

AIRPORT SECURITY RULES AND REGULATIONS

October 2019

SANTA FE REGIONAL AIRPORT (SAF)



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Chronological Changes

Date of Revision	Description of Revision	Section(s)/Pages(s) Revised

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Definitions

Air Operations Area (AOA) – means a portion of an airport, specified in the airport security program, in which security measures specified in 49 CFR § 1500 are carried out. This area includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas for use by aircraft regulated under 49 CFR § 1544, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures. This area does not include the secured area.

Aircraft/Air Carrier Operator – means a person who uses, causes to be used, or authorizes to be used an aircraft, with or without the right of legal control (as owner, lessee, or otherwise) for the purpose of air navigation including the piloting of aircraft, or on any of the surfaces of an airport.

Airport Operator – means a person that operates an airport serving an aircraft operator or a foreign air carrier required to have a security program under 49 CFR § 1544.

Airport-approved ID media – Any media issued by an entity the airport operator has authorized to issue ID media under the airport's TSA-approved security program.

Airport-issued ID media – Any media issued by an airport operator.

Airport Security Program (ASP) – means a security program approved by TSA under 49 CFR § 1542.

Airport tenant – means any person, other than an aircraft operator or foreign air carrier that has a security program under 49 CFR § 1544 and an agreement with the airport operator to conduct business on airport property.

Airport User – means any person other than an aircraft operator subject to 49 CFR § 1542.229 making a certification under 49 CFR § 1542.209. This definition is for the purposes of 49 CFR § 1542.209 only.

Applicant – An individual who is applying for any ID media. The term "applicant" does NOT include TSA personnel, direct employees of a Federal, State, or local government who are law enforcement officers (LEOs) and, as a condition of employment, have been subject to an employment investigation that includes a fingerprint-based Criminal History Records Check (CHRC), or to employees of the U.S. Department of Defense (DOD) operating within exclusive DOD areas of a regulated airport.

Authorized Signatory – Any individual or designated representative authorized to sponsor individuals, collect and transmit biographical data to the airport badging office, and request airport identification (ID) media for sponsored individuals.

Authorized to work – In the United States means an individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, or an alien authorized under the immigration laws of the United States to be hired, recruited, or referred for employment in the United States.

Biographic Data – For the purposes of this ASP National Amendment, Biographic Data is an individual's full name, date of birth, and gender. Redress numbers may be used in the resolution process.

Cargo – means property tendered for air transportation and accounted for on an air waybill. All accompanied commercial courier consignments, whether or not accounted for on an air waybill, are also classified as cargo. Aircraft Operator Security Programs further define the term “cargo”.

Cabin Crewmember – An individual assigned to perform duties in an aircraft during flight time who is not a flight crewmember.

Checked baggage – means property tendered by or on behalf of a passenger and accepted by an aircraft operator for transport, which is inaccessible to passengers during flight. Accompanied commercial courier consignments are not classified as checked baggage.

Criminal History Records Check (CHRC) – A search for an individual's past criminal history by submitting the individual's fingerprints and biographic information to the Federal Bureau of Investigation Criminal Justice Information System (CJIS), and a review of any criminal history records that CJIS returns.

Current media holder – An individual who holds an airport-issued ID media as of the date of issuance of this SD, including non-LEO Federal employees.

Escort – means to accompany or maintain constant visual contact with an individual who does not have unescorted access authority into or within the secured area or AOA.

Identification (ID) media, media, or medium – Any credential, card, badge, or other media issued for ID purposes and used at an airport. This includes, but is not limited to, media signifying unescorted access to an Air Operations Area (AOA), Secured Area, Security Identification Display Area (SIDA), Sterile Area, or to any public area. This also includes, but is not limited to, media issued to taxi drivers, parking lot attendants, vendors, and shuttle bus drivers. For the purposes of this ASP National Amendment, ID media does NOT include airport-approved ID media, or “visitor” media, issued to individuals who must be under airport-approved escort to access the SIDA, Sterile Area, or the AOA on a limited-time or limited-use basis.

Piggybacking – Piggybacking occurs when an unauthorized individual, on foot or in a vehicle, enters through a portal providing access to a secured area, SIDA or AOA during an authorized individual’s entry into or exit from such area with or without the authorized person’s knowledge. Piggybacking also occurs when an otherwise authorized individual accesses an open secured area, SIDA or AOA portal without following required access control procedures.

RAP Back – a service under the Federal Bureau of Investigation (FBI) Next Generation Information (NGI) system that enables authorized entities to receive ongoing status notifications of any subsequent criminal history information changes reported on individuals who have submitted fingerprints as part of a CHRC.

Scheduled passenger operations – means an air transportation operation (a flight) from identified air terminals at a set time, which is held out to the public and announced by timetable or schedule, published in a newspaper, magazine or other advertising medium.

Screening functions – means the inspection of individuals and property for weapons, explosives, and incendiaries.

Security Threat Assessment (STA) – A check conducted by TSA of databases relevant to conforming (1) that an individual does not pose a security threat, (2) that an individual possesses lawful status in the United States, and (3) an individual's identity.

secured area – means a portion of an airport, specified in the airport security program, in which certain security measures specified in 49 CFR § 1542 are carried out. This area is where aircraft operators and foreign air carriers that have a security program under 49 CFR § 1544 enplane and deplane passengers and sort and load baggage, and any adjacent areas that are not separated by adequate security measures.

Security Identification Display Area (SIDA) – SIDA means a portion of an airport specified in the airport security program, in which security measures specified in 49 CFR § 1542 are carried out. This area includes the secured area and may include other areas of the airport.

Sterile area – means a portion of an airport defined in the airport security program that provides passengers access to boarding aircraft and to which that access generally is controlled by TSA, or by an aircraft operator under 49 CFR § 1544, through the screening of persons and property.

Unescorted access authority – means the authority granted by an airport operator, an aircraft operator, foreign air carrier, or airport tenant under 49 CFR Parts 1542, 1544, or 1546 of Chapter XII, to individuals to gain entry to, and be present without an escort in, secured areas and SIDAs of airports.

Weapon – Deadly or dangerous weapons including, but not limited to, firearms, bows and arrows, hunting knives, etc.

ABBREVIATIONS

49	CFR Title 49 Code of Federal Regulations
AOA	Airport Operations Area
ARFF	Airport Rescue and Fire Fighting
ASC	Airport Security Coordinator
ASP	Airport Security Program
CFR	Code of Federal Regulations
CHRC	Criminal History Records Check
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulation
FBI	Federal Bureau of Investigation
GA	General Aviation
ID	Identification
LEO	Law Enforcement Officer
NM	New Mexico
SIDA	Security Identification Display Area
SSI	Sensitive Security Information
STA	Security Threat Assessment
TSA	Transportation Security Administration

I. Introduction

I.I Rules of Interpretation and Constriction

1. Wherever these Rules and Regulations refer to “applicable law,” such term shall refer to all present and future federal, state, and local statutes, ordinances and regulations applicable to the person or the Santa Fe Regional Airport or the use thereof and judicial or administrative interpretations thereof, as amended from time to time, including but not limited to Transportation Security Regulations and Security Directives issued from time to time by DHS or TSA, Federal Regulations and Advisory Circulars issued from time to time by the FAA, these Rules and Regulations, Notices to Airmen (“NOTAMs”) and Airport Directives issued by the Santa Fe Regional Airport from time to time and directions issued by the Control Tower. In the event of any conflict among requirements, unless prohibited by superseding applicable law, the more restrictive requirement shall apply, and the judgment of the Airport Manager shall be dispositive. All persons using the Santa Fe Regional Airport shall be obligated to be familiar with all applicable laws and shall be deemed to have knowledge of such applicable laws.
2. Unless the context otherwise indicates, words importing the singular shall include the plural and vice versa and the use of the neuter, masculine, or feminine gender is for convenience only and shall be deemed to mean and include the neuter, masculine, or feminine gender.
3. Headings of articles and sections in these Rules and Regulations are solely for convenience of reference, do not constitute a part of these Rules and Regulations and shall not affect the meaning, construction or effect hereof.
4. The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms used in these Rules and Regulations refer to these Rules and Regulations as a whole and not merely to the article or section in which such terms are used.
5. Words relating to aeronautical practices, processes and equipment shall be construed according to their general usage in the aviation industry.
6. Where these Rules and Regulations refer to a document, agreement, or other written instrument, unless specifically otherwise provided, such reference shall be to such document, agreement or instrument as amended from time to time.

