

January 21, 2022

SCPOA Members

ATTENTION: ALL ACTIVE AND LICENSED PILOTS OF SCPOA

Per the approved “Proof of Insurance” rule adopted at an open board meeting on May 20, 2021, all members of SCPOA who are active and licensed pilots, whether home based or resident based pilots, must have a copy of their current insurance policy for their plane(s), on file with The Management Trust in order to utilize the airport/runway owned by Swansboro Country Property Owners Association.

Proof of Insurance must be submitted to and received by The Management Trust no later than 1:00 pm. on Friday, February 4, 2022. Personal information may be redacted. Copies of Insurance policies are confidential information for internal purposes only, and will be kept at The Management Trust office.

Please send your proof of insurance in the form of your current insurance policy on your plane(s) via email or standard mail to the following:

Kelly.kozicki@managementtrust.com

Or

SCPOA c/o The Management Trust
160 Blue Ravine Road, Suite C
Folsom CA 95360

All proof of insurance must be received by the above date and time in order to avoid violation of the adopted rule. If your proof of insurance is not on file, you are not authorized to use the Swansboro Country Property Owners Association airport/runway. In order to protect the risks and liability to the members of SCPOA and the Association, The Board of Directors will take any and all action necessary and permitted for violations. If proof of insurance is not received by the assigned date, use of the Swansboro Airport will be suspended effective February 7, 2022 for those in violation.

The Board of Directors, Swansboro Country Property Owners Association



Swansboro Country Property Owners Association Rule for providing Aircraft Liability Insurance Certificate for aircraft using the SCPOA common area airport.

Whereas, the governing documents of Swansboro Country Property Owners Association (herein called 'SCPOA') assigns the Board of Directors (herein called 'board') powers and duties necessary for the administration of the affairs of SCPOA;

Whereas, for the health, safety, and welfare of all residents, the board wishes to establish a decision on a specific matter that applies solely to common area airport use;

Whereas, the board wishes to establish standards for the operation and use of the common area airport;

Whereas, the use of aircraft is inherently dangerous;

Whereas, the common area airport belongs to ALL members of SCPOA;

Whereas, the lack of providing aircraft liability insurance (financial responsibility) may endanger the physical wellbeing of members, their separate interest properties, SCPOA, and does not provide fiduciary accountability to all members;

Whereas, according to the US Government Accountability Office, California is one of 11 states that have an aircraft liability insurance requirement as stated by the GAO in publication GAO-15-740 citing: California Law (California Public Utility Code §§ 24230 – 24410) (1968 as amended) indicates:

[Requires the operator of any aircraft involved in an accident with the state to file a report with the state after an accident has occurred. The reporting requirement applies to an accident in which any person is killed or injured or there is damage to property in excess of \$400. Upon receiving an accident report, the state is to determine the amount of security, within specified limits, deemed sufficient to satisfy any judgment for damages resulting from the accident against each owner or operator. Such an owner or operator must then deliver the specified amount of security to the state. In general, these security requirements do not apply to owners or operators who had an aircraft liability policy, self-insurance, or bond meeting certain specifications in effect at the time of the accident. Financial coverage under a policy or bond must be not less than: •\$50,000 for bodily injury or death of a person not a passenger in any accident; •\$50,000 damage to or destruction of property in any accident; and •\$100,000 for bodily injury or death of 2 or more persons in any 1 accident Coverage under self-insurance may occur at the state's discretion when the state is satisfied that the applicant is possessed of and will continue to be possessed of financial ability to pay judgments against the applicant within specified limits.]

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the requirement that all resident aircraft operators, and their aircraft, which includes experimental aircraft and ultralights, utilizing the SCPOA common area airport, provide SCPOA, and or its agent(s), copies of their current aircraft financial responsibility certificate(s) as outlined in PUC Code 24230-24410. The current SCPOA management company will mail a request asking for a copy of current aircraft liability insurance information. Follow up requests will be made by the a SCPOA Committee and the committee will forward the information to the management company. Such evidence of insurance shall become an ongoing requirement, due 45 days after each insurance renewal date.

Failure to provide this insurance coverage shall prompt notice to the California Department of Transportation as well as the State PUC indicating that California requirements for financial responsibility may not be in effect as required by California law. Non-complying aircraft shall forfeