purposes of this section.

(b) A parking citation must be on a form prescribed by the Vice President of Operations or his designated representative, and must include the following information:

(1) the nature, date, time, and location of the alleged parking violation;

- (2) the license plate number of the illegally parked vehicle, or if not visible or legible, the vehicle identification number or the inspection tag number;
  - (3) the make of the illegally parked vehicle;
  - (4) the date, time, and location of the administrative adjudication hearing, to be set not later than 15 calendar days after the date of issuance of the parking citation;
  - (5) a notification that the person charged with the parking violation has the right to an instanter hearing any business day before the scheduled administrative adjudication hearing; and
  - (6) a notification that failure to timely appear at either an instanter hearing or a scheduled administrative adjudication hearing is considered an admission of liability for the parking violation charge and will result in the assessment of appropriate civil fines, penalties, and costs and may result in the immobilization, towing, and impoundment of the vehicle for which the citation was issued.
- (c) The original or any copy of a parking citation is a record kept in the ordinary course of Airport Board business and is prima facie evidence of the facts contained in the parking citation.

**SEC. 2-64. SERVICE OF A PARKING CITATION; PRESUMPTION OF SERVICE.**

- (a) A parking citation must be served personally upon the operator of a vehicle who is present at the time of service. If the operator is not present, or cannot otherwise be personally served, the parking citation must be served upon the registered owner of the vehicle by affixing the parking citation to the vehicle in a conspicuous place.
- (b) An operator of a vehicle who is not the vehicle's owner, but who uses or operates the vehicle with the express or implied permission of the owner, shall be considered the owner's agent authorized to receive a parking citation required to be served upon the registered owner or operator of a vehicle in accordance with the provisions of this section.
- (c) If the owner or operator of a vehicle drives the vehicle away from or in any manner leaves the site of the parking violation while the issuing officer is preparing the parking citation, or refuses service of the parking citation, this fact shall be noted on the original and all copies of the parking citation.
- (d) The original parking citation must be signed by the issuing officer who shall affirm the truth of the facts set forth in the citation.
- (e) The original and all copies of a parking citation are prima facie evidence that the parking citation was issued and that an attempt at service was made in accordance with the provisions of this section.

**SEC. 2-65. LIABILITY OF THE VEHICLE OWNER AND OPERATOR; PRESUMPTION OF LIABILITY.**

- (a) Except as provided in subsection (b), the registered owner and the operator of a vehicle, when not the same, shall both be liable to the Airport Board for a parking violation charge, except that the operator of a vehicle shall be solely liable if the owner can prove that the vehicle was operated without the owner's express or implied consent. A vehicle owner who pays any civil fines, penalties, or costs pursuant to this section shall have the right to recovery from the vehicle operator.
- (b) A vehicle owner who is engaged in the business of renting or leasing vehicles under written rental or leasing agreements shall not be liable for parking fines, penalties, and costs imposed by the Airport Board on a rented or leased vehicle if, within 30 days after receiving written notice of a parking violation, the vehicle owner provides in affidavit form the true name, address, driver's license number and state or country of issuance of the person in possession of the vehicle at the time the parking citation was issued, or a true copy of the lease or rental agreement in effect at the time the parking citation was issued.
- (c) A lessor of a vehicle who fails to comply with subsection (b) shall be treated as any other vehicle owner and shall be liable with the vehicle operator for a parking violation charge.
- (d) It is a defense to any charge of a parking violation that, at the time of the violation, the illegally parked vehicle was reported to a police department as having been stolen prior to the time of the violation and had not yet been recovered.
- (e) In any hearing to administratively adjudicate a parking citation, it is presumed that the registered owner of the vehicle for which the citation was issued is the person who stopped, stood, or parked the vehicle at the time and place of the parking violation. Proof of ownership may be made by a computer-generated record of the registration of the vehicle showing the name of the person to whom the license plate was issued. This proof is prima facie evidence of the ownership of the vehicle by the person to whom the certificate of registration was issued.

**SEC. 2-66. ANSWERING A PARKING CITATION.**

- (a) A person who has been issued a parking citation shall answer to the charge of the parking violation by the date shown on the citation. An answer may be made in any of the following ways:

  - (1) an admission of liability with payment of the applicable civil fine, and any additional penalties and costs;
  - (2) a denial of liability made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date;
  - (3) an admission of liability with an explanation made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date;

- (4) a request for permission from a hearing officer to adjudicate by mail; or
- (5) a request to reset a scheduled administrative adjudication hearing from the date shown on the parking citation. A scheduled hearing may not be reset more than once unless the person charged pays to the Vice President of Operations, or his designated representative, an amount equal to the applicable civil fine for the parking violation, with any additional penalties and costs.
- (b) The Vice President of Operations, or his designated representative, shall issue a receipt for any amounts paid under this paragraph. After presentation of the receipt, all amounts paid will be refunded to the person charged if the hearing officer, or a municipal court on appeal, finds that the person is not liable for the parking violation.
- (c) Payment of the civil fine and any additional penalties and costs may be made in person or by mailing to the Airport Board the parking citation accompanied by payment of the amount shown on the citation. Payment by mail may be made only by money order, check, or in a manner prescribed by the Vice President of Operations or his designated representative. Payment of the civil fine and all penalties and costs assessed pursuant to this section shall operate as a final disposition of the parking violation charge, except when payment is made to reset a scheduled hearing or to file an appeal.

**SEC. 2.67. ADJUDICATION BY MAIL.**

- (a) If a person charged with a parking violation shows good cause for not attending a hearing, either personally or through a representative, the hearing officer may permit the matter to be adjudicated by mail, which adjudication must be completed within 90 calendar days of the date of the citation.
- (b) Letters, memoranda, affidavits, photographs, and other documentary materials shall be admissible as evidence for the purposes of adjudication by mail. The hearing officer may exclude from consideration any material that is not relevant to the adjudication of the alleged violation.
- (c) Failure of the person charged to proceed with an adjudication by mail after requesting and receiving permission to adjudicate by mail is an admission by the person charged of liability for the parking violation and shall subject the person who requested the adjudication by mail to the appropriate civil fines, penalties, and costs assessed by the hearing officer.
- (d) If a hearing officer determines that an adjudication cannot proceed by mail the hearing officer shall advise the person charged by first class mail that the person must appear to answer the charge at a hearing.