II. General Regulations and Security

II.I Compliance with Rules and Regulations

1. Any permission granted by the Santa Fe Regional Airport, directly or indirectly, expressly or by implication or otherwise, to any person to enter or to use the Airport or any part thereof, is conditioned upon strict compliance with these Rules and Regulations. The exercise of the privilege of using the Santa Fe Regional Airport and its facilities or any part thereof shall constitute the agreement of the person using the Santa Fe Regional Airport to comply fully with these Rules and Regulations.
2. Any permission granted by the Santa Fe Regional Airport under these Rules and Regulations is conditioned upon the payment of any and all applicable fees and charges established by the Santa Fe Regional Airport.
3. Notwithstanding the foregoing provisions of this section, these Rules and Regulations shall not prevent the exercise of rights expressly granted by the Santa Fe Regional Airport in written agreements between the Santa Fe Regional Airport and the person to whom such rights have been granted.
4. Any person causing or responsible for any security violation at the Santa Fe Regional Airport shall reimburse the City of Santa Fe for the full amount of any civil penalty imposed upon the Santa Fe Regional Airport in connection with such security violation in addition to the City of Santa Fe's costs, expenses and attorneys' fees, including amounts attributable to City of Santa Fe Attorney time or Airport staff time, arising out of such security violation, in addition to any other applicable fines and penalties.

II.II Security Requirements

1. The Santa Fe Regional Airport is subject to regulation by DHS and TSA with respect to security matters and, in compliance with applicable law, has developed and adopted the Airport's Security Program. The Airport Manager, acting through the Airport Security Coordinator, may amend the Airport Security Program from time to time, and DHS and TSA may issue security directives or amend regulations issued from time to time applicable to operations at the Santa Fe Regional Airport, or certain portions thereof, and to all or certain designated persons at the Santa Fe Regional Airport. Due to the changing nature of threats to security, requirements applicable to security at the Santa Fe Regional Airport are likely to change, and each person at the Santa Fe Regional Airport shall be subject to and obligated to be aware of the changes to such requirements as may be applicable to such person. Each person using the Santa Fe Regional Airport is subject to and shall strictly comply with all applicable laws relating to Airport security, including without limitation, rules and regulations issued by DHS or TSA, including the provisions of Title 49 CFR Parts 1540 and 1542 and all applicable local and federal laws, as well as security directives issued by DHS, TSA, Airport Security Coordinator or the Airport Manager and applicable provisions of the Airport Security Program and these Rules and Regulations (collectively, "Security Regulations").
2. Any person who fails to comply with the Security Regulations shall be subject to enforcement action under the provisions of the Airport Security Program and these Rules and Regulations, including potential revocation of that person's Airport Security Badge and unescorted access

privileges to the AOA, Sterile Area, secured area or other access controlled areas, fines and penalties, and the employer and/or Badge Sponsor of such person may also be subject to fines and penalties under the Airport Security Program and these Rules and Regulations. In addition, violations of the Security Regulations may result in civil penalties or fines and criminal prosecution under applicable law.

3. Each tenant, licensee or other occupant of space at the Santa Fe Regional Airport shall become familiar and shall comply in all material respects with the Airport Emergency Plan (i.e., those procedures, programs and rules established, implemented and maintained by the Santa Fe Regional Airport in the event of an emergency at the Airport), as in force from time to time.
4. No person may possess, use, consume or sell any illegal substances, alcohol or other controlled substances while performing their duties at the Airport except in strict accordance with applicable law.
5. Unidentified or unauthorized personnel in the AOA, secured area, Sterile Area, or Public Area may be detained and/or removed by the Airport, Security, and/or Law Enforcement.
6. All door and/or gate alarms shall be reported immediately to Security and/or Airport Operations.

II.III Sensitive Security Information

1. Sensitive Security Information is information that, if publicly released, would be detrimental to transportation security, as defined by Federal Regulation 49 C.F.R. Part 1520.
2. As persons receiving SSI in order to carry out responsibilities related to transportation security, TSA stakeholders and non-DHS government employees and contractors, are considered "covered persons" under the SSI regulation and have special obligations to protect this information from unauthorized disclosure.
3. Any persons receiving SSI should review the SSI Best Practices Guide for Non-DHS Employees and Contractors available here:

https://www.tsa.gov/sites/default/files/ssi_best_practices_guide_for_non-dhs_employees.pdf

II.IV Lost, Found, and Abandoned Property

1. Any person finding lost articles at the Santa Fe Regional Airport (each, a "finder"), other than at the checkpoint areas, shall immediately deposit them at the Airport Administrative Office. Lost articles found at the checkpoint areas shall be turned over to Security personnel at the checkpoint. Articles unclaimed by their proper owner within sixty (60) days thereafter may be turned over to the City of Santa Fe Police Department or otherwise disposed of in accordance with applicable law.
2. No person shall abandon any personal property on the Santa Fe Regional Airport. Any person that violates this shall be obligated, upon demand of the Airport Manager, to reimburse the City of Santa Fe for all costs and expenses incurred in disposing of such abandoned property, including attorney's fees and amounts attributable to City of Santa Fe Attorney time, in addition to any applicable penalties identified in these Rules and Regulations.

II.V Administrative Interpretations, Operating Directives, and Emergency Procedures

1. The Airport Manager shall be responsible and shall have full authority for interpreting, implementing and administering these Rules and Regulations. In the event that any provisions of these Rules and Regulations are deemed ambiguous and a determination as to the meaning of

the provision is required, the matter shall be referred to the Airport Manager. The Airport Manager's determination as to the meaning of the provision shall be consistent with the policies set forth or implied in these Rules and Regulations and shall be deemed incorporated into these Rules and Regulations as though fully set forth herein. In addition, Airport Directives issued from time to time by the Santa Fe Regional Airport shall be considered as interpretive and implementing rules and shall have the full force and effect of these Rules and Regulations. Copies of all Airport Directives shall be kept on file and may be inspected at the office of the Airport Manager.

2. In the event there is an express conflict relating to an area of operation, topic or activity between any of the provisions of these Rules and Regulations and any Airport Directive, provisions of or instructions contained in these Rules and Regulations shall be deemed to govern and the provisions of Airport Directives shall be deemed to interpret and implement these Rules and Regulations to the extent that such provisions are not directly conflicting with these governing Rules and Regulations. In the event there is an express conflict between provisions or instructions contained in different Airport Directives relating to an area of operation, topic or activity, the provisions or instructions applying more specifically to the given area of operation, topic or activity shall govern.
3. In the case of an emergency at the Santa Fe Regional Airport which threatens the health, welfare, or safety of persons or property or threatens to disrupt the safe operation of, or construction *activities at, the Airport, the Airport Manager or Operations Manager shall have the authority to take any action consistent with the policies set forth or implied in these Rules and Regulations, and to suspend these Rules and Regulations for not more than thirty (30) days, as he or she considers necessary or desirable to respond to the emergency.
4. Notwithstanding the foregoing, the Airport Manager and Operations Manager shall at all times have authority to take such reasonable action as may be necessary for the proper handling of the conduct and management of the public at the Santa Fe Regional Airport.

II.VI Other Laws

1. All applicable provisions of Federal, State of New Mexico, and local laws and regulations (including, without limitation, the New Mexico Motor Vehicle Code, applicable chapters of the City Municipal Code, and other provisions of the City Municipal Code specifically referenced herein), now in existence or hereafter promulgated and as in effect from time to time and not in conflict with these Rules and Regulations or Airport Directives, are hereby adopted by this reference as part of these Rules and Regulations.

