



Missoula County Airport Authority  
5225 W Broadway Street  
Missoula, MT 59808  
(406) 728-4381

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# Commercial Ground Transportation Rules and Regulations

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Missoula County Airport Authority

*Missoula Montana Airport (MSO)*

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## 1. INTRODUCTION

### 1.1. Purpose

The Missoula County Airport Authority (MCAA) has established Commercial Ground Transportation Rules, Regulations and Fees for the Missoula Montana Airport (Airport) to promote the safe and efficient use of limited airport facilities, including alleviation of congestion on airport roadways and terminal curbsides; preservation and generation of revenues needed for airport development, maintenance, and operations; and provision of reliable and convenient ground transportation options for the traveling public.

These Commercial Ground Transportation Rules, Regulations and Fees (hereinafter “Regulations”) apply to all individuals or entities operating Commercial Ground Transportation Vehicles (hereinafter “Vehicles”) at the Airport, whether as an Operator, Driver, employee, agent, independent contractor or representative of an Operator or other similar entity. Any Operator, employee, agent, independent contractor and/or representative which in any capacity engages in commercial ground transportation service at the Airport in such a manner as to violate any provision of these Regulations is subject to enforcement actions as provided herein.

The adoption of these Regulations is not intended, nor should it be construed, to grant any property right or expectation to any person or entity whatsoever. MCAA expressly reserves the right to amend or revise these Regulations at any time and in any respect. MCAA reserves the right to limit or restrict access to any area of the Airport, without the issuance of prior notice, for reasons including, but not limited to, safety and security of the general public, construction or renovation work at the Airport, acts of God, or nonpayment of fees.

Any regulations or parts of regulations specifically relating to Vehicles at the Airport that are in conflict with these Regulations are hereby superseded by these Regulations, but only to the extent of the conflict.

Any person or entity which invests time or financial resources in the provision of Ground Transportation services at the Airport does so at their own risk and shall have no right or standing to make any claim whatsoever against MCAA by reason of any subsequent amendment to these Regulations, any amendment to an agreement, or any limitations or restriction of access to the Airport.

### 1.2. Applicability

Any person or entity proposing to provide Commercial Ground Transportation services at the Missoula Montana Airport must fully comply with the most recently adopted Commercial Ground Transportation Rules and Regulations and/or supplemental contract terms (if applicable). The Regulations contained herein supersede and cancel all other previous Commercial Ground Transportation Rules and Regulations set forth by MCAA.

### 1.3. Definitions

These Commercial Ground Transportation Definitions incorporate, by reference, the defined words and acronyms identified in Section 8. Words or acronyms that are not defined or identified shall be construed consistent with common meaning or as generally understood throughout the aviation and commercial ground transportation industries.

## 2. INSURANCE REQUIREMENTS

### 2.1. Requirement

All Operators shall maintain Commercial General Liability and Property Damage Insurance in an amount of not less than One Million Dollars (\$1,000,000) and Automobile Liability Insurance in an amount not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. If the Vehicle being used can carry more than 12 persons (including driver), the requirement for Automobile Liability Insurance increases to not less than Three Million Dollars (\$3,000,000). MCAA reserves the right to require alternate insurance depending on the nature of the Commercial Ground Transportation Operator's business operations at the Airport.

### 2.2. Certificate of Insurance

A Certificate of Insurance must be on file with MCAA prior to the commencement of Airport service. The insurance certificate must include a schedule of covered Vehicles or include blanket coverage for all Vehicles. The insurance certificate, endorsements and policies must name the Missoula County Airport Authority as an additional insured. The insurance provider shall provide a thirty (30) day notice to MCAA prior to any decrease below the minimum required coverage, cancellation in coverage or nonrenewal of coverage.

All such insurance policies will be in form or forms which satisfy the requirements of MCAA's Primary Guiding Documents as the same may exist or be amended from time to time.

### 2.3. Proof of Insurance

Proof of insurance shall be available in each Vehicle and provided when requested.

### 2.4. Indemnification and Hold Harmless

Regardless of insurance coverage, each Operator shall be fully responsible for any damage, injury, or loss arising from the fault, negligence, or lack of care of the Operator or its Drivers, employees, agents, independent contractors, or representatives in connection with its operations at the Airport.

Each Operator shall indemnify, defend, and hold harmless MCAA, and their officers, agents, and employees, from and against any and all claims, demands, actions, judgments, liabilities, costs, and expenses (including reasonable attorney's fees) arising out of or related to: (a) death or injury to any person; (b) loss of or damage to property; or (c) any act or omission of the Operator or its Drivers, employees, agents, independent contractors, or representatives in connection with operations at or upon Airport property or premises.

## 3. COMMERCIAL OPERATOR PERMITS

### 3.1. Requirement

Any person or entity proposing to provide Commercial Ground Transportation services at the Missoula Montana Airport must obtain a Commercial Operator Permit (hereinafter "Permit") prior to providing any ground transportation service to the public at the airport.

### **3.2. Scope of Activities**

Issuance of a Permit shall not be construed as authorization for a Commercial Ground Transportation Operator to operate any ground transportation service other than the service for which that Permit is granted. Following issuance of any Permit, the Airport shall retain the right to grant to persons other than that operator the same rights and privileges, as well as the right to grant to other persons the right and privilege to provide ground transportation service different in nature.

### **3.3. Transferability**

Permits are non-transferable

### **3.4. Application**

Permit applications may be submitted online at <http://www.flymissoula.com/ground-transportation> or by calling the Airport Administration Office at 406-728-4381.

Operator shall renew its Permit on an annual basis and pay applicable fees per current published MCAA Rates and Charges Schedule.

### **3.5. Commercial Operator Classifications**

*Class 1 Operators* shall be those that utilize a digital network, online-enabled application, software, website, or system that enables the prearrangement of ride with independent Drivers who use their personal Vehicles to provide rides. Operator must be capable of implementing a geofence as designated in Exhibit A to report activity to the airport. Examples of *Class 1 Operators* are transportation network carriers such as Uber and Lyft, etc. Peer to Peer Operations such as TURQ are not included under Class 1 Operators.

*Class 2 Operators* shall be those whose primary service is transporting passengers for hire, whether as a common carrier or through private contracts, agreements, charters, or similar arrangements. Examples of *Class 2 Operators* are taxis, limousines, pre-arranged shuttles, charter buses, etc.

*Class 3 Operators* shall be those who offer transportation of passengers to and from the airport as an incidental service to their main line of business. Examples of *Class 3 Operators* include hotels, guest ranches, concierge shuttles, off-site rental car shuttles, etc.

## **4. COMMERCIAL OPERATOR REQUIREMENTS**

### **4.1. General Requirements**

Operator shall:

- a.** Comply fully with all applicable MCAA, local, state, and federal laws, rules, regulations, including but not limited to any applicable regulations issued by the Federal Aviation Administration, Transportation Security Administration, or successor agencies, governing conduct on and operations at the Airport.
- b.** Meet the state of Montana licensing, registration, insurance and inspection requirements to operate a Vehicle.

## **RULES AND REGULATIONS**

- c. Comply with all lawful instructions issued by the Airport personnel with respect to the loading, unloading, parking and operation of Commercial Vehicles on Airport Property and the conduct of the Operator, its Drivers, employees, agents, independent contractors, and representatives at the Airport.
- d. Operators shall be responsible for the conduct and actions of their Drivers, regardless of whether such Drivers are deemed to be an employee, agent, independent contractor or representative. In considering any fine, suspension or revocation of operating privileges, MCAA may consider actions taken by the Operator to act responsibly, take disciplinary measures, mitigate damage, or otherwise take appropriate corrective action. Nevertheless, Ground Transportation Operators are ultimately accountable for the actions of their Drivers as it relates to these Regulations.
- e. Operators shall not engage in any discrimination, either in employment or in providing ground transportation services, on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, physical or mental disability, or sex as provided in Title 49, C.F.R. Part 21, Non-Discrimination in Federally Assisted Programs of the Department of Transportation, Title VI of the Civil Rights Act of 1964, and all federal regulations promulgated to achieve non-discrimination with respect to such services.
- f. Operators shall (at their own cost and expense) obtain from all applicable agencies having jurisdiction, all licenses, permits, consents, approvals, authorizations, and insurance (in a form and amount stipulated by MCAA) that may be required for the provision of Commercial Ground Transportation services at the Airport. Such documentation shall be produced for examination immediately upon request by MCAA.
- g. Operators shall promptly repair, and at no cost to the Airport, any damages to property of the Airport, which the Operator, its Drivers, employees, agents, independent contractors, and representatives have caused.
- h. Operators are prohibited from displaying signs, posters or similar devices without the written permission of the Airport Director or their designee.

### **4.2. Commercial Vehicle Requirements**

- a. All Vehicles shall be validly registered in the United States and must be able to produce proof of registration upon request.
- b. All Vehicles serving the Airport shall be properly maintained and operated in a clean, safe and businesslike manner at the sole discretion of the Airport Director or their designee.
- c. All Vehicles shall be properly identified with company name, logo or trade address visible on the vehicle to enable passengers to identify the Operator's name.
- d. Vehicles shall be maintained in excellent mechanical condition, structurally sound and operated in a clean, undamaged condition.
- e. Vehicle interiors shall not contain any offensive odors. No smoking is allowed in vehicles at any time.

- f. All Vehicles must be free from leaking fluids, excessive discharge of exhaust gasses and excessive exhaust noise
- g. Vehicles must be free of exterior damage, dirt and debris. Exterior paint shall be free of oxidation and rust.
- h. All vehicle interiors and exteriors shall be clean and presentable, including trunk and baggage storage areas.
- i. Maintenance or vehicle cleaning on Airport property is strictly prohibited.
- j. Airport administration reserves the right to inspect and if deemed necessary, require the Operator to clear or repair any vehicle found less than acceptable
- k. Vehicles that are unsafe, not fully operational, or have significant interior or exterior damage affecting appearance, comfort, or performance must be taken out of service until repaired.

#### **4.3. Driver Requirements**

- a. The following requirements apply to all Commercial Ground Transportation Operators, employees, agents, independent contractor and representatives Drivers (hereinafter “Driver”).
- b. All Drivers must meet all Federal, State, City and Airport requirements. Drivers shall possess a valid state issued Driver’s License commensurate with the Vehicle they are operating and must present valid identification upon request.
- c. Not operate Vehicles in a careless, negligent, unsafe, or reckless manner; in disregard of the rights and safety of others; without due caution and circumspection; or at a speed or in a manner which endangers, or is likely to endanger, persons or property.
- d. Drivers must have knowledge of the area, streets and ability to speak, read and understand the English language, bi-lingual abilities are highly encouraged.
- e. All Drivers shall maintain a clean, professional appearance and always be courteous, professional and helpful when interacting with passengers, Airport staff and fellow drivers. Customer complaints relating to a Driver’s failure to meet these standards may provide grounds for termination of the driver’s operating privileges at the Airport.
- f. Drivers are prohibited from attempting to interfere with the efforts of other Operators in performing their services.
- g. Drivers shall not engage in any physical fighting or loud, boisterous verbal disputes while on the Airport. If a dispute develops between a Driver and a passenger, or another Driver, the Driver should immediately report the incident to their primary Permit holder for referral to the Airport Director or their designee as to the specific incident.

- h. No Ground Transportation company, Operator, its Drivers, employees, agents, independent contractors, or representatives shall solicit business from passengers inside the Airport terminal building or attempt to deter the public's use of any other Operator.
  - i. Smoking is not allowed in the Commercial Loading Zone.
  - j. Drivers are prohibited from confronting the public, or employees of the same or another operator in an effort to enforce any of these Rules and Regulations. Operators are not authorized to direct traffic or vehicles of either the general public or other Operators. In the event a driver feels any other Driver has violated a specific rule or regulation, the Driver may notify their primary Permit holder for referral to the Airport Director or their designee as to the specific incident.

