Stricken language would be deleted from and underlined language would be added to the Code of Arkansas Rules.

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Proposed Rulemaking

Title

Promulgated by:
State Parks Division, Department of Parks, Heritage, and Tourism
State Parks, Recreation, and Travel Commission

Title 22. Public Property

Chapter XI. State Parks, Recreation, and Travel Commission, State Parks Division, Department of Parks, Heritage, and Tourism

Subchapter A. Generally

Part 50. General Rules

Subpart 1. Generally

22 CAR § 50-115. Hang gliding and paragliding rules.

(a)(1) Hang gliding and nonmotorized paragliding on state park property is permitted at approved sites only.

(2) Requests for approval of sites must be submitted to the Director of the State Parks Division by park superintendents or others.

(3) Requests must include supporting documentation detailing recreational demand analysis and impact on parks' natural and cultural resources, recreation use, facilities, and long-term development or master ~~plan~~plans.

(4) An approved site must have a sign indicating that it is approved for these activities and shall include any restrictions that may apply, such as:

(A) Time of day; and

(B) Instructions to check in at the park visitor center before the first launch.

(b) **Hang gliding and paragliding check-in procedures.**

(1) Each calendar year, before their first flight, ~~hang gliders~~pilots must register at the park visitor center with:

(A) Proof of ~~H-3~~H3 or ~~P-3~~P3, ~~(~~intermediate level,~~)~~ rating from the United States Hang Gliding and Paragliding Association (USHPA) or equivalent;

(B) Proof of at least ~~one million~~five hundred thousand dollars ($~~1,000,000~~500,000) personal liability insurance from the USHPA or equivalent; and

(C) A signed Hang Gliding/Paragliding Checklist and Liability Release (~~see attached~~See Appendix A).

(2) Pilots must notify staff at the park visitor center prior to the first flight each day.

(3)(A) Pilots and passengers engaged in tandem flights must be in compliance with all USHPA requirements for this activity.

(B) Passengers must register at the park visitor center and submit a signed liability release and checklist (~~see attachments~~See Appendix A).

(C) A parent or legal guardian must complete the checklist and liability release form for all minors, ~~(~~those age seventeen (17) and under~~)~~.

(c) **Hang gliding and paragliding rules.** The following rules will apply to hang gliding and paragliding in Arkansas state parks:

(1) The launch site will be a designated area approved by the ~~Director of the State Parks Division~~director;

(2)(A) Landing areas are not on state park property.

(B) Maintained in a permanent file at the park visitor center will be a statement from the property owner granting permission for hang gliding and paragliding participants to land on his or her property if a liability release has been signed by each pilot.

(C) Vehicles will not be allowed on landing fields.

(D) The Department of Parks, Heritage, and Tourism is not responsible for the safety, upkeep, or maintenance of landing areas, and participants land at their own risk;

(3) Park officials will utilize the "Hang Gliding/Paragliding Checklist" to approve or disapprove each flyer and passenger;

(4) OnceOne (1) time each year, pilots and passengers must sign the checklist and liability release (see attachmentsSee Appendix A);

(5) Prior to the first flight on each day they fly, pilots must notify staff at the park visitor center;

(6) Pilots and passengers must be a current membercurrent members of athe United States Hang Gliding and Paragliding AssociationUSHPA;

(7) Pilots must meet one (1) of the following criteria:

(A) Pilot has advanced rating H-4H4 or P-4P4 or above;

(B) Pilot has intermediate H3 or P3 rating, and is accompanied by a pilot with an advanced rating H4, P4, or above, in the same disciplineadvanced accompanied: H-3 or P-3; or

(C) Pilot has intermediate H3 or P3 rating in addition to completing five (5) hours or more of flying and ten (10) separate flights as intermediate: H-3H3 or P-3P3 at the designated launch site;

(8) When requested, pilots shall allow park officials to review the pilot's flight log book;

(9) Pilots must wear a helmet and backup chute;

(10) Pilots must fly a glider certified by:

(A) Hang GlidersGlider Manufacturers Association;

(B) ParaglidersParaglider Manufacturers Association; or

(C) The equipment manufacturer;

(11) Pilots and friends must conduct themselves in a courteous, orderly manner and obey all park rules; and

(12) In any and all cases, state park officials have complete and final control and authority over the launch site.