III. Airport Security Badges

III.I General

1. All Airport Security Badges must be used for an Official Business Purpose only and in accordance with all applicable TSA regulations, the TSA-approved Airport Security Program, and any applicable training provided to employees when the Airport Security Badge was most-recently issued, along with any updated requirements related thereto as provided by the Airport.
2. Airport staff, contracted security, or law enforcement are authorized to take action to prevent or halt any activity that he or she reasonably believes is not an Official Business Purpose and violates these Rules and Regulations.
3. All permits and badges issued by the Airport are the property of the City of Santa Fe and such permits, badges, and all other endorsements and authorizations included therein are subject to revocation by Airport staff, Security, or Law Enforcement.
4. Airport Security Badges may not be used to provide personal access to otherwise inaccessible areas unless specifically allowed by the Airport and in full compliance with Airport policies and Airport procedures, including but not limited to, the limitations identified in Article 9 of these Rules and Regulations.
5. Airport Security Badges are prohibited from being used to bypass or otherwise circumvent Airport and/or airline security procedures pursuant to 49 CFR § 1540.105, as it may be amended from time to time.
6. Any person issued an Airport Security Badge shall report to the Airport any changes to their personal information included on their application for the Airport Security Badge (including any changes to their personal address) within thirty (30) days after such change
7. Any person issued an Airport Security Badge, Authorized Signers for such Airport Security Badge, and Badge Sponsors for such Airport Security Badges shall immediately report to the Airport any Airport Security Badge that is lost, stolen, or for which there is no longer any Official Business Purpose. Failure to make such an immediate report shall result in a fine in the amount set forth in the Santa Fe Regional Airport Master Fee Schedule, as it may be amended from time to time, which shall be in addition to any other applicable fines, penalties, and enforcement provisions.
8. Any person issued a SAF Airport Security Badge shall maintain positive control of their badges, ensuring that badges are not left in public areas, copied, duplicated, or left in plain sight.
9. All Authorized Signers for an Airport Security Badge and/or the Badge Sponsors shall return Airport Security Badges that are expired, deactivated, or for which there is no longer any Official Business Purpose within three (3) business days of the date the Airport Security Badge expired or no longer had any Official Business Purpose. Failure to return such Airport Security Badges within thirty (30) days for any reason shall result in a fine in the amount set forth in Santa Fe Regional Airport Master Fee Schedule, as it may be amended from time to time, unless otherwise waived by the Airport Manager in his or her absolute discretion.
10. Replacement Airport Security Badges and Vehicle Permits may be issued for a fee in the amount set forth in the Santa Fe Regional Airport Master Fee Schedule, as it may be amended from time to time, depending on the number of times a replacement badge or permit was issued during the effective term of the media. Airport Security Badges and Vehicle Permits cannot be replaced more than three (3) times within a 24-month period, unless otherwise waved by the Airport Security

Coordinator in his or her absolute discretion. Notwithstanding the above, Airport Security Badges and Vehicle Permits that were stolen and for which the Airport Security Coordinator is provided with a verifiable report by a relevant law enforcement agency that is acceptable to the Airport Security Coordinator shall not require a replacement fee and shall not count toward the three (3) time limit on the replacement.

11. Airport Security Badges may not be shared with any other individual.

III.II Door Alarms

1. All secured area doors are equipped with audible alarms, set to alarm after a duration as specified in the Airport Security Program and SIDA training program.
2. All door and/or gate alarms shall be reported immediately to Security and/or Airport Operations.

III.III Application

1. All individuals seeking unauthorized access at the Santa Fe Regional Airport must apply for a Santa Fe Regional Airport Security Badge. Application materials and additional information are available at [www.santafenm.gov/airport id badging](http://www.santafenm.gov/airport%20id%20badging) or by visiting the Santa Fe Regional Airport Administration Office.

IV. Security within the Air Operations Area (AOA)

IV.I Situation

The Air Operations Area (AOA) includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas for use by aircraft regulated under 49 CFR Parts 1544 or 1546, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures. Appendix A: Maps depicts this area at the Santa Fe Regional Airport. For purposes of this section, this area does not include the secured area, Sterile Area, or Public Area.

SAF will conduct random inspections of vehicles and vehicle operators and passengers to verify that vehicles and passengers have appropriate and valid airport access media and ensure that unauthorized weapons or explosives are not in the vehicles. Further, all persons who are granted an airport security badge shall acknowledge this within their badge application.

A clear zone of four (4) feet is established for both sides of all perimeter fences around the AOA. The clear zone must not contain any object which could be of assistance to an individual trying to gain unauthorized access.

IV.II Authorized Access

1. The following individuals are permitted unescorted access within the AOA:
 - a. All individuals issued a valid, unexpired, AOA, Temporary AOA, or secured area badge
 - b. Transient pilots who do not have aircraft-leased space or unescorted access authority to the AOA of the airport and are in the AOA for refueling, accessing the Fixed-Base Operator (FBO), or an emergency situation. This authority only extends to the areas of operation where official business is required.
 - c. Individuals under escort, as described below.
 - d. Other individuals, as defined within the Santa Fe Regional Airport Security Program.

Note: Violators may have their airport access revoked and may be cited for trespassing by the Santa Fe Police Department. Conviction for trespassing is based on Chapter 30-14-1, NMSA 1978, a misdemeanor, which may result in a maximum \$1,000.00 fine and up to 364 days in jail. Prosecution based on 49 U.S.C, Section 46314, secured areas of Airports, as amended, could result in a civil penalty, 10 year's imprisonment, or both.

2. Any individual issued an Airport Security Badge must have such badge on their person at all times while in the AOA, but does not need to be outwardly displayed at all times.
3. If a person's Airport-issued identification badge has been revoked, that person may not access the Public Area (for official business), AOA, secured area, or Sterile Area, with or without escort, unless and until the Airport-issued identification badge has been returned to such person following completion of any required remedial actions.
4. All automated gates providing access to the AOA may be utilized by vehicles and/or pedestrians, however all requirements for access and prevention of tailgating or piggybacking apply.

IV.III Escort Authority

1. All individuals with an AOA, Temporary AOA, or secured area badge are permitted escort authority within the AOA.
2. Individuals who are providing escort must maintain "positive control" escort procedures. "Positive control" escort means that the individual(s) being escorted in the AOA must be within sight and hearing range, and under the control of the authorized escort. This will ensure that the individual under escort is engaged in only activities for which escorted access was granted.
3. If an individual under escort should begin to engage in unauthorized activity the escort must provide a verbal challenge, stopping the unauthorized activity. If the person being escorted does not cease the unauthorized activity the escort shall immediately notify on-site security or Law Enforcement (911).
4. Individuals who have been issued an Airport Security Badge, but is not in possession of their badge, cannot be escorted within the AOA.
5. If the individual does not have their issued identification media in their possession, the discoverer shall immediately notify on-site security or Law Enforcement (911).

IV.IV Vehicular Access to the AOA

1. All individuals operating a vehicle within the AOA must have their SAF issued AOA badge properly displayed, or be under authorized escort to be permitted in the AOA.
2. Vehicles which are authorized access to the SAF AOA are issued an AOA vehicle permit.
3. This permit must be placed in the interior of the windshield of the vehicle authorizing AOA access and must be visible from the exterior of the vehicle.
4. Unidentified or unauthorized vehicles in the AOA or secured area may be removed by the Airport at the expense of the vehicle owner.
5. No more than four (4) active AOA vehicle permits are permitted per badge holder.
6. Vehicles issued an AOA vehicle permit are not authorized entry into the secured area.
7. Vehicles issued an AOA vehicle permit are not authorized entry into movement areas, unless the badge holder possessed movement area driving authority.
8. City of Santa Fe Parking Division, Airport Security, and Airport Operations/Maintenance staff patrol the AOA on a rotating/random basis to identify and issue citations to vehicles that do not display proper vehicle permits.
9. All vehicles, occupants, and property are subject to inspection by the Santa Fe Regional Airport, on-site security, or Law Enforcement at any time.
10. When entering or exiting through a gate, individuals must perform stop and wait procedures ensuring the gate closes securely behind them (automatic gates on the access control system) or must physically close and lock the gate to ensure that no unauthorized individuals gain access to the AOA and to prevent tailgating or piggybacking.
11. Except for emergency vehicles; unattended vehicles, are prohibited from having the keys left in the vehicle while in the AOA.

IV.V Vehicular Escort

1. All vehicles under escort in the AOA must display an airport-issued vehicle escort permit that was issued to the individual providing escort.

- a. Authorized escorting includes:
 - i. Riding in a vehicle displaying a "vehicle under escort permit"
 - ii. Leading up to three (3) escorted vehicles, permitting the escorted vehicle remains within fifty (50) feet of the vehicle providing escort and vehicles under escort display the "vehicle under escort permit"
2. When entering/exiting a vehicular gate with a vehicle under escort, the badge holder shall ensure that piggybacking of vehicles not under their escort does not occur by instructing those under escort they must stop and wait for gates to fully close before proceeding. If escorting multiple vehicles, only the last vehicle in the escort group must stop and wait.

IV.VI Challenge Procedures

1. Challenging is vital because it identifies people who are somewhere they are not supposed to be.
2. Each tenant and their employees and every individual who has been issued a SAF security badge is encouraged to challenge any person(s) who they believe to be unauthorized.
3. If you see someone in the AOA that you suspect does not have a badge or not be authorized to be in the area, you are encouraged to challenge them.
4. If they show you a badge, check that they match the picture on the badge and that it is not expired.
5. If they do not have a valid badge, call the Airport Security Guard (505) 489-9007 or Law Enforcement.
6. If you feel unsafe about challenging someone, call the Airport Security Guard (505) 489-9007 or Law Enforcement and provide a detailed description of the person and the location.
7. You must cooperate with anyone who challenges you by showing your badge.
8. Remember that TSA and Airport Staff regularly conduct badge tests.