**SEC. 2-68. HEARINGS FOR DISPOSITION OF A PARKING CITATION; PARKING CITATION AS PRIMA FACIE EVIDENCE.**

- (a) Every hearing for the adjudication of a parking violation charge under this section shall be held before a hearing officer.

- (b) At a hearing, the parking citation is prima facie proof of its contents and the officer or other authorized person who issued the parking citation is not required to be present; except, that the issuing officer or other authorized person shall be present at a scheduled administrative adjudication hearing if requested by the person charged or by the hearing officer.
- (c) At a hearing, the hearing officer shall hear and consider evidence presented by the Airport Board and by the person charged. The formal rules of evidence do not apply to a hearing under this section, and the hearing officer shall make a decision based upon a preponderance of the evidence presented at the hearing, after giving due weight to all presumptions and prima facie evidence established by this section or other applicable law.
- (d) At the conclusion of an instanter or a scheduled administrative adjudication hearing, the hearing officer shall immediately render an order or decision, either by:
  - (1) finding the person charged liable for the parking violation, assessing the applicable civil fine and any penalties and other costs in accordance with this section, and notifying the person of the right to appeal to municipal court; or,
  - (2) finding the person charged not liable for the parking violation.
- (e) An order of a hearing officer may be filed with the Director or his designated representative. The order may be recorded using computer printouts, microfilm, microfiche, or similar data processing techniques.

**SEC. 2-69. FAILURE TO ANSWER A PARKING CITATION OR APPEAR AT A HEARING.**

- (a) The failure of any person charged with a parking violation to answer to the charge within 15 calendar days after the date of issuance of the parking citation or to appear at any hearing, including a hearing on appeal, when required to appear is an admission of liability for the parking violation, and the hearing officer, or the municipal court in the case of an appeal, shall issue an order of liability and assess against the person charged with the violation the appropriate civil fines, penalties, and other costs.
- (b) Within 7 calendar days after filing an order of liability issued under this section, a hearing officer shall notify the registered owner or operator of the vehicle in writing of the order. The notice must be sent by first class mail to the last address of the registered owner on record with the Texas Department of Transportation, or to the address of the registered owner or operator last known to the hearing officer. The notice must include a statement:
  - (1) of the amount of civil fines, penalties, and costs assessed;
  - (2) of the right to appeal to municipal court; and
  - (3) that failure to pay can result in immobilization and impoundment of the vehicle and the debt being placed on the debtor's credit report for seven years or until such time as the debt is paid.

**SEC. 2-70. CIVIL FINE SCHEDULE.**

(a) The following is the schedule of civil fines for parking violations of this Code that are made civil offenses under this section:

<u>Violation</u>	<u>Civil Fine</u>
<u>Obedience to Signs</u>	<u>\$58.00</u>
<u>Handicap Space</u>	<u>\$293.00</u>
<u>No Parking</u>	<u>\$58.00</u>
<u>Unauthorized Zone</u>	<u>\$58.00</u>
<u>Limited Parking – 1hr/2hr</u>	<u>\$58.00</u>
<u>Fire Lane</u>	<u>\$68.00</u>
<u>Failure to Park in Marked Space</u>	<u>\$58.00</u>
<u>Employee Parking Areas (no decal/expired decal)</u>	<u>\$58.00</u>
<u>Parking by AOA Fence</u>	<u>\$58.00</u>
<u>Passenger Loading Zones (No Unattended Vehicle)</u>	<u>\$58.00</u>
<u>Impeding Flow of Traffic</u>	<u>\$58.00</u>
<u>Loading Zone</u>	<u>\$58.00</u>
<u>Boot Fee</u>	<u>\$100.00</u>

(b) If a civil fine is assessed, it must be in accordance with this section. A civil fine may not be waived or modified by a hearing officer, or by a municipal court on appeal, except that additional penalties and other costs may be added in accordance with this section.

(c) An additional penalty in an amount equal to the original civil fine will be assessed if a vehicle owner or operator or the agent of the owner or operator fails to:

(1) answer to a parking violation charge within 15 calendar days after the date of issuance of the parking citation or fails to appear at any hearing scheduled after 15 calendar days from the date of the parking citation; or

(2) after being found liable, pay all civil fines, fees, and costs assessed for a parking violation within the time designated by the hearing officer.

(d) A penalty assessed under subsection (C) of this section may be waived by a hearing officer, or by a municipal court on appeal, if the vehicle owner or operator, or agent of the vehicle owner or operator, can establish that:

(1) through no fault of the vehicle owner or operator, or agent of the vehicle owner or operator:

(a) no notice of the parking violation was received as required by this section;

(b) no notice of the hearing officer's order was received as required by this section; or,

(c) payment of the civil fine assessed for the parking violation was not posted in a timely manner;

(2) the penalty was assessed in error; or,

(3) the vehicle was at the time of the violation stopped, standing, or parked in response to a medical emergency.

**SEC. 2-71. ENFORCEMENT OF ORDER.**

A hearing officer's order may be enforced by:

(a) impounding the vehicle that is the subject of the order when it is found within the boundaries of the Airport, if the person charged has committed three or more parking violations in any calendar year that have not been resolved either by a finding of no liability or by payment of all civil fines, penalties, and costs assessed by the hearing officer;

(b) placing a boot on the vehicle that is the subject of the order when it is found within the boundaries of the Airport, if the person charged has committed three or more parking violations in any calendar year that have not been resolved either by a finding of no liability or by payment of all civil fines, penalties, and costs assessed by the hearing officer;

(c) imposing an additional penalty to a civil fine not paid within the designated period;

(d) canceling or denying any permit to park or operate a transportation service at the Airport; or,

(e) reporting the debt to a credit reporting bureau to remain on the debtor's credit report for seven years or until such time as the debt is paid.

**SEC. 2-72. REMOVAL OF IMMOBILIZATION DEVICE.**

(a) The registered owner of an immobilized or impounded vehicle, or other authorized person, may secure the release of the vehicle upon:

(1) payment of the amount of the civil fine and late fees, if any, for each delinquent parking citation plus the applicable boot fees and/or towing and storage fees; or,

(2) the posting of a cash bond in the amount of such civil fines, late fees, boot fees and/or towing and storage fees to ensure appearance at the immobilization/impoundment hearing.

(b) Payment of the civil fines, late fees, boot fees, and any towing and storage fees shall constitute a waiver of the right to contest such civil fines and fees.

