

● **STATE AERONAUTICS LAWS (*OPERATION OF AIRCRAFT*)**

*STATUTORY CITATION:* Vt. Stat. Title 5, § 426

*RELATED REGULATIONS:* Vt. Code R. 14-010-001 Part XI

*GENERAL SUMMARY:* Section 426 of the Vermont aeronautics laws authorizes the state transportation agency to promulgate rules regulating the operation of aircraft engaged in crop dusting or spraying activities.

*SPECIFIC TERMS AND CONDITIONS:* At least 10 days before making a flight for the purpose of crop dusting or spraying pesticides, the owner of the aircraft to be used must apply to the state for authority to do so. Permission to conduct aerial pesticide operations must be renewed annually.

In addition to obtaining authorization under the state aeronautics laws, the applicator must also have a valid pesticide operator's or applicator's license issued by the state agriculture department for the appropriate type of aerial pesticide application to be performed.

*ADMINISTRATION AND ENFORCEMENT*

*PRIMARY ENFORCEMENT AGENCY* — *Aviation Section, Operations Division, Vermont Agency of Transportation, Montpelier, Vermont 05633 (802-828-2723)*. This agency is responsible for reviewing applications for authorization to apply pesticides by aircraft. Failure to comply with these provisions is punishable by a \$500 fine, imprisonment for up to 90 days, or both such penalties.

*SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY* — *Pesticide Management Section, Vermont Agency of Agriculture, Food and Markets, Montpelier, Vermont 05620 (802-828-3475)*. This agency is responsible for certification of aerial pesticide applicators, which is a prerequisite for issuance of an annual permit to engage in aerial pesticide operations.