IV.VII Weapons

1. Deadly or dangerous weapons including, but not limited to, firearms, bows and arrows, hunting knives, etc., are prohibited in AOA with the following exceptions:
 - a. Items necessary for the performance of one's duties in the area;
 - b. Law Enforcement Officers in the performance of their official duties; and
 - c. Private individuals accessing private aircraft lawfully in possession of items not otherwise prohibited by law or regulation.

IV.VIII Penalty

1. Any person who violates any applicable security regulation, including without limitation the regulations and security directives issued by DHS, TSA, or the Airport may be denied future entry onto the Public Area, AOA, secured area, or Sterile Area, may be denied an Airport Security Badge, and may be subject to fines and/or penalties pursuant to these Rules and Regulations.

V. Security within the secured area

V.I Situation

1. The secured area is where aircraft operators that have a security program under 49 CFR Parts 1544 or 1546 enplane and deplane passengers and sort and load baggage, and any adjacent areas that are not separated by adequate security measures. Appendix A: Maps depicts this area at the Santa Fe Regional Airport. For purposes of this section, this area does not include the AOA, Sterile Area, or Public Area.
2. SAF will conduct random inspections of vehicles and vehicle operators and passengers to verify that vehicles and passengers have appropriate and valid airport access media and ensure that unauthorized weapons or explosives are not in the vehicles. Further, all persons who are granted an airport security badge shall acknowledge this within their badge application.
3. A clear zone of four (4) feet is established for both sides of all perimeter fences around the secured area. The clear zone must not contain any object which could be of assistance to an individual trying to gain unauthorized access.

V.II Authorized Access

1. The following individuals are permitted unescorted access within the secured area:
 - a. All individuals issued a valid, unexpired, secured area badge; or
 - b. Individuals under escort, as described below; or
 - c. Other individuals, as defined within the Santa Fe Regional Airport Security Program.

Note: Violators may have their airport access revoked and may be cited for trespassing by the Santa Fe Police Department. Conviction for trespassing is based on Chapter 30-14-1, NMSA 1978, a misdemeanor, which may result in a maximum \$1,000.00 fine and up to 364 days in jail. Prosecution based on 49 U.S.C, Section 46314, secured areas of Airports, as amended, could result in a civil penalty, 10 year's imprisonment, or both.

2. Any person authorized unescorted access in the secured area are required to display their identification badge at all times while on Airport property. The badge must be displayed by the individual, on the outermost garment above the waist while in the specified area.
3. Any person who is not in possession of their Airport identification media or other identification approved by this program shall be challenged, and depending on circumstances and severity of the incident, be removed from the area.
4. If a person's Airport-issued identification badge has been revoked, that person may not access the Public Area (for official business), AOA, secured area, or Sterile Area, with or without escort, unless and until the Airport-issued identification badge has been returned to such person following completion of any required remedial actions.
5. When utilizing an access point (gate or door) entering the secured area, individuals must perform Stop and Wait procedures ensuring the access point closes securely behind them or must physically close and lock the access point to ensure that no unauthorized individuals gain access to the secured area and to prevent "piggybacking". When utilizing an access point to enter a secured area, each individual must use their own access credentials to access the area. Unless individuals are under escort, no group may pass through such access point together when

entering a secured area. When utilizing an access point to exit into the public area, individuals may traverse the access point as a group, however the last person exiting shall ensure that the access point has closed securely behind them.

6. When aircraft are enplaning and/or deplaning passengers, aircraft operator employees and/or on-site security must monitor access points that provide secured area access.
7. Any malfunction of secured area doors requires immediate notification to the airport operator.

V.III Escort Authority

1. Individuals authorized unescorted access in the secured area and who are authorized with escort authority must utilize "positive control" escort procedures.
2. "Positive control" escort means that the individual(s) being escorted in the secured area must be within sight and hearing range, and under the control of the authorized escort. This will ensure that the individual under escort is engaged in only activities for which escorted access was granted.
3. If an individual under escort should begin to engage in unauthorized activity the escort must provide a verbal challenge, stopping the unauthorized activity. If the person being escorted does not cease the unauthorized activity the escort shall immediately notify on-site security or Law Enforcement (911).
4. Individuals who have been issued an Airport Security Badge, but is not in possession of their badge, cannot be escorted within the secured area.
5. If the individual does not have their issued identification media in their possession, the discoverer shall immediately notify on-site security or Law Enforcement (911) as well as their supervisor and an Airport Security Coordinator (ASC).

V.IV Vehicular Access to the secured area

1. All individuals operating a vehicle within the secured area must have their SAF issued secured area badge properly displayed, or be under authorized escort to be permitted in the secured area.
2. Personally Owned Vehicles (POV) are prohibited from entering the secured area.
3. Only an Airport Operator employee with escort authority may provide escort to any unmarked vehicle operating in the secured area
4. Unidentified or unauthorized vehicles in the secured area may be removed by the Airport at the expense of the vehicle owner.
5. All vehicles, occupants, and property are subject to inspection by the Santa Fe Regional Airport, on-site security, or Law Enforcement at any time.
6. Except for emergency vehicles; unattended vehicles, are prohibited from having the keys left in the vehicle while in the secured area.

V.V Challenge Procedures

1. Challenging is vital because it identifies people who are somewhere they are not supposed to be.
2. Each tenant and their employees and every individual who has been issued a SAF security badge is encouraged to challenge any person(s) who they believe to be unauthorized.
3. If you see someone in the secured area that you suspect does not have a badge or not be authorized to be in the area, you are required to challenge them.
4. If they show you a badge, check that they match the picture on the badge and that it is not expired.

5. If they do not have a valid badge, call the Airport Security Guard (505) 489-9007 or Law Enforcement.
6. If you feel unsafe about challenging someone, call the Airport Security Guard (505) 489-9007 or Law Enforcement and provide a detailed description of the person and the location.
7. You must cooperate with anyone who challenges you by showing your badge.
8. Remember that TSA and Airport Staff regularly conduct badge tests.

V.VI Weapons

1. Deadly or dangerous weapons including, but not limited to, firearms, bows and arrows, hunting knives, etc., are prohibited in the secured area with the following exceptions:
 - a. Items necessary for the performance of one's duties in the area;
 - b. Law Enforcement Officers in the performance of their official duties; and
 - c. Private individuals accessing private aircraft lawfully in possession of items not otherwise prohibited by law or regulation.

V.VII Penalty

1. Any person who violates any applicable security regulation, including without limitation the regulations and security directives issued by DHS, TSA, or the Airport may be denied future entry onto the Public Area, AOA, secured area, or Sterile Area, may be denied an Airport Security Badge, and may be subject to fines and/or penalties pursuant to these Rules and Regulations.

VI. Security within the Sterile Area

VI.I Situation

1. The Sterile Area is a portion of an airport defined in the airport security program that provides passengers access to boarding aircraft and to which that access generally is controlled by TSA, or by an aircraft operator under 49 CFR Part 1544, through the screening of persons and property. Appendix A: Maps depicts this area at the Santa Fe Regional Airport. For purposes of this section, this area does not include the AOA, secured area, or Public Area

VI.II Authorized Access

1. The following individuals are permitted unescorted access within the Sterile Area:
 - a. All individuals issued a valid, unexpired, secured area badge and/or Sterile Area badge; or
 - b. Individuals under escort, as described below; or
 - c. A ticketed, traveling passenger who entered through the TSA screening checkpoint; or
 - d. Other individuals, as defined within the Santa Fe Regional Airport Security Program.

Note: Violators may have their airport access revoked and may be cited for trespassing by the Santa Fe Police Department. Conviction for trespassing is based on Chapter 30-14-1, NMSA 1978, a misdemeanor, which may result in a maximum \$1,000.00 fine and up to 364 days in jail. Prosecution based on 49 U.S.C, Section 46314, secured areas of Airports, as amended, could result in a civil penalty, 10 year's imprisonment, or both.