## **5. AIRPORT ACCESS AND COMMERCIAL LOADING ZONE**

### **5.1. Airport Access**

- a. Commercial Vehicle Operators shall not engage in the business of picking up passengers at the Airport terminal, FBO's or any other Airport location without first obtaining a Permit from the Airport.
- b. Operators not licensed with the Airport attempting to pick-up or drop-off passengers on any area of the Airport are subject to eviction without loading/unloading their client and may face criminal trespass charges.
- c. Operators shall only operate in areas as designated by the Airport and shall do so in a safe manner at all times. Excessive speed and/or reckless driving are strictly prohibited. Drivers will always yield to pedestrians and refrain from blocking crosswalks or through lanes.
- d. Drivers picking up or dropping off passengers at the Airport terminal shall only use the Commercial Loading Zone and should not utilize the Airport terminal curbside for active loading or unloading of passengers and their baggage.

### **5.2. Commercial Loading Zone**

- a. Access into the Commercial Loading Zone (Exhibit B) will be granted to approved Operators upon approval of a Commercial Operator Application. The Commercial Loading Zone will be gated to ensure only authorized Operators access the Commercial Loading Zone.
- b. Upon Permit issuance, Operators will be given an access code to obtain entry in the Commercial Loading Zone. Access codes are unique to Operators and will be used to validate Operator submitted activity reports. Abuse of access codes, including sharing or piggybacking will be subject to discipline as outlined in Section 7.
- c. In lieu of an access code, Operators may request a radio frequency identification tag (RFID) from the Airport at the Operator's expense. Fees for RFID tags will be based on the most recently published and approved MCAA Rates and Charges Schedule.

- d. The Airport has placed signage designating general parking areas in the Commercial Loading Zone for all Operators. Drivers are required to park in the closest available spot to their designated area. The Commercial Loading Zone operates on a first-come, first-serve basis for all designated queuing areas.
- e. All Operators shall only utilize designated and signed locations in the Commercial Loading Zone for passenger pick up and drop off. Parking and/or waiting along the airport terminal curb is strictly prohibited.
- f. Loading/Unloading shall occur in the furthest right lane (closest to curb) with the far-left lane being the primary lane for through traffic.
- g. Drivers must comply with all lawful instructions issued by the Airport personnel with respect to the loading, unloading, parking and operation of Vehicles on Airport property.
- h. Drivers must remain inside their vehicle, or within the immediate vicinity (25 feet) at all times except to meet clients and assist customers with disabilities. Vehicles left unattended for more than 30 minutes will be subject to fines, penalties and/or towing.
- i. Class 1 Operators may only stage in the area designated in Exhibit B and are not permitted to dwell in the Commercial Loading Zone. When “matched” with a client ready to pick up, Driver may proceed to the Commercial Loading Zone for pickup.
  - a. Class 1 Operators must keep their ride sharing application on at all times while on airport property and prepared to show Airport representatives upon request.
- j. Dwell time in the Commercial Loading Zone for Class 2/3 Operators will be limited to 60 minutes. Operators needing extended time shall utilize the designated Airport staging areas (Exhibit B).

### **5.3. Passenger Acceptance**

Operators may not refuse a passenger for any reason unless stipulated herein.

Operators may refuse service if:

- Passenger(s) appears to be intoxicated or under the influence of drugs or alcohol; or
- Passenger(s) is threatening, challenging to fight or fighting, or is using threatening, profane, or abusive language.

Nothing in these Regulations shall be construed to prevent a passenger from boarding the Vehicle of the passenger's choice. Operators shall be trained and provide transportation services for passengers with physical and mental disabilities.

## **6. FEES AND REPORTING**

### **6.1. Introduction**

MCAA establishes and assesses fees and charges to be paid by Operators. Such fees are intended to be fair, non-discriminatory and reasonably related to costs of administration and impact to facilities of the Airport.

Operators shall pay any applicable fees to the Airport in accordance with the most recently published MCAA Rates and Charges Schedule, which may be adjusted at the discretion of the Board.

### **6.2. Class 1 Operators**

For the privilege of operating at the Airport, Class 1 Operators shall remit payment to the Airport on a “Per Trip” basis upon accessing anywhere inside the geo-fence identified in Exhibit A. All fees for access are based on the most recently published and approved MCAA Rates and Charges Schedule. Class 1 Operators shall be required to report total trips to the Airport monthly. Payment of the Per Trip Fee for the preceding month shall be made to MCAA no later than the twentieth (20th) day of the following calendar month. Monthly Per Trip Fees which are not received by the twentieth (20th) day of the month shall be subject to a late charge of ten percent (10%) of the total payment due and unpaid (total amount of all Per Trip Fees due) which shall be added to the payment, and the total sum shall become immediately due and payable to MCAA.