(c) It shall be unlawful for any person, other than an officer or employee of the Airport Board acting in the course and scope of his duties under this section, to remove or attempt to remove or to tamper in any manner with an immobilization device (boot) installed on any vehicle pursuant to this section.

- (d) It shall be unlawful for any person, except under the direction of a peace officer, or an employee of the Airport Board to tow, move, or to cause to be towed or moved any vehicle on which a boot is then installed pursuant to this section from the place where it was booted.
- (e) It shall be unlawful for any person, other than a peace officer or employee of the Airport Board acting in the course and scope of his duties, to remove or relocate any notice placed upon a booted vehicle under this section.
- (f) An offense under this section shall be a criminal offense punishable upon conviction by a criminal fine not to exceed Five Hundred Dollars (\$500). To the extent that any conduct declared to be unlawful under this section also constitutes a violation of an applicable state law, then it shall be punishable as provided by state law.

**SEC. 2-73. IMMOBILIZATION/IMPOUNDMENT HEARING.**

- (a) The registered owner of a vehicle that is immobilized or impounded for the purpose of enforcing a hearing officer's order shall have the right to a prompt immobilization/impoundment hearing before a hearing officer.
- (b) The request for an immobilization/impoundment hearing must be made in writing to the Vice President of Operations, or his designated representative, on a form provided for that purpose, within 3 calendar days from the date the vehicle was immobilized or impounded, whichever occurred first.
- (c) An immobilization/impoundment hearing must be held within 48 hours after the Vice President of Operations, or his designated representative, receives the request for a hearing, excluding Saturdays, Sundays, and Airport Board holidays, at the parking adjudication office or at such other convenient and reasonable place as the hearing officer may designate.
- (d) The issue to be determined at the immobilization/impoundment hearing is whether the immobilization or impoundment of the vehicle was authorized by this section.
- (e) The immobilization or impoundment of a vehicle is valid if it complies with the requirements of this section, unless the vehicle owner or operator, or agent of the vehicle owner or operator, can establish that:
  - (1) the vehicle was registered to or operated by another person at the time the unresolved parking violations occurred;
  - (2) the vehicle was being operated without the owner's express or implied consent at the time the unresolved parking violations occurred;
  - (3) through no fault of the owner, notice of the unresolved parking violations was never received as required by this section;
  - (4) one or more citations for the unresolved parking violations are defective and, if dismissed, would leave no more than two unresolved parking violations within the calendar year; or,

- (5) at the time of immobilization or impoundment of the vehicle, the registered owner had no more than two unresolved parking violations within the calendar year.
- (f) The determination of the hearing officer at the immobilization or impoundment hearing is final and is not subject to appeal.
- (g) If the hearing officer determines that immobilization or impoundment of a vehicle was not valid, all fees paid for immobilization, towage, storage, and impoundment of the vehicle and any other amount paid to redeem the vehicle shall be refunded, including any civil fines, penalties, and costs for any parking violation that the hearing officer determines should not have been considered in counting parking violations for the purposes of immobilizing or impounding the vehicle. Any civil fines, penalties, and costs paid for a parking violation for which the registered owner was liable will not be refunded.

**SEC. 2-74. APPEAL FROM HEARING.**

- (a) A person determined by a hearing officer, at either an instanter or scheduled administrative adjudication hearing or by failure to answer a parking citation or appear at a hearing in the time required, to be liable for a parking violation may appeal this determination to the municipal court by filing a petition, along with a filing fee, with the municipal court clerk or a deputy clerk within 30 calendar days after the hearing officer's order is filed with the Vice President of Operations or his designated representative. If the hearing officer's order is reversed, the filing fee shall be returned by the city to the appellant.
- (b) Upon receipt of an appeal petition, the municipal court clerk or deputy clerk shall schedule an appeal hearing and notify all parties of the date, time, and location of the hearing. The officer or other authorized person who issued the parking citation is not required to be present at the appeal hearing unless requested by the person charged or by the municipal court.
- (c) The appeal hearing must be a trial de novo in municipal court and is a civil proceeding for the purpose of affirming or reversing the hearing officer's order. The person filing the appeal may request that the hearing be held before a jury. The decision from the municipal court is final.
- (d) Service of notice of appeal under this section does not stay the enforcement and collection of any order of a hearing officer, unless the person filing the appeal pays to the Vice President of Operations, or his designated representative, an amount equal to all civil fines, penalties, and costs assessed against the person charged. The Vice President of Operations, or his designated representative, shall issue a receipt for any amounts paid under this subsection. After presentation of the receipt, all amounts paid will be refunded if the hearing officer's order is overturned on appeal.

**SEC. 2-75. DISPOSITION OF CIVIL FINES, PENALTIES, AND COSTS.**

All civil fines, penalties, and costs assessed under this section shall be paid into the Airport Board's general fund for the use and benefit of the Airport Board.

## **Chapter 3**

### **Personal Conduct**

#### **Section 1. General State Law**

~~The provisions of this Chapter shall not be construed as limitations upon the civil or criminal laws of this State which are in full force and effect within the areas under the control and jurisdiction of the Airport Board.~~

#### **Section 2. Restricted Areas**

~~I. The Airport Board shall have authority to designate "Restricted Areas" within the Airport. The Air Operations Area is expressly declared to be a "Restricted Area."~~

~~II. A person commits an offense if he enters or travels, in a vehicle or on foot, upon any area designated by the Airport Board as a "Restricted Area," without specific authorization from the Executive Director or pursuant to a lawful escort. A person authorized to enter a "Restricted Area" commits an offense if he enters or exits at any location which is not designated for entrance to or exit from such "Restricted Area."~~

~~III. A person commits an offense if he is found within any "Restricted Area" of the Airport and fails or refuses to produce proper identification upon the request of an Airport Board Public Safety Officer, or any other authorized representative of the Airport Board.~~

#### **Section 3. Animals**

~~A person commits an offense if he brings any animal on the Airport, or permits or causes the same to be brought thereon; provided, however, that this section shall not apply to an "assistance animal" accompanying a person with a disability, or to animals properly confined for shipment or to animals used for law enforcement purposes, or to animals in the care of, or in transit to or from, an Airport-operated or tenant-operated pet care facility.~~

#### **Section 4. Standards for Fund Solicitation, Conduct of Surveys, Distribution of Literature, and Picketing**

~~I. Definitions:~~

~~A. **Solicitation and Receipt of Funds** means a face to face request for an immediate physical, in-person donation of money or anything of value.~~