2. Any person authorized unescorted access in the Sterile Area are required to display their identification badge at all times while on Airport property. The badge must be displayed by the individual, on the outermost garment above the waist while in the specified area.
3. Any person who is not in possession of their Airport identification media or other identification approved by this program shall be challenged, and depending on circumstances and severity of the incident, be removed from the area.
4. If a person's Airport-issued identification badge has been revoked, that person may not access the Public Area (for official business), AOA, secured area, or Sterile Area, with or without escort, unless and until the Airport-issued identification badge has been returned to such person following completion of any required remedial actions.
5. When utilizing an access point (gate or door) entering the Sterile Area from secured area, individuals must perform Stop and Wait procedures ensuring the access point closes securely behind them or must physically close and lock the access point to ensure that no unauthorized individuals gain access to the secured area and to prevent "piggybacking". When utilizing an access point to enter a Sterile Area, each individual must use their own access credentials to access the area. Unless individuals are under escort, no group may pass through such access point together when entering a Sterile Area.

VI.III Escort Authority

1. Individuals authorized unescorted access in the Sterile Area and who are authorized with escort authority must utilize "positive control" escort procedures.

2. "Positive control" escort means that the individual(s) being escorted in the Sterile Area must be within sight and hearing range, and under the control of the authorized escort. This will ensure that the individual under escort is engaged in only activities for which escorted access was granted.
3. If an individual under escort should begin to engage in unauthorized activity the escort must provide a verbal challenge, stopping the unauthorized activity. If the person being escorted does not cease the unauthorized activity the escort shall immediately notify on-site security or Law Enforcement (911).
4. Individuals who have been issued an Airport Security Badge, but is not in possession of their badge, cannot be escorted within the Sterile Area.
5. If the individual does not have their issued identification media in their possession, the discoverer shall immediately notify on-site security or Law Enforcement (911) as well as their supervisor and an Airport Security Coordinator (ASC).

VI.IV Challenge Procedures

1. Challenging is vital because it identifies people who are somewhere they are not supposed to be.
2. Each tenant and their employees and every individual who has been issued a SAF security badge is encouraged to challenge any person(s) who they believe to be unauthorized.
3. If you see someone in the Sterile Area that you suspect does not have a badge or not be authorized to be in the area, you are required to challenge them.
4. If they show you a badge, check that they match the picture on the badge and that it is not expired.
5. If they do not have a valid badge, call the Airport Security Guard (505) 489-9007 or Law Enforcement.
6. If you feel unsafe about challenging someone, call the Airport Security Guard (505) 489-9007 or Law Enforcement and provide a detailed description of the person and the location.
7. You must cooperate with anyone who challenges you by showing your badge.
8. Remember that TSA and Airport Staff regularly conduct badge tests.

VI.V Weapons

1. Deadly or dangerous weapons including, but not limited to, firearms, bows and arrows, hunting knives, etc., are prohibited in the Sterile Area with the following exceptions:
 - a. Items necessary for the performance of one's duties in the area;
 - b. Law Enforcement Officers in the performance of their official duties; and
 - c. Private individuals accessing private aircraft lawfully in possession of items not otherwise prohibited by law or regulation.

VI.VI Penalty

1. Any person who violates any applicable security regulation, including without limitation the regulations and security directives issued by DHS, TSA, or the Airport may be denied future entry onto the Public Area, AOA, secured area, or Sterile Area, may be denied an Airport Security Badge, and may be subject to fines and/or penalties pursuant to these Rules and Regulations.

VII. Security within the Public Area

VII.I Situation

1. The Public Area is a portion of an airport defined in the airport security program that encompasses all areas within the terminal building that are not otherwise specified as a restricted area. Appendix A: Maps depicts this area at the Santa Fe Regional Airport. For purposes of this section, this area does not include the Sterile Area, secured area, or AOA
2. All individuals who are employed by an employer at the Santa Fe Regional Airport, and who regularly works at or within the Santa Fe Regional Airport terminal building, shall obtain a Public Area badge.

VII.II Authorized Access

3. The following individuals are permitted access within the Public Area:
 - a. All individuals issued a valid, unexpired, airport security badge; or
 - b. Any individual utilizing the Santa Fe Regional Airport for official traveling purposes; or
 - c. Other individuals, as defined within the Santa Fe Regional Airport Security Program.

Note: Violators may have their airport access revoked and may be cited for trespassing by the Santa Fe Police Department. Conviction for trespassing is based on Chapter 30-14-1, NMSA 1978, a misdemeanor, which may result in a maximum \$1,000.00 fine and up to 364 days in jail. Prosecution based on 49 U.S.C, Section 46314, secured areas of Airports, as amended, could result in a civil penalty, 10 year's imprisonment, or both.

4. Any person issued a Public Area Badge is required to display their identification badge at all times while in on Airport property. The badge must be displayed by the individual, on the outermost garment above the waist while in the specified area.
5. If a person's Airport-issued identification badge has been revoked, that person may not access the Public Area (for official business), AOA, secured area, or Sterile Area, with or without escort, unless and until the Airport-issued identification badge has been returned to such person following completion of any required remedial actions.
6. Individuals who have been issued a secured area or Sterile Area Airport Security Badge, but are not in possession of their badge, cannot be escorted within the Public Area.

VII.III Weapons

1. Deadly or dangerous weapons including, but not limited to, firearms, bows and arrows, hunting knives, etc., are prohibited in the Public Area with the following exceptions:
 - a. Items necessary for the performance of one's duties in the area;
 - b. Law Enforcement Officers in the performance of their official duties; and
 - c. Private individuals lawfully in possession of items not otherwise prohibited by law or regulation.

VII.IV Penalty

1. Any person who violates any applicable security regulation, including without limitation the regulations and security directives issued by DHS, TSA, or the Airport may be denied future entry onto the Public Area, AOA, secured area, or Sterile Area, may be denied an Airport Security Badge, and may be subject to fines and/or penalties pursuant to these Rules and Regulations.

VIII. Violations

VI.I General

1. All persons, Airport employees and Airport Security Badge holders must comply with all Security Regulations, including all security and safety directives, regulations and guidance documents, as outlined and referenced in these Rules and Regulations. Any person who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of these Rules and Regulations or any lawful order issued pursuant thereto in any form or manner (such conduct individually and collectively referred to as a "violation") may be denied use of and entry to the Airport by the Airport Security Coordinator and shall be subject to the remedial actions, penalties, and fines, as applicable, as set forth in the Violation Tables provided herein, in addition to any and all other remedies available to the Airport in equity and law.

VI.II Violation Tables

1. The Security Violation Tables 1-5 are attached hereto as Appendix B: Security Violation Tables and identify the potential violations of Airport security rules and all Security Regulations, including the Santa Fe Regional Airport Security Program, associated security directives, and any requirements conveyed through Airport-provided SIDA training, regulations and guidance documents.
2. The violations are further categorized as Level One Violations (low-moderate) in Table 1, Level Two Violations (moderately serious) in Table 2, Level Three Violations (very serious) in Table 3, Door Alarm Violations in Table 4, and each carry a commensurate remedial action as enumerated in Table 5.
3. Violations of Airport security rules pose a particular risk with respect to safe and effective Airport operations. The Airport Security Coordinator is authorized to accelerate or increase the remedial actions (including penalties and fines) associated with any security violation identified in Violation Tables in Appendix B: Security Violation Tables in instances involving aggravating circumstances, including but not limited to, the alleged violator's intent, planning, premeditation involved in committing the violation, injury to person or property, cooperation throughout the administrative process, potential for recidivism, and any other national security considerations related to the violation.

VI.III Enforcement

All violations of these Rules and Regulations shall be enforced using the Administrative Process established, which process generally includes the issuance of a Notice of Citation followed by an Notice of Violation (NOV) and the opportunity for an administrative appeal through an informal resolution process and/or a formal hearing process. The Airport does not, however, waive its right to pursue any and all other remedies at law and equity, and may do so as its authorized representatives deem appropriate in any given situation.

VI.IV Violations of Airport Rules and Regulations, Federal, State, and Municipal Laws

Violations of any laws, ordinances, statutes, rules, regulations or orders of any governmental authority, whether federal, state or local, including the New Mexico Motor Vehicles Code, Airport Security Program, Chapter 3 of the City Municipal Code, and these Regulations, shall be subject to the fines and penalties

provided for therein, in addition to the applicable fines and penalties set forth in these Rules and Regulations.

IX. Enforcement and Civil Administrative Process

This section identifies the administrative process that will be followed for any alleged violation of these Rules and Regulations.