### **6.3. Class 2 Operators**

For the privilege of operating at the Airport, Class 2 Operators shall remit payment to the Authority on a “Per Trip” basis by vehicle capacity for either a pickup or drop-off. All fees for access are based on the most recently published and approved MCAA Rates and Charges Schedule. A pickup or drop-off is anytime an Operator enters the Airport Commercial Loading Zone (Exhibit B) to drop off or pick up one or more passengers. Class 2 Operators shall be required to submit to the Airport an electronic monthly Activity Report (Exhibit C) reflecting the total trips by vehicle capacity made on Airport property by the Operator during the preceding month. Payment of the Per Trip Fee for the preceding month shall be made to MCAA no later than the twentieth (20th) day of the following calendar month. Monthly Per Trip Fees which are not received by the twentieth (20th) day of the month shall be subject to a late charge of ten percent (10%) of the total payment due and unpaid (total amount of all Per Trip Fees due) which shall be added to the payment, and the total sum shall become immediately due and payable to the Authority.

### **6.4. Class 3 Operators**

For the privilege of operating at the Airport, Class 3 Operators shall pay MCAA an annual fee based on fleet size according to the most recently published and approved MCAA Rates and Charges Schedule. Any Class 3 Operator that makes more than six trips to the Airport annually is subject to the Annual Fee. The Annual Fee is due and payable on July 1<sup>st</sup> of each calendar year. If an Annual Fee payment is not received by the 20<sup>th</sup> of the following month, the total remaining sum of the Annual Fee shall be subject to a late charge of ten percent (10%) and the total sum shall become immediately due and payable to MCAA.

### **6.5. Day Use Permits**

For the privilege of operating at the Airport, a Day Use Fee shall be paid according to the most recently published and approved MCAA Rates and Charges Schedule. Any Operator that plans to make less than six trips to the Airport annually may be subject to the Day Use Fee. The Day Use Fee is due and payable prior to accessing the Commercial Loading Zone.

A Day Use Permit may be obtained by contacting the Airport Administration Office at 406-728-4381 and upon providing insurance and acceptance of Commercial Ground Transportation Rules and Regulations.

#### **6.6. Audit of Records**

MCAA reserves the right, at MCAA's expense, to audit the Operator's books and records of receipt at any time for the purpose of verifying number of trips made by Operator on Airport property. If, as a result of such audit, it is found that Operator understated the number of trips by three percent (3%) or more, MCAA may terminate this Agreement and all rights, privileges and accesses herein granted.

### **7. PENALTIES**

#### **7.1. Violations and Fines**

The Airport Director and/or their designee have the authority to enforce these regulations, issue tickets and fines for violations including suspension or revocation of Operator's right to access the Airport.

Monetary fines may be assessed according to the most recently published MCAA Rates and Charges Schedule for violations.

Fines for subsequent violations will be assessed as a multiple based on the number of violations in the preceding twelve (12) month period. (ex: Published Fine x Number of Violations for preceding 12 months)

#### **7.2. Suspension/Revocation of Permit**

In addition to all remedies provided by law, suspension or revocation of the Operator's Permit may be imposed for any violation of these Regulations.

Notice of any suspension or revocation of Operator's Permit must be sent to the individual or Operator at the physical or email address on file with the Airport Administration Office.

#### **7.3. Appeal of Suspension and Revocations**

Any suspension/revocation of Operator's Permit may be appealed to the Airport Director in writing within five (5) written days of the date of notice. The decision of the Airport Director is final.

#### **7.4. Unpermitted, Unauthorized Operators**

Operators that do not possess an approved Permit are not allowed to conduct ground transportation business at the Airport.

Unpermitted Operators attempting to conduct ground transportation business at the Airport may be fined and will be asked to leave the premises.

## 8. DEFINITIONS

**“Operator”** shall mean any person or entity that owns, controls, or manages a Ground Transportation Vehicle for commercial service at the Airport.

**“Driver”** shall mean any individual who operates a Ground Transportation Vehicle on behalf of an Operator.

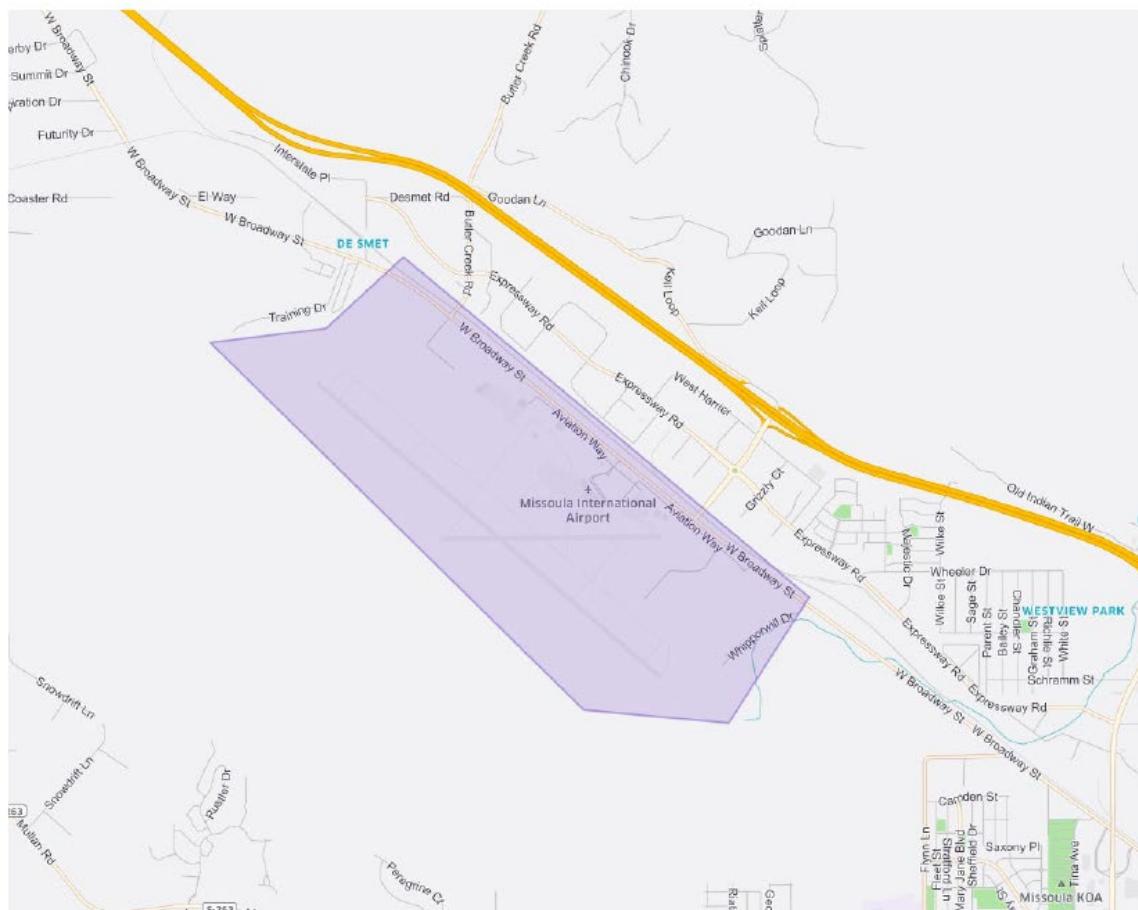
**“Vehicle”** shall mean any automobile, van, bus, or other motorized conveyance used to provide ground transportation services at the Airport.