~~B. **Literature** is defined as books, pamphlets, handbills, tracts, cards, circulars, pictures, films, magazines, or any other items.~~

~~C. **Survey** is defined as the act of repeated in-person polling or questioning of persons for the purpose of obtaining information related to, and/or securing opinions or viewpoints on, issues, candidacies, products or services.~~

~~D. **Picketing** is defined as the stationing, parading, patrolling and/or assembling of a person or persons outside a business or place of employment, or inside an Airport terminal building, to express grievance against or to protest the practices of a tenant,~~

~~subtenant, or other occupant, or to discourage entry thereto by non-striking workers or by customers.~~

## ~~II. Solicitation~~

~~No person may engage in the solicitation and receipt of funds within a passenger terminal at the Airport.~~

## ~~III. Surveys~~

~~No person may engage in the conduct of a survey within a passenger terminal at the Airport. Nothing herein shall be construed to prohibit the conduct of a survey by or on behalf of an Airport tenant in that part of an Airport passenger terminal exclusively leased to that tenant. Further, nothing herein shall be construed to prohibit the conduct of a survey by or on behalf of the Airport Board on Airport property.~~

## ~~IV. Distribution of Literature~~

~~A. No more than 4 persons authorized by permit to distribute literature shall be authorized to do so in the secure area of a terminal section at the same time.~~

- ~~1. obtain in advance one of four dated tags for the terminal section in which he desires to distribute literature. Such tags shall be available from 7:00 a.m. to 5:00 p.m. on a first come first served basis at the Airport's Operations Department in the DFW Business Center office building (between North and South bound International Parkway in the middle of the terminal complex), on and for each day that the person desires to distribute literature. Only four tags shall be made available per terminal section per day. No person may hold more than one tag at a time. Only the person obtaining the tag as described above may use it;~~
- ~~2. return the tag for one terminal section before obtaining a tag for another terminal section on the same day; and~~
- ~~3. display the dated tag on the outer clothing above the waist, clearly visible to the public, while engaged in the permitted activity in the terminal section and on the date to which the tag pertains.~~

## ~~V. Picketing~~

~~A. No person shall picket inside the Airport terminals.~~

~~B. Permittees may not carry pickets or other similar signs, or devices with a dimension that exceeds the Permittee's height or width. Any conflict between this rule and applicable State law shall be resolved in favor of State law, provided that State law impresses more stringent requirements on the conduct regulated hereby.~~

## ~~VI. Permits~~

~~A. No person may solicit funds, conduct a survey, distribute literature, or picket without~~

~~a permit issued by the Executive Director. An application shall be submitted to the Executive Director at least three (3) business days in advance of the first day sought for the activity, and shall include the following:~~

- ~~1. the full name and street address of the applicant;~~
- ~~2. the full name and street address of the organization sponsoring, conducting, or promoting the distribution;~~
- ~~3. whether the sponsoring organization is a branch or division of a national organization and, if so, the name and street address thereof;~~
- ~~4. if the sponsoring organization is a Texas corporation, a copy of its Corporate Charter, as amended, shall be furnished; if it is a foreign corporation, a copy of its Authorized Certificate to do business in the State of Texas shall accompany the application; and~~
- ~~5. the date or dates and hours of the activity.~~

~~B. The Permit will be issued within three (3) business days of receipt of the application; however, the permit application may be denied or a permit granted hereunder revoked if one or more of the statements in the application is found to be untrue.~~

~~C. Time, location and manner: When permits are granted, the following rules and standards will apply:~~

~~1. Location: Permittees, other than the Airport Board or a representative of the Airport Board, will not be permitted to conduct the activity for which the Permit is issued~~

- ~~(1) in Airport roadways;~~
- ~~(2) inside airline gate departure lounges;~~
- ~~(3) in areas restricted to airline or Airport personnel;~~
- ~~(4) in restrooms;~~
- ~~(5) in premises leased to a concessionaire;~~
- ~~(6) in stairwells, staircases, elevators or escalators;~~
- ~~(7) in baggage claim areas; or~~
- ~~(8) in any area temporarily or permanently restricted for security or construction reasons to necessary personnel.~~

~~Said Permittees may not conduct such activity within ten (10) feet of any ticket counter, departure lounge check-in counter, baggage check-in counter or security screening check point, nor may Permittees distribute literature to any~~

~~person waiting in line at those areas or loading or unloading baggage from a public or private vehicle.~~

~~2. Permits will be issued for a period of not more than thirty (30) days.~~

~~3. Manner of operation:~~

~~a) a person may not engage in any permitted activity unless he wears a badge, nameplate, card, or other personal identification on his upper torso and clearly visible to the public. That identification must state the true and correct legal name of the person and the organization or cause represented; and~~

~~b) a person conducting any permitted activity shall, in that connection, obey the Code and all applicable state and federal laws.~~

~~VII. Tables may not be utilized in the conduct of permitted activity; however, luggage carriers no larger than that used to hold a medium-sized suitcase may be utilized for transporting or temporary storage of materials in accordance with section 11 of this Chapter. Luggage carriers must be attended at all times. A luggage carrier shall be deemed unattended if it is outside the view of the permitted person or persons.~~

~~VIII. A permittee commits an offense if he stores any literature or any items used in connection with the permitted activity in any public use area of the Airport's terminals. All such literature and material shall be carried on the person of a permittee, or on a small luggage carrier as defined in Subsection VII above, while inside an Airport terminal building. This section shall not prohibit any person from storing literature or items in such public lockers as are provided in the Airport's passenger terminals.~~

~~IX. Appeal of Permit Denial or Revocation: When an application for a permit hereunder is refused or revoked, the Executive Director will, within five (5) business days of the denial or revocation, furnish the Applicant a written explanation of the reason for the denial or revocation. Within five (5) business days of receipt of the explanation, the Applicant may submit a written request to the Executive Director that the Board seek a judicial determination that the Permit was properly denied or revoked. Within five (5) business days following receipt of such request, the Board must apply to either the United States District Court for the Northern District of Texas or the appropriate Texas District Court for a judicial determination that the application was properly denied or revoked. The Board has the burden of showing that the Application was properly denied or that the Permit was properly revoked.~~

~~X. Upon a judicial determination, an interim permit will be issued and continue in force pending an appeal.~~