NOTICE OF VIOLATION (NOV)

1. Issuance of an NOV by an Authorized Party
 - a. In addition to all other rights the Airport has under these Rules and Regulations, agreements, permits and other applicable laws, the appropriate Airport representative identified below shall be authorized to issue a Notice of Citation ("NOC") and a NOV for any activities or conduct violates of any provision of these Rules and Regulations or any of the provisions of law incorporated therein. Persons authorized to issue and administer NOCs and NOVs include the Airport Manager, Airport Operations Manager, and Airport Security Coordinator.
 - b. For the remainder of this section, the authorized persons identified above shall be referenced universally as the applicable "Authorized Party."
 - c. If an Authorized Party has probable cause to believe that a person has violated any provision of these Rules and Regulations and the corresponding Violation Tables in Appendix B, the Authorized Party shall provide notice of such alleged violation by issuing notice as described in this Section.
2. Security Violations
 - a. For any security violations the Authorized Party typically issues a NOV to the alleged violator.
 - b. The Authorized Party shall deliver the NOV to the alleged violator either electronically, hand-delivery or by certified mail.
 - c. The NOV shall provide notice of all alleged violations or activity violating these Rules and Regulations, the name of the person (if known) found to be in violation, the provision of these Rules and Regulations or other applicable laws violated by the subject conduct, the penalty to be imposed, and the alleged violator's right to a hearing as provided.
 - d. A copy of the NOV will also be sent to the Authorized Signer of the alleged violator.
 - e. A copy of the NOV will be routed to the Airport Security Coordinator where the incident will be evaluated and additional information will be sent to the violator's listed Authorized Signer as necessary.
3. Absent Administrative Process, the NOV Is a Final Decision
 - a. For purposes of this section, the NOV Issuance Date shall be the soonest of:
 - i. the date the NOV was hand-delivered to the alleged violator;
 - ii. the date the alleged violator received the NOV by certified mail; or
 - iii. five (5) calendar days after the NOV was sent by U.S. Mail or electronic mail to the alleged violator pursuant
 - b. Unless an alleged violator to whom an NOV was issued attends an Informal Resolution Meeting, the NOV shall be final and non-appealable administrative decision and the applicable financial penalty shall be due by close of business on the eleventh (11th) business day after the NOV Issuance Date.

- c. Once the NOV is final, the alleged violator may not seek to challenge the facts or disposition of the NOV in any future administrative proceeding before the Airport.
4. Suspension Periods/Revocation Commencement Dates
 - a. Any suspension periods or revocations of an Airport Permit or Airport Security Badge shall commence on the eleventh (11th) business day after the NOV Issuance Date, with the exception of certain immediate suspensions or revocations, as enumerated in the Violation Tables in Appendix B.

Removal of Persons and Vehicles from Airport

1. Any person who knowingly fails to comply with an NOV shall be in violation of these Rules and Regulations. The applicable Authorized Party may order such person removed from the Airport. Any Law Enforcement Officer may also enforce and carry out such removal order, as applicable.
2. A Law Enforcement Officer, Security Officer, or Santa Fe Regional Airport Employee may remove any person who enters any restricted-access area in violation of these Rules and Regulations, and such persons shall be subject to arrest, conviction and penalties provided for under the New Mexico Criminal Code – Chapter 30 “Criminal Offenses”.
3. The Airport Operations Manager has a particular responsibility and training with respect to the management of safe traffic flow around the Airport. As such, the Airport Operations Manager, or their designee, is authorized to take the following actions to maintain the safe ground transportation operations at the Airport:
 - a. To tow any Vehicles in violation of these Rules and Regulations pursuant to Section 7.8 of these Rules and Regulations, or the provisions of the New Mexico Motor Vehicles Code governing the operation, loading, unloading or parking of Vehicles at the Airport, and
 - b. To order any driver to leave the Airport curbside area immediately if the driver is suspected, by reasonable suspicion, of committing or causing a potential violation of these Rules and Regulations.

Administrative Process; Exhaustion of Remedies

1. Notwithstanding any Administrative Process described in this section, any training required by the Airport for violation of these Rules and Regulations shall take place immediately.
2. Informal Resolution Process
 - a. An alleged violator wishing to appeal an NOV must submit a written request to the Authorized Party within ten (10) business days from the NOV Issuance Date to attend an informal resolution meeting with the Authorized Party (“Informal Resolution Meeting”).
 - b. The request for an Informal Resolution Meeting must specify, to the fullest extent possible, the reasons why the NOV should be rescinded or modified.
 - c. The Informal Resolution Meeting shall occur at a time reasonably selected by the Authorized Party.
 - d. If the alleged violator fails to attend the Informal Resolution Meeting, and such absence is not excused by the Authorized Party in his or her sole discretion, the disposition in the NOV shall be final and non-appealable, and shall become effective the first business day following the scheduled date of the Informal Resolution Meeting.

- e. The Authorized Party may deny the request for an Informal Resolution Meeting and shall send the alleged violator a letter denying the request ("Informal Resolution Denial Letter").
 - f. During the Informal Resolution Meeting (if any), the alleged violator may present the reasons why the disposition identified in the NOV should be rescinded or modified.
 - g. Only the alleged violator may be present at the Informal Resolution Meeting, unless the Authorized Party, in his or her sole discretion, authorizes other persons to attend.
 - h. At the Informal Resolution Meeting, the Authorized Party may either (1) confirm the disposition identified in the NOV ("NOV Confirmation"), or (2) propose an alternative disposition to the matter for consideration by the alleged violator ("Alternative Disposition").
- 3. Within ten (10) business days of the Informal Resolution Meeting or of the Informal Resolution Denial Letter, the alleged violator may take one of the following actions:
 - a. Request a formal hearing; or
 - b. Accept the Alternative Disposition (if any) in a writing between the alleged violator and the Airport containing all of the following provisions:
 - i. the alleged violator reaffirms that the Alternative Disposition shall constitute for all purposes a formal disposition of the matter and waives all future rights to a formal hearing on the merits of the NOV, including any future review of the matter during a formal hearing on a future violation;
 - ii. the alleged violator agrees to be bound by the Alternative Disposition and agrees that no appeal or review, including judicial review, of any kind is available from such disposition;
 - iii. the Airport waives all future rights to enforcement under the NOV beyond those rights specified in the Alternative Disposition; and
 - iv. any applicable financial penalty under the Alternative Disposition shall be paid to the Airport within five (5) business days of the written acceptance of the Alternative Disposition; or
 - c. Do nothing, in which case the disposition of the NOV shall be final and non-appealable, and shall become effective after the ten (10) business days following the Informal Resolution Meeting.
- 4. Request for a Formal Hearing
 - a. The alleged violator may submit a request for a formal hearing to appeal the violation only after the alleged violator has attended the Informal Resolution Meeting and only if such request is submitted within ten (10) business days after the date of the Informal Resolution Meeting.
 - b. Such hearing request must be sent to the Authorized Party issuing the NOV in writing, and shall specify, to the fullest extent possible, all reasons why the order, fine, penalty permit denial or decision should be rescinded, changed or modified.
 - c. The issues adjudicated at the hearing shall be limited to those raised by the alleged violator in the hearing request.
- 5. Hearing Officer Appointment

- a. Within twenty (20) business days of receipt of a formal hearing request from the alleged violator, the Authorized Party shall give the alleged violator written notice of the location and date for a formal hearing ("Hearing Notice").
 - b. The Airport Manager, in his or her sole discretion, may appoint the Hearing Officer(s) by retaining an outside third-party to or by appointing an internal Airport panel.
 - c. If an internal panel is used, the Airport Manager shall appoint three City of Santa Fe employees to act as Hearing Officers on the panel.
6. Formal Hearings
- a. Not a Court of Law
 - i. The administrative process identified in this Section is neither a civil nor criminal proceeding, and therefore the traditional rules of evidence do not necessarily apply.
 - ii. The process described herein is an administrative process requested by the alleged violator under these Rules and Regulations.
 - b. Schedule
 - i. All formal hearings shall be scheduled by the Authorized Party in coordination with the assigned Hearing Officers and the alleged violator.
 - ii. The alleged violator shall not unreasonably object to proposed hearing dates.
 - iii. Should the Authorized Party, by a preponderance of the evidence, determine that an alleged violator's objection to a proposed hearing date is unreasonable, the Authorized Party may set such a date for the formal hearing.
 - c. Presence of person Requesting Hearing
 - i. The alleged violator shall appear at the hearing at which the NOV is considered and may present facts, arguments, and witnesses to refute the alleged violation.
 - ii. To the extent an alleged violator is unable to be physically present at the hearing (e.g. the alleged violator has been incarcerated), the alleged violator may designate a proxy to represent him or her at the hearing.
 - iii. At such hearing, a representative or representatives of the Airport, including counsel, shall be present and may also present evidence (including witnesses) in support of the NOV.
 - d. Absence or Failure to Appear Before Hearing Officers
 - i. If the alleged violator, or their proxy, fails to appear at the hearing, then, unless such absence is excused and rescheduled by the Authorized Party for reasons of health or emergency or extenuating circumstances, the NOV shall be treated as if a hearing were never timely requested.
 - ii. In such event, the Hearing Officers shall not consider the NOV, and any revocation, suspension period, or financial penalty obligation shall commence on the first business day following the hearing date.
 - e. Representation Before Hearing Officers
 - i. The alleged violator may be represented before the Hearing Officers by legal counsel.
 - ii. The alleged violator may also utilize the assistance of an interpreter or person who can facilitate communication, as deemed necessary by the alleged violator.
 - f. Discovery, Evidence and Witnesses

