APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 450

Department or Agency: Alabama Department of Transportation

Rule No.: Chapter 450-9-5

Rule Title: Alabama Aviation Law for Flying Safety

Intended Action: Repeal

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	No
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?	Yes
Is there another, less restrictive method of regulation available that could adequately protect the public?	No
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved?	No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule?	NA
Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?	No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer: *William F. Patty*
William F. Patty

Date: Tuesday, February 17, 2026

REC'D & FILED
FEB 18, 2026
LEGISLATIVE SVC AGENCY

APA-2

ALABAMA DEPARTMENT OF TRANSPORTATION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Transportation (Formerly Alabama Highway Department)

RULE NO. & TITLE: Chapter 450-9-5 Alabama Aviation Law for Flying Safety

INTENDED ACTION: Repeal

SUBSTANCE OF PROPOSED ACTION:
To repeal rules related to the organization of the former Aeronautics agency which is now part of the Alabama Department of Transportation.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
A public hearing will be held on March 12, 2026, at 10:00 a.m., at the ALDOT Central Office, Conference Room 9, 1409 Coliseum Boulevard, Montgomery, Alabama 36110. Written and oral comments may be received at the public hearing. In addition, comments may be submitted by phone or U.S. Mail.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Tuesday, April 7, 2026

CONTACT PERSON AT AGENCY:
William F. Patty, Chief Legal Counsel
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, AL 36110

William F. Patty

William F. Patty

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

ALABAMA DEPARTMENT OF TRANSPORTATION
ADMINISTRATIVE CODE

CHAPTER 450-9-5
ALABAMA AVIATION LAW FOR FLYING SAFETY (REPEALED)

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450-9-5-.01 Alabama Aviation Law For Flying Safety (Repealed)

450-9-5-.01 Alabama Aviation Law For Flying Safety (Repealed).

~~In the interest of flying safety and for the protection of those who fly--both pilots and passengers--the Alabama Aeronautics Department Act (402, 1945 Reg. Session, S.217 Toomer):~~

~~(1) Requires state site approvals from this department, prior to construction, for all airports intended for general public use. Personal airports confined to the use of the owner and his immediate family are exempt.~~

~~(2) Requires state airport licenses from the Alabama Department of Aeronautics, based on certain minimum standards, prior to operation, for all airports intended for general public use. Personal airports confined to the use of the owner and his immediate family are again exempt.~~

~~(3) Prohibits grazing of livestock on licensed airports.~~

~~(4) Prohibits auto racing on licensed airports.~~

~~(5) Prohibits tampering with airport and runway markers.~~

~~(6) Prohibits trespassing on licensed airports~~

~~(7) Prohibits reckless flying~~

~~(8) Prohibits landing of any aircraft whatsoever upon public roads and highways, except in cases of emergency.~~ **(Repealed)**

Author:
Statutory Authority: Code of Ala. 1975, §§4-2-1, et seq.
History: Filed October 1, 1982. **Repealed:** Published ; effective .