~~XI. If the issue for judicial determination is not heard and decided on the merits by the Court or otherwise mutually agreed upon by the parties within ten (10) business days after the complaint or petition is filed, then an interim permit shall be deemed issued under this section by operation of law, and all activities proposed to be carried on in the Application for the original Permit may be carried on as if the original Permit had been issued, subject to the same restrictions and obligations under this Code as other permitted activities. The interim permit shall be valid pending a decision in the district court, or any appeal thereof.~~

~~It shall be a defense to a charge of distributing literature without a permit that an appeal or judicial determination hereunder is pending.~~

### **Section 5. Litter**

~~A person commits an offense if he places, discharges or deposits in any manner any litter, offal, garbage, trash, debris, junk or any refuse on the Airport, except at such places and under such conditions as the Airport Board may, from time to time, prescribe.~~

### **Section 6. Prohibiting the Posting of Notices and Signs on Poles, Trees, and Structures; Presumptions**

~~I. A person commits an offense if he posts or affixes or causes to be posted or affixed any notice, poster, paper, sign, or device, which is calculated to attract the attention of the public, to any lamp post, utility pole, telephone pole, cellular telephone pole, or tree that is located on Airport property or to any structure or building on Airport property.~~

~~II. Whenever any notice, poster, paper, sign, or device is posted or affixed, or caused to be posted or affixed, in violation of subsection (I) of this section, it is presumed that the person whose address or telephone number is listed in the notice, poster, paper, sign, or device, or who is otherwise named, described or identified in the notice, poster, paper, sign, or device, is the person who committed the violation, either personally or through an agent or employee.~~

### **Section 7. Obstruction to Aviation**

~~A person commits an offense if he operates or releases any kite, balloon, model aircraft, model rocket or parachute, or other such contrivance upon or above the Airport without written permission from the Executive Director.~~

### **Section 8. Organizations**

~~I. A person commits an offense if he conducts or participates in picketing, parades, marches, patrols, demonstrations, assemblies, or carries or displays signs, handbills or placards on the Airport, unless a Permit has been granted in response to a written request to engage in any such activity. Such written request must be submitted to the Airport Board at least three (3) business days in advance of the first day of the requested activity. The written request required herein shall state:~~

- ~~A. the full name and mailing address of the person or organization sponsoring, conducting or promoting the activity;~~
- ~~B. the purpose or subject thereof;~~
- ~~C. the date, hours, and exact Airport location for which the request is made; and~~
- ~~D. the approximate number of persons who will participate in such activity.~~

~~II. The Executive Director shall grant a permit within three (3) business days of receipt of an application. An application for a permit may be denied or a permit granted hereunder revoked if one or more of the statements in the application is found to be untrue. A person~~

~~commits an offense if, while engaging in any activity described herein, he prevents or interferes with access or egress from any Airport facility or premises, and no person shall in any manner by words or physical force assault, coerce, threaten or disturb any person, nor shall any such activity prevent or interfere with, the conduct of business at the Airport. Permittees will not be permitted to conduct the activity for which the Permit is issued~~

~~(1) in Airport roadways,~~

~~(2) inside airline gate departure lounges,~~

~~(3) in areas restricted to airline or Airport personnel,~~

~~(4) in restrooms,~~

~~(5) in premises leased to a concessionaire,~~

~~(6) in stairwells, staircases, elevators or escalators,~~

~~(7) in baggage claim areas, or~~

~~(8) in any area temporarily or permanently restricted for security or construction reasons to necessary personnel. Permittees may not conduct such activity within ten (10) feet of any ticket counter, departure lounge check-in counter, baggage check-in counter or security screening check point, nor may permittees conduct such activities from or distribute literature to any person waiting in line at those areas or loading or unloading baggage from a public or private vehicle.~~

### **Section 9. Camping, Swimming, Picnicking**

~~A person commits an offense if he uses Airport premises for the purpose of camping, athletic games or contests, fishing, swimming, hunting or picnicking unless a Permit therefor has been granted by the Executive Director.~~

### **Section 10. Noise**

~~A person commits an offense if he knowingly makes unreasonably loud or raucous noises, considering the location, inside terminals or other Airport buildings.~~

### **Section 11. Tables and Chairs**

~~A person commits an offense if he places or maintains a table, bench, chair, stool, easel, tripod or other item designed or adapted to serve a similar purpose on Airport premises unless such space has been leased from the Airport Board by that person or is authorized by another section of this Code.~~

### **Section 12. Food, Etc.**

~~A person commits an offense if he distributes any food product at the Airport except from premises leased to that person by the Airport Board for that purpose, or pursuant to a permit issued by the Executive Director.~~

**Section 13. Pins, Etc.**

~~A person commits an offense if he pins, ties, or otherwise attaches any items on the clothing, luggage, body or vehicle of any person at the Airport, without such person's consent.~~

**Section 14. Obstruction of Passage**

~~A person commits an offense if he knowingly obstructs the free passage of other persons along Airport roadways, sidewalks or into, out of, or within Airport buildings.~~

**Section 15. Fraudulent Misrepresentation**

~~A person commits an offense if he fraudulently misrepresents any material fact in making application for any permit, authorization or device issued by the Executive Director.~~

**Section 16. Unauthorized Transfer of Authorization**

~~A person commits an offense if he sells, conveys, grants or transfers any decal, device or other authorization granted by the Executive Director to another person, without prior written consent of the Executive Director.~~

**Section 17. Unauthorized Use of Authorization**

~~A person commits an offense if he possesses or controls any decal, authorization or device not issued to him by the Executive Director or which has previously been reported as lost or stolen. For the purposes of this section "decal," "authorization" or "device" shall include, but is not limited to, any ticket issued for parking control within the Airport premises.~~

**Section 18. Temporary or Permanent Residence**

~~A person commits an offense if he resides in or upon Airport premises. As used in this section, "resides" shall mean intent to establish a temporary or permanent domicile, but shall not include any residence in any space expressly designated by the Executive Director for such purposes or any period of time during which an Airport patron awaits connecting flights for which such patron holds validly issued tickets.~~

**Section 19. Smoking**

~~1. A person commits an offense if he smokes or possesses a burning tobacco product, weed or other plant product in a public area of an Airport passenger terminal or in a retail or service establishment located within an Airport passenger terminal. In this section:~~

~~A. "Public area" means any interior area to which the general public routinely has access but does not include areas restricted by the Board or by an Airport tenant to employees and/or contractors.~~