- i. Upon the request of the alleged violator, or his or her counsel, made within five (5) business days of receiving the Hearing Notice ("Discovery Request"), the Airport shall provide the alleged violator with reasonable access to evidence, reports, records of the Airport and requested testimony relating to the violations alleged in the NOV no later than five (5) business days in advance of the hearing date, or as otherwise agreed upon by both the Authorized Party and the alleged violator; provided, however, that the Airport shall not be required to share or provide any access to evidence (e.g. access control logs, recordings, or transcript testimony etc.) that may be considered sensitive security information as defined and regulated by 49 CFR Parts 15 and 1520.
- ii. The Airport shall make any relevant video available for the alleged violator to review in a controlled environment on Airport property.
- iii. The Discovery Request may include a request that they provide testimony of any Airport employee who is witness to or who reported the violations alleged in the NOV.
- iv. Subject to the preceding provision regarding privileged sensitive security information, the Airport shall:
 1. Provide any testimony requested either by providing written testimony of such employee to the alleged violator in accordance with the Discovery Request response timeline identified herein or by producing such Airport employee at the hearing; and
 2. Respond to all Discovery Requests by providing responsive evidence, reports, records and testimony (or notice that the requested witness will be produced at the hearing) no later than five (5) business days prior to the hearing date, or as otherwise agreed to by the Authorized Party and the alleged violator, or reschedule the hearing date to allow additional time to respond to such Discovery Request.
- v. To the extent an alleged violator contends that the Airport failed to produce evidence, reports, records or testimony requested in the Discovery Request, the alleged violator may request, at least three (3) business days prior to the hearing date, that the hearing be rescheduled until the Airport produce any allegedly missing responsive evidence. Any failure to request that the hearing date be postponed to allow for the Airport's production of additional responsive evidence, reports, records or testimony shall be deemed a waiver on the part of the alleged violator of any claim of insufficient discovery or evidence at the formal hearing.
- vi. Any documents requested in a Discovery Request must be requested through the discovery procedures relating to the subject proceeding and identified herein and not through a request made pursuant to the New Mexico Inspection of Public Records Act (NMSA 1978, Sections 14-2-1 to -12 (2013),) ("IPRA"). The unavailability of documents pursuant to an IPRA request shall not be a basis for challenging the NOV or any related administrative decision. The alleged violator waives any right to dispute the NOV or any related administrative decision based on the unavailability of documents requested under the IPRA.

- vii. The Airport and the alleged violator may also introduce evidence and written testimony, and witnesses may informally cross-examine other witnesses present at the hearing. If during the formal hearing, additional facts come to light that warrant additional violations under these Rules and Regulations, the Authorized Party shall issue a subsequent NOV to provide formal notice of the additional violations, which NOV may be challenged by the alleged violator upon receipt during subsequent proceedings.
- g. Hearing Recorded
 - i. All formal hearings shall take place in the Airport offices, located at 121 Aviation Drive, Bldg. 3002B or such alternative forum as mutually agreed upon by the Airport and the alleged violator.
 - ii. All formal hearings shall be audio recorded.
 - iii. Formal transcripts of the hearing may be requested by the alleged violator.
 - iv. Any costs of transcription of any portion of the formal hearing shall be borne by the alleged violator.
- h. Deliberation
 - i. At the formal hearing, the Hearing Officers may consider any and all evidence that a reasonable person would use in making a decision including, but not limited to, hearsay evidence; provided however, that the hearing will be limited to the specific issues raised by the alleged violator in the hearing request.
 - ii. The Hearing Officers shall have complete discretion as to what and how evidence is received.
 - iii. The Hearing Officers may deliberate in private before rendering a decision.
- i. Written Decisions
 - i. All Hearing Officers appointed by the Airport Manager must be present at any hearing conducted by the Hearing Officers.
 - ii. If all such appointed Hearing Officers are not present at the hearing, the hearing shall be rescheduled to a time when all appointed Hearing Officers can be present.
 - iii. The Hearing Officers, by at least a majority vote, shall make a finding, with respect to each violation alleged in the NOV, as to whether these Rules and Regulations were violated.
 - iv. In order for the Hearing Officers to conclude that a violation was committed, the evidence must establish that it was more likely than not (a preponderance of the evidence) that the violation was committed.
 - v. The Hearing Officers are authorized to consider mitigating circumstances when determining appropriate remedial actions for each violation, and may reduce the remedial actions set forth in the Violation Tables, as applicable.
 - vi. The decision of the Hearing Officers may be rendered immediately at the conclusion of the hearing (after private deliberation between the Hearing Officers, as they may deem appropriate) or may be taken under submission and rendered within a reasonable time thereafter for more complex deliberations, but no later than thirty (30) calendar days after the formal hearing.

- vii. The decision of the Hearing Officers shall be documented in writing by the Hearing Officers, which writing shall be served upon the alleged violator either by hand-delivery, certified mail to the last known address of the alleged violator, or sent electronically with a record of the electronic transmission kept on file with the Authorized Party, at which time the decision shall be considered final.
- viii. Effect of Decision by Hearing Officers
 - ix. The written decision of the Hearing Officers shall be final and any financial penalty shall be due by close of business on the fifth (5th) business day following service of the decision and any suspension (that has not yet commenced) or cancellation period shall commence on the fifth (5th) business day following service of the decision.
- j. Exhaustion of Administrative Remedies
 - i. The Airport has a compelling interest in complying with these Rules and Regulations and other laws applicable to the Airport as well as ensuring Airport safety and security.
 - ii. The Airport is entitled to learn of any allegations of noncompliance with law and shall be provided the opportunity to cure and correct any such noncompliance prior to institution of any other administrative action concerning the Airport or the institution of litigation.
 - iii. For these reasons, the Administrative Process set forth in these Rules and Regulations have been established as the Airport's only system for receiving allegations of noncompliance with applicable laws and for investigating and responding to such allegations.
 - iv. In any lawsuit alleging noncompliance with these Rules and Regulations, or challenging the provisions or application of these Rules and Regulations through an NOV or otherwise, the issues and evidence shall be limited to those raised in a duly convened formal hearing.
 - v. Failure to request a formal hearing through the process stated shall be an absolute bar to further administrative or judicial review of the alleged noncompliance with law.
 - vi. Where, as here, the administrative machinery exists for the resolution of allegations of noncompliance with these Rules and Regulations, the courts should not act until such administrative procedures are fully utilized and exhausted.
 - vii. The City of Santa Fe Attorney shall be granted substantial deference in reasonably interpreting these Rules and Regulations.
 - viii. Any litigant whose claims relating to these Rules and Regulations is found to be without probable cause by a court of competent jurisdiction shall be required to reimburse the Airport for its reasonable attorneys' fees and costs, including an amount attributable to City of Santa Fe Attorney time.
- k. Violation Information
 - i. For all violations of these Rules and Regulations, the applicable Authorized Party shall maintain current and accurate information pertaining to all violators found to have committed violations of these Rules and Regulations during the immediately-preceding twenty-four (24) month period, the number of times the

alleged violator was found to have violated these Rules and Regulations during such period, the type of violation committed, and the date each violation occurred.