## 9. EXHIBITS

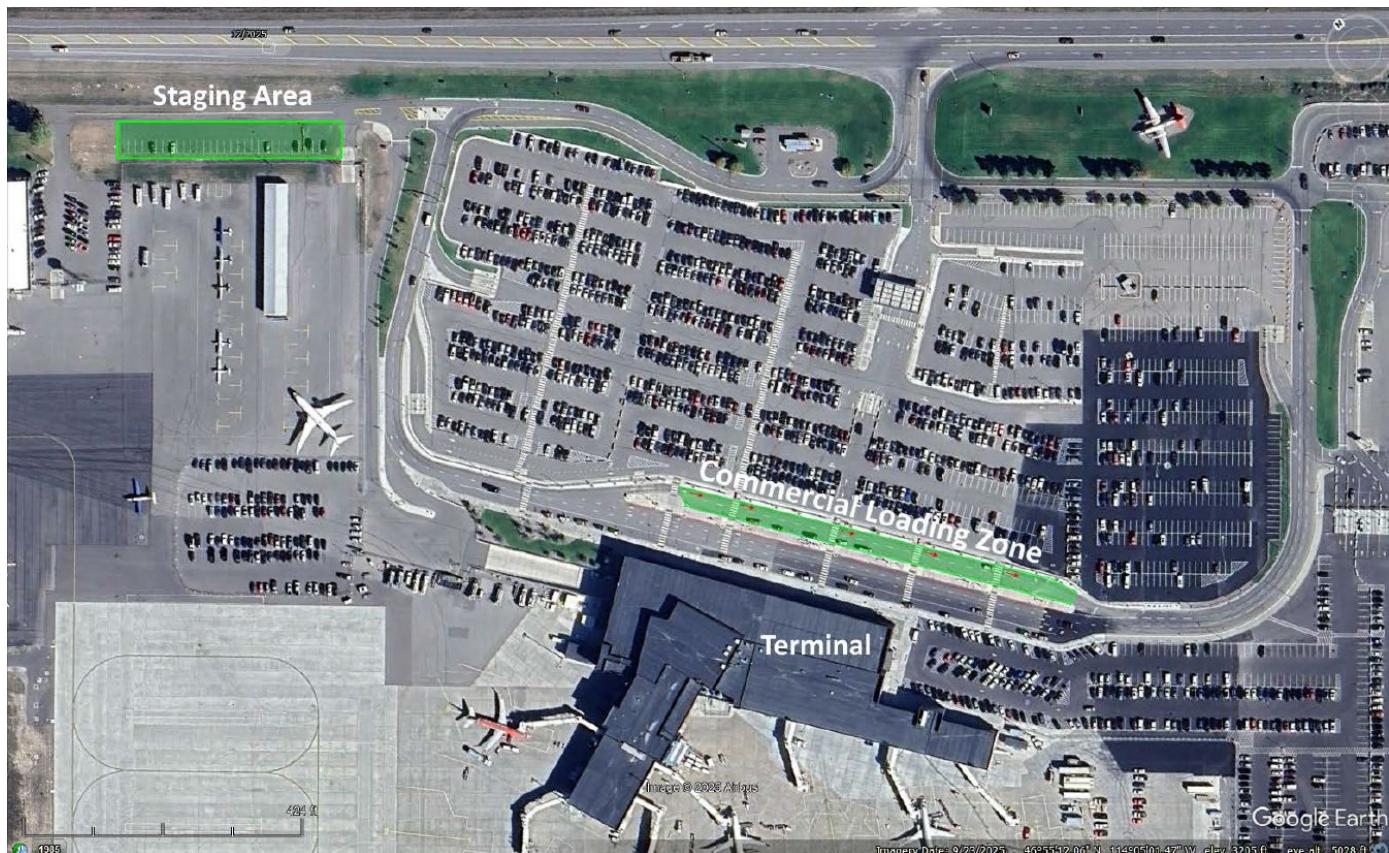
### 9.1. Exhibit A – Airport Geo Fence Area

# Exhibit A

## AIRPORT GEO-FENCE



## 9.2. Exhibit B – Commercial Loading Zone



**9.3. Exhibit C – Commercial Usage Reporting Form**

 <p><b>Missoula County Airport Authority</b> 5225 US Hwy 10 W Missoula, MT 59808 Phone: 406-728-4381 Fax: 406-549-6103</p>		
<b>Commercial Lane Usage</b>		
Company:	Your Company Name	
Billing Month:	March	
<b>DROP-OFF/PICK-UP DETAIL</b>		
Day of Month	Pick-Ups	Drop-Offs
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
Total	0	0
<b>Total Amount Due:</b> \$0		
<b>Please print and send your remittance to:</b> Missoula County Airport Authority 5225 US Hwy 10 W Missoula, MT 59808		