~~B. "Retail or service establishment" means any establishment which sells goods, food or services to the general public but excluding any private club operated by an Airport tenant within its leasehold and to which access is limited to a membership other than the general public.~~

~~II. The person in control of a retail or service establishment that is located in an Airport passenger terminal shall post a conspicuous sign at the main entrance to the establishment. The sign shall contain the words "No Smoking, DFW Airport Regulations", and the universal symbol for no smoking. For enforcement purposes, "DFW Airport Regulations" refers to the Code.~~

## **Section 20. ~~Badge Sponsor/Badge Holder Responsibilities~~**

### ~~I. Definitions:~~

~~A. **Airport Identification/Access Badge** (Airport ID/Access Badge) is a picture identification badge issued by the Airport operator granting unescorted access to specific areas of the Airport.~~

~~B. **Airport Security Coordinator (ASC)** is the appointed person who acts as a liaison between the Airport and the Transportation Security Administration (TSA), and who also enforces and discharges his duties under the DFW Airport Security Plan and this section.~~

~~C. **Badge Holder** is an employee who has been issued an Airport ID/Access Badge in accordance with the DFW Airport Security Plan and this section.~~

~~D. **Badge Sponsor** is a person authorized to approve a badging application for a prospective employee who requires unescorted access into secure areas of DFW Airport.~~

~~E. **Badge Sponsorship** is the written authorization granted by the Airport Operator through the Chief Executive Officer to:~~

- ~~1. Airport Board staff;~~
- ~~2. tenant air carriers;~~
- ~~3. Airport tenants who have a direct lease with the Board and who are responsible for one or more security access points leading into the SIDA; and~~
- ~~4. government agencies with direct responsibilities to DFW Airport.~~

~~F. **Security Identification Display Area (SIDA)** includes all areas in the Air Operations Area (AOA) of DFW Airport, including those portions of the Central Terminal Area (CTA), freight handling operations areas, and aircraft maintenance facilities where domestic and foreign air carriers enplane and deplane passengers, conduct freight forwarding operations, and sort and load/unload baggage under the control of the automated access system.~~

~~G. **Secure Area (non-SIDA)** is that secure portion of the terminal beyond the security checkpoint, but not beyond an aircraft jetbridge boarding gate.~~

~~II. A badge holder or person commits an offense:~~

~~A. if the Badge Holder enters the secure area or SIDA through an Automated Access Control System (AACS) portal without first presenting their personally issued Airport ID/access badge for authorized and recorded entry or allows another person entry behind them, also known as "piggybacking" or "tailgating", including the badge readers located at the entry point of each security checkpoint;~~

~~B. if the Badge Holder does not possess, or fails to prominently display, an Airport ID/Access Badge while in the SIDA or secure area, in compliance with 49 CFR 1542.211;~~

~~C. if the Badge Holder displays a defaced Airport ID/Access Badge or displays a badge on which information has been purposely covered;~~

~~D. if the Badge Holder allows another person to use his/her Airport ID/Access Badge;~~

~~E. if the person gains access to the SIDA or secure area by using another badge holder's Airport ID/Access Badge;~~

~~F. if the Badge Holder fails to challenge unbadged individuals in the SIDA or secure area;~~

~~G. if the SIDA/AOA Badge Holder fails to "properly escort" a person that was escorted into the secure area of SIDA. Proper escort means that once the escort is begun, the escorting person must maintain visual and audible contact with the person being escorted at all times. Only SIDA/AOA badge holders may provide escorts;~~

~~H. if the Badge Holder carries/possesses firearms or escorts an unbadged individual carrying firearms into the SIDA/AOA without approval of the Airport Security Coordinator;~~

~~I. if the Badge Holder uses his/her Airport ID/Access Badge to facilitate the commission of a federal or state criminal violation.~~

### **III. ~~Badge Sponsor's Responsibilities~~**

~~Sponsors shall be responsible for the individuals they grant SIDA/secure area access privileges to and shall deny SIDA/secure area access to their areas as they deem necessary. Sponsors shall be the primary points of contact with the Access Office of the Airport Board for notification of badging policy changes and security issues relevant to the conduct of persons who have been granted SIDA/secure area access.~~

~~IV. Any and all security violations that are not covered by this section that create a security concern shall be treated as a security violation in accordance with this section.~~

## **Chapter 3**

### **MISCELLANEOUS OFFENSES**

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Sec. 3-2.      Definitions.

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Sec. 3-8.      Throwing or Depositing Litter.

Sec. 3-9.      Prohibiting the Posting of Notices and Signs on Poles, Trees, Structures, and Vehicles; Presumptions.

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**ARTICLE I.**  
**GENERAL OFFENSES.**

**SEC.3-1.     GENERAL STATE LAW.**

The provisions of this Chapter shall not be construed as limitations upon the civil or criminal laws of this State which are in full force and effect within the areas under the jurisdiction of the Airport Board.

**SEC. 3-2.     DEFINITIONS.**

**ANIMAL** shall mean any nonhuman vertebrate.

**"DECAL", "AUTHORIZATION" or "DEVICE"** shall mean any permit, badge, parking decal or other authorization issued by the Executive Director.

**ELECTRONIC SMOKING DEVICE** shall mean any battery powered device that provides doses of nicotine to be inhaled by the user by way of a vaporized solution.

**GARBAGE** means animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

**LITTER** shall mean "Garbage", "refuse" and "rubbish" as defined herein and all other waste material which, if thrown or deposited as prohibited, tends to create a danger to public health, safety and welfare.

**LITERATURE** shall mean books, pamphlets, handbills, tracts, cards, circulars, pictures, films, magazines, or any other like item.

**PICKETING** means the stationing, parading, patrolling and/or assembling of one or more persons to apprise the public vocally or by standing or marching with signs, banners, or other means, of an opinion or a message or to discourage entry thereto by non-striking workers or by customers.

**PUBLIC AREA** shall mean any interior area to which the general public routinely has access.

**REFUSE** shall mean all solid wastes (except body wastes), including garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles, and solid market and industrial wastes.

**RESIDES** shall mean intent to establish a temporary or permanent domicile.

**RETAIL OR SERVICE ESTABLISHMENT** shall mean any establishment which sells goods, food or services to the general public but excludes any private club operated by an Airport tenant within its leasehold and to which access is limited to a membership other than the general public.