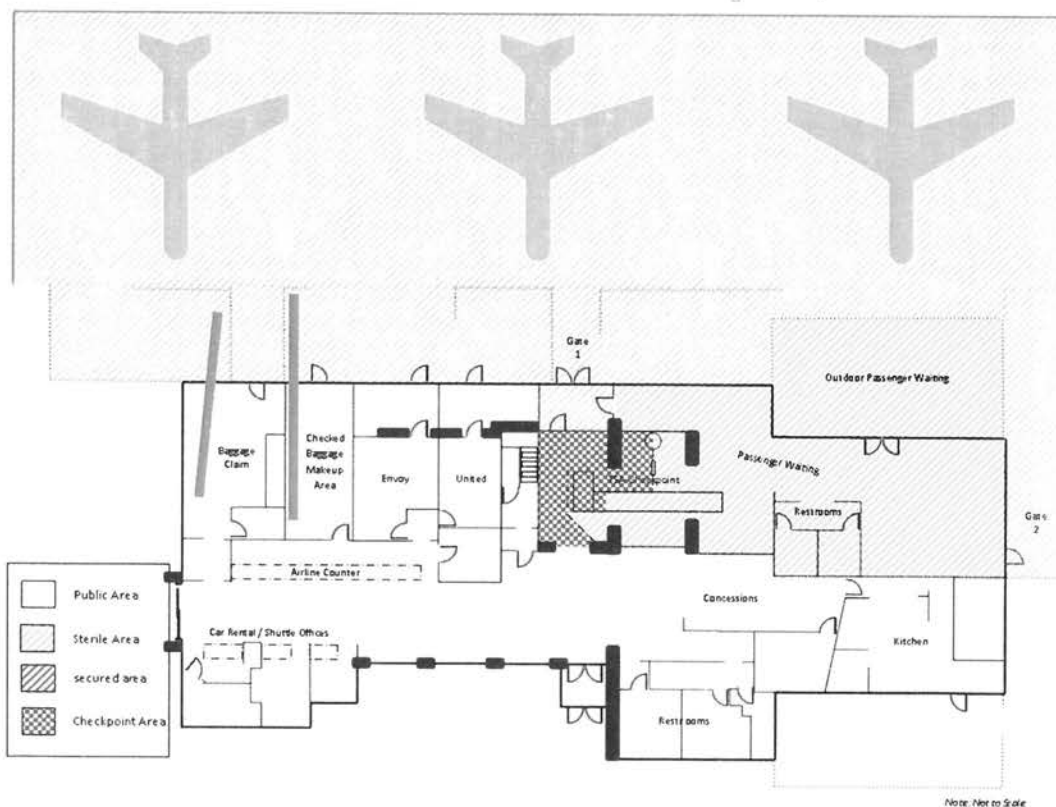
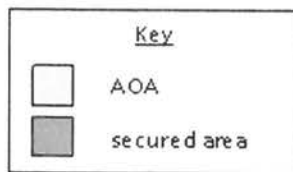
Removal of Property

1. A Law Enforcement Officer may remove or cause to be removed from any area, any roadway or right-of-way, or any other unauthorized or restricted-access area or structure at the Airport, any property which is disabled, abandoned or which creates an operations problem, nuisance or safety hazard or which otherwise is placed in an illegal, improper or unauthorized manner; including, without limitation, any structure which has not been authorized by the Airport or the Airport Manager or Airport Manager pursuant to the Airport's policies and procedures.
2. Any such property may be removed or caused to be removed by the Law Enforcement Officer or at the direction of the Airport Manager to an official impound area or such other area designated by the Airport Manager.

Intent, Severability

1. Nothing in the preceding Articles is intended to preclude the Airport or any authorized Airport personnel from seeking other relief available in law or equity or from taking other action authorized by applicable law or other Airport ordinances or the enforcement of any provision of the Airport's agreements, contracts or permits.

Appendix A: Maps



Appendix B: Security Violation Tables

Level One Violations			
Violation Type		Violation Description	Rules and Regulations Reference
Badging/ ID Media Violations	1-1	Failure to report ID/badge that is lost, stolen, or for which there is no Official Business Purpose.	III.I.7
	1-2	Failure to challenge improperly badged/non-badged individuals	IV.VI; V.V
	1-3	Failure to properly display and/or produce ID/badge as specified for the restricted area	IV.II.2; V.II.2
	1-4	Unofficial use of a badge	III.I
Access Point Violations	1-5	Failure to maintain positive control of badge, ensuring that badges are not left in public areas, copied, duplicated, or left in plain sight.	III.I.8
	1-6	Failure to report an alarm	II.II.6
	1-7	Failure to follow established stop and wait procedures within the AOA	IV.IV.10; IV.V.2
	1-8	Tailgating or piggybacking within the AOA	
Escort Violations	1-9	Failure to prevent tailgating or piggybacking within the AOA	IV.III; IV.V
	1-10	Failure to follow escort procedures within the AOA	
	1-11	Escorting without escort privileges within the AOA	
	1-12	Entering an unauthorized restricted area	
General Security Violations	1-13	Falsification of a report provided to Airport personnel or Law Enforcement Officers	
	1-14	Failure to follow posted requirements, not otherwise described	
	1-15	Failure to adhere to Federal/State/Local laws pertaining to Airport Security or to Airport Rules and Regulations pertaining to Airport Security, but not specifically described in the Airport Security Program.	
	1-16	Any other failure to adhere to the Security Regulations (low to moderate level of severity)	

Table 1

Level Two Violations			
Violation Type		Violation Description	Rules and Regulations Reference
Badging/ ID Media Violations	2-1	Allowing another person to use his/her ID badge and/or access control media	III.I.11
	2-2	Using another person's ID badge and/or access control media	
	2-3	Misuse of an ID badge to circumvent security systems	III.I.5
Access Point Violations	2-4	Failure to follow established stop and wait procedures within the secured or Sterile area	
	2-5	Tailgating or piggybacking within the secured or Sterile area	V.II.5
	2-6	Failure to prevent tailgating or piggybacking within the secured or Sterile area	
Escort Violations	2-7	Failure to follow escort procedures within the secured or Sterile area	V.III
	2-8	Escorting without escort privileges within the secured or Sterile area	
	2-9	Failure to comply with a random Screening/Inspection	IV.I; V.I.2
	2-10	Deliberate or intentional non-compliance with the Security Regulations	
	2-11	Failure to follow directions of Airport personnel, Law Enforcement Officers, TSA, Airport Security Guards, and any other personnel designated by the Airport to perform security duties.	
	2-12	Failure to comply with Sensitive Security Information requirements as defined in 49 CFR Part 1542	II.III
	2-13	Any other failure to adhere to the Security Regulations (moderate to serious level of severity)	

Table 2

Level Three Violations			
Violation Type	Violation Description	Rules and Regulations Reference	
Badging/ ID Media Violations	3-1 Falsification of information on a Badge Application		
	3-2 Use of a fraudulent identification to obtain a badge		
	3-3 Any violation that threatens or causes immediate harm to the safety and security of the Airport, passengers, tenants, employees, or any other person		
	3-4 Carrying, using, displaying any firearm or other Weapon that is not permitted	IV.VII; V.VI; IV.V; VII.III	
General Security Violations	3-5 Engaging in Criminal Activity at the Airport		
	3-6 Failure to Report a Disqualifying Offense (49 CFR § 1542.209(l))		
	3-7 Needing to replace a lost Airport Security Badge more than three (3) times, not including replacements needed because an Airport Security Badge was stolen (as verified by the Airport Security Coordinator)	III.I.10	
	3-8 Tampering with access control equipment		
	3-9 Tampering with surveillance equipment		
	3-10 Any other failure to adhere to the Security Regulations (very serious level of severity)		

Table 3

Door Alarm Violations		
Violation Type	Violation Description	Rules and Regulations Reference
Access Point Violations	4-1 Failure to properly secure door resulting in door alarm	III.II

Table 4

REMEDIAL ACTIONS FOR SECURITY VIOLATIONS							
Violation Level	Points*	Training within thirty (30) working days or a timeframe specified by the Airport Security Coordinator	Badge suspended for:	A letter detailing the violation sent to the violator's Authorized Signer	Shall meet with Airport Security Coordinator to review violation	Shall meet with Airport Manager to review violation	Immediate and Permanent Suspension of Badge
Door Alarm	0.5	X	N/A	X	X		
Level One	2	X	3 days	X	X		
Level Two	4	X	5 days	X	X		
Level Three	N/A	N/A	N/A	X	X	X	X
* The Airport Security Coordinator has the authority to increase the points associated with a violation by up to 2 points for instances involving aggravating circumstances, including but not limited to, the alleged violator's intent, planning, pre-meditation involved in committing the violation, injury to person or property, cooperation throughout the administrative process, potential for recidivism, continual violations of similar nature, and any other national security and safety considerations related to the violation as well as permanent revocation of a badge if deemed necessary in consultation with the Airport Manager*							
** Each badge holder may accrue up to a maximum of 12-points over a 24 month period and/or a maximum of 18-points over their lifetime **							
*** Points calculated over the 24 month period reset 24 months after the a penalty is assessed ***							

Table 5

SAMPLE POINT CALCULATION FOR SECURITY VIOLATIONS			
Violation Number	Level of Violation	Date Committed	Total Accumulated Points over 24 months
1	Level One	1/1/2018	2
2	Level One	3/2/2019	4
3	Level Two	5/7/2019	8

