

5E-1.025 Fertilizer Aircraft Registration, Inspection, Security, Storage, Transactions, Recordkeeping, Area-of-Application Information and Forms.

- (1) Registration. Each aircraft used for aerial application of any fertilizer must be annually registered with the department. Application for registration shall be on form DACS-13354, New 01/02, provided by the department. The completed registration form shall be submitted to the Pesticide Certification Office, 3125 Conner Blvd., Bldg. 8 (L29), Tallahassee, Florida 32399-1650. The registration shall be submitted to the Department on or before June 30 of each year.
- (2) Inspection. Authorized department representatives may inspect aircraft required to be registered with the department as to equipment relating to aerial fertilizer application under this rule during normal working hours without prior notification or as determined necessary when an emergency has been declared as contained in subsection (7) herein.
- (3) Security. Each aircraft used for aerial application of any fertilizer shall be secured when not in use. Secured storage shall include the aircraft being: within a locked building, locked in place securely, mechanically disabled from flying, or any other reasonable method which would prevent or deter theft or unauthorized use.
- (4) Storage. All fertilizers on the premises owned or controlled by any aerial applicator shall be stored and maintained in a manner such that they are not accessible to unauthorized persons. Secured storage shall include: fences with a minimum 6 feet height, door locks, valve locks, electronic security systems, disabling of mobile storage units, blocking of access, ingress or egress; or any other reasonable method to prevent or deter theft or unauthorized use. Buildings used to store fertilizers must be of rigid construction so unauthorized entry can not be achieved without the use of heavy machinery or equipment. If a portable building is used for storage of fertilizers, the building must be secured in place so it can not be towed or otherwise removed by unauthorized persons.
- (5) Transactions. Any purchase, sale, rental, leasing, or transfer of ownership of an aircraft required to be registered with the department pursuant to subsection (1) above shall be transmitted to the department on (1) Florida Department of Revenue form DR-42 Rev-06/99 Ownership Declaration and Sales and Use Tax Report on Aircraft or (2) Aircraft Bill of Sale Form AC 8050-2 (09/92) or (3) Report of Aircraft Transaction Form DACS-13355, New 01/02 within 24 hours of the transaction.
- (6) Recordkeeping. Aerial applicators shall maintain records relating to each application of fertilizer during a declared emergency. Such records generated during the emergency shall be retained for a period of two (2) years and shall be maintained in a manner that is accessible by the department upon request.
- (a) Name and FAA license number of the licensee responsible for the fertilizer application;
 - (b) Date and time of treatment;
 - (c) Location of treatment site, which may be recorded using any of the following designations:
 - 1. County, range, township and section;
 - 2. An identification system utilizing maps and/or written descriptions which accurately identify the location and distinguish the treatment site from other sites;
 - 3. The legal property description; or
 - 4. Global Positioning Satellite (GPS) coordinates or Longitude/Latitude points which delineate the treated area.
 - (d) Name of the person requesting or authorizing the application;
 - (e) Aircraft manufacturer, make and model;
 - (f) FAA aircraft registration number;
 - (g) Originating airport/airstrip.
- (7) Area-of-Application Information. The information listed in paragraphs (6)(a) through (6)(g) is required only when a declaration of an Executive Order pursuant to the emergency powers granted to the Governor or the Commissioner of Agriculture declaring an emergency in the State of Florida. Such information shall be provided and filed with the Department in a manner determined by the Department.

(8) Forms. The following forms are hereby incorporated by reference. These forms may be obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Office, 3125 Conner Boulevard, Building 8 (L29), Tallahassee, Florida 32399-1650, telephone (850)488-3314.

- (a) Application for Aircraft Registration (DACS-13354), New 01/02.
- (b) Ownership Declaration and Sales and Use Tax Report on Aircraft (DR-42), Rev. 06/99.
- (c) Aircraft Bill of Sale AC Form 8050-2, (09/92).
- (d) Report of Aircraft Transaction (DACS-13355), New 01/02.

Specific Authority 570.07(23), 576.181 FS., Chapter 2001-360, Laws of Florida. Law Implemented 576.181 FS., Chapter 2001-360, Laws of Florida. History—New 6-9-02.