**RUBBISH** shall mean solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

**SERVICE ANIMAL** shall mean :

- (a) any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, and assisting non-ambulatory persons by pulling a wheelchair or fetching dropped items; or
- (b) any trained animal used by a governmental agency in police or rescue work.

**SOLICITATION AND RECEIPT OF FUNDS** shall mean a face to face request for an immediate physical, in-person donation of money or anything of value.

**SURVEY** shall mean the act of repeated in-person polling or questioning of persons for the purpose of obtaining information related to, and/or securing opinions or viewpoints on, issues, candidacies, products or services.

**ARTICLE II.**  
**GENERAL OFFENSES.**

**SEC. 3-5. ANIMALS.**

- (a) A person commits an offense if while having care, custody, and control of an animal, he brings the animal, other than a service animal or an animal traveling by air, into any terminal or terminal extension located on the Airport.
- (b) A person commits an offense if while having care, custody, and control of an animal, he brings an animal traveling by air, other than a service animal, into the sterile area of a terminal building or terminal extension and removes it from its transport carrier.
- (c) A person commits an offense if while having care, custody, and control of an animal he fails to restrain the animal at all times in an enclosed pen, carrier, or structure, or by a tether or leash while on Airport property.

  - (1) No animal may be restrained by a tether or leash unless the animal is in the immediate possession of and accompanied by the person in care, custody, and control of the animal.
  - (2) Nothing in this section shall prevent any trained animal used by a governmental agency in police or rescue work from being unleashed in the course of its official duties.

**SEC. 3-6. DEFECATION OF ANIMALS.**

- (a) A person commits an offense if while having care, custody, and control of an animal he knowingly permits, or by insufficient control, allows the animal to defecate on Airport property and does not remove and dispose of any excretion the animal may deposit on Airport property in a sanitary and lawful manner.
- (b) This section does not apply to a law enforcement dog being used in law enforcement activities or to a service dog that is specially trained to assist a person with a disability and is in the custody or control of that disabled person at the time it defecated.

**SEC. 3-7. URINATING OR DEFECATING IN PUBLIC.**

- (a) A person commits an offense if he urinates or defecates:

  - (1) in or on a public street, alley, sidewalk, yard, park, building, structure, plaza, public or utility right-of-way, or other public place; or
  - (2) in public view.
- (b) It is a defense to prosecution under this section if the person was in a restroom.

**SEC. 3-8. THROWING OR DEPOSITING LITTER.**

A person commits an offense if he places, throws, deposits, or discharges litter, on the Airport, except in public or private receptacles for collection or at such places and under such conditions as the Airport Board prescribes.

**SEC. 3-9. PROHIBITING THE POSTING OF NOTICES AND SIGNS ON POLES, TREES, STRUCTURES AND VEHICLES; PRESUMPTIONS.**

- (a) A person commits an offense if he posts or causes to be posted any notice, poster, paper, sign, or device, designed to attract the attention of the public, to any lamp-post, utility pole, telephone pole, tree, structure, building, or vehicle on Airport property.
- (b) Whenever any notice, poster, paper, sign, or device is posted, or caused to be posted, in violation of subsection (a) of this section, it is presumed the person whose address or telephone number listed or who is otherwise identified is the person who committed the violation, either personally or through an agent or employee.
- (c) It is a defense to prosecution under subsection (a) of this section that the notice poster, paper, or device was posted in a manner and location authorized or required by the airport operator, a lease holder within its leased area, or by state or federal law.

**SEC. 3-10. OBSTRUCTION TO AVIATION.**

A person commits an offense if he operates or releases any kite, balloon, model aircraft, model rocket, parachute, or other such device upon or above the Airport without written permission from the Executive Director.

**SEC. 3-11. CAMPING, SWIMMING, PICNICKING, ETC.**

A person commits an offense if he uses Airport premises for the purpose of camping, athletic games or contests, fishing, swimming, hunting or picnicking in a place not specifically designated for that purpose or without a permit issued by the Executive Director.

**SEC. 3-12. NOISE.**

A person commits an offense if he knowingly makes unreasonably loud or raucous noises, considering the location, inside terminals or other Airport buildings.

**SEC. 3-13. TABLES AND CHAIRS.**

A person commits an offense if he places or maintains a table, bench, chair, stool, easel, tripod or other item designed or adapted to serve a similar purpose on Airport premises unless such space has been leased from the Airport Board by that person or is authorized by another section of this code.

**SEC. 3-14. FOOD, ETC.**

A person commits an offense if he sells or distributes any food product at the Airport except from premises leased to that person by the Airport Board for that purpose, or pursuant to a permit issued by the Executive Director.

**SEC. 3-15. PINS, ETC.**

A person commits an offense if he pins, ties, or otherwise attaches any items on the clothing, luggage, body or vehicle of any person at the Airport, without such person's consent.

**SEC. 3-16. OBSTRUCTION OF PASSAGE.**

A person commits an offense if he knowingly obstructs the free passage of other persons along Airport roadways, sidewalks or into, out of, or within Airport buildings.

**SEC. 3-17. FRAUDULENT MISREPRESENTATION.**

A person commits an offense if he fraudulently misrepresents any material fact in making application for any permit, authorization or device issued by the Executive Director.

**SEC. 3-18. UNAUTHORIZED TRANSFER OF AUTHORIZATION.**

A person commits an offense if he sells, conveys, grants or transfers any decal, device, permit or other authorization granted by the Executive Director to another person, without prior written consent of the Executive Director.

**SEC. 3-19. UNAUTHORIZED USE OF AUTHORIZATION.**

A person commits an offense if he possesses or controls any decal, authorization or device not issued to him by the Executive Director or which has previously been reported as lost or stolen.

**SEC. 3-20. TEMPORARY OR PERMANENT RESIDENCE.**

- (a) A person commits an offense if he resides in or upon Airport premises.
- (b) This section does not apply to any space expressly designated by the Executive Director for such purposes or any period of time during which an Airport patron awaits connecting flights for which he holds a valid ticket.

**SEC. 3-21. SMOKING.**

- (a) A person commits an offense if he smokes or possesses a burning tobacco product, weed, other plant product, or uses an electric smoking device:
  - (1) in a Public Area of a passenger terminal on the Airport;
  - (2) in a Retail or service establishment located within an Airport passenger terminal;

- (3) in any establishment or area marked with a no smoking sign if the sign complies with Subsection (b).
- (b) The person in control of a retail or service establishment located in an Airport passenger terminal shall post a conspicuous sign at the main entrance to the establishment or no smoking area. The sign shall contain the words "No Smoking, DFW Airport Regulations", and the universal symbol for no smoking. For enforcement purposes, "DFW Airport Regulations" refers to the Code.
- (c) The Airport Board and the Executive Director shall have authority to designate "Smoking Areas" within the Airport.

**ARTICLE III.**  
**PERMITS REQUIRED.**

**SEC. 3-25. PERMITS.**

No person may engage in activity described in Distribution of Literature, Solicitation of Funds, Surveys, or Picketing of this Chapter without a permit issued by the Executive Director.

**SEC. 3-26. PERMIT APPLICATIONS.**

An application shall be submitted to the Executive Director at least three (3) business days in advance of the first day sought for the activity, and shall include the following:

- (a) the full name and street address of the applicant;
- (b) the full name and mailing address of the person or organization sponsoring, conducting or promoting the activity;

  - (1) whether the sponsoring organization is a branch or division of a national organization and, if so, the organizations name and street address;
  - (2) if the sponsoring organization is a Texas corporation, a copy of its Corporate Charter, as amended, shall be furnished; if it is a foreign corporation, a copy of its Authorized Certificate to do business in the State of Texas shall accompany the application;
- (c) the date, or dates and hours of the activity;
- (d) the exact Airport location for which the request is made;
- (e) the purpose or subject thereof;
- (f) the approximate number of persons who will participate in such activity.

**SEC. 3-27. WHEN PERMITS ISSUED.**

(a) The Permit will be issued within three (3) business days of receipt of the application; however, the permit application may be denied or a permit granted revoked if one or more of the statements in the application is found to be untrue.

(b) When permits are granted, the following rules and standards will apply:

(1) Time: Permits will be issued for a period of not more than thirty (30) days.

(2) Location: Permittees, other than the Airport Board or a representative of the Airport Board, will not be permitted to conduct the activity for which the Permit is issued:

(a) in Airport roadways;

(b) inside airline gate departure lounges;

(c) in areas restricted to airline or Airport personnel;

(d) in restrooms;

(e) in premises leased to a concessionaire;

(f) in stairwells, staircases, elevators or escalators;

(g) in baggage claim areas;

(h) in any area temporarily or permanently restricted for security or construction reasons to necessary personnel;

(i) within ten (10) feet of any ticket counter, departure lounge check-in counter, baggage check-in counter or security screening check point;

(j) to any person waiting in line at those areas listed above or loading or unloading baggage from a public or private vehicle;

(k) inside any passenger terminal building if prohibited by this Code; or

(l) in parking garages or parking areas.

(3) Manner of operation:

(a) a person may not engage in any permitted activity unless he wears a badge, nameplate, card, or other personal identification on his upper torso and clearly visible to the public. That identification must state the true and correct legal name of the person and the organization or cause represented; and

(b) a person conducting any permitted activity shall, in that connection, obey the Code and all applicable state and federal laws.

- (c) tables may not be utilized in the conduct of permitted activity; however, luggage carriers no larger than that used to hold a medium-sized suitcase may be utilized for transporting or temporary storage of materials in accordance with Tables and Chairs of this Chapter. Luggage carriers must be attended at all times. A luggage carrier shall be deemed unattended if it is outside the view of the permitted person or persons.

**SEC. 3-28. APPEAL, DENIAL, OR REVOCATION OF PERMITS.**

- (a) When an application for a permit hereunder is refused or revoked, the Executive Director will, within five (5) business days of the denial or revocation, furnish the Applicant a written explanation of the reason for the denial or revocation. Within five (5) business days of receipt of the explanation, the Applicant may submit a written request to the Executive Director that the Board seek a judicial determination that the Permit was properly denied or revoked. Within five (5) business days following receipt of such request, the Board must apply to either the United States District Court for the Northern District of Texas or the appropriate Texas District Court for a judicial determination that the application was properly denied or revoked. The Board has the burden of showing that the Application was properly denied or that the Permit was properly revoked.
- (b) Upon a judicial determination, an interim permit will be issued and continue in force pending an appeal.
- (c) If the issue for judicial determination is not heard and decided on the merits by the Court or otherwise mutually agreed upon by the parties within ten (10) business days after the complaint or petition is filed, then an interim permit shall be deemed issued under this section by operation of law, and all activities proposed to be carried on in the Application for the original Permit may be carried on as if the original Permit had been issued, subject to the same restrictions and obligations under this Code as other permitted activities. The interim permit shall be valid pending a decision in the district court, or any appeal thereof.
- (d) It shall be a defense to a charge of distributing literature without a permit that an appeal or judicial determination hereunder is pending.

**ARTICLE IV.**  
**VIOLATIONS**

**SEC. 3-30. VIOLATION OF PERMIT.**

A permittee commits an offense if he violates any condition described in Article III of this Chapter or any prohibitions described for said permitted activity.

**SEC. 3-31. DISTRIBUTION OF LITERATURE.**

- (a) A person commits an offense if he distributes literature on the Airport without a permit issued by the Executive Director.

- (b) No literature may be disseminated in the secure or sterile area of an Airport Terminal.
- (c) Nothing herein prohibits the distribution of literature by or on behalf of the Airport Board on Airport property.

**SEC. 3-32. SOLICITATION OF FUNDS.**

- (a) A person commits an offense if he solicits, seeks, or begs contributions for himself or on behalf of another without a permit issued by the Executive Director.
- (b) No person may engage in the solicitation and receipt of funds within a passenger terminal at the Airport.

**SEC. 3-33. SURVEYS.**

- (a) No person may conduct a survey within a passenger terminal.
- (b) Nothing herein prohibits a survey by or on behalf of an Airport tenant in that part of an Airport passenger terminal exclusively leased to that tenant.
- (c) Nothing herein prohibits the conduct of a survey by or on behalf of the Airport Board on Airport property.

**SEC. 3-34. PICKETING.**

- (a) A person commits an offense if he pickets on the Airport without a permit issued by the Executive Director.
- (b) A person commits an offense if he pickets inside an Airport terminal building.
- (c) Permittees may not carry pickets, devices, or similar signs with a dimension that exceeds the Permittee's height or width. Any conflict between this rule and applicable State law shall be resolved in favor of State law, provided that State law impresses more stringent requirements on the conduct regulated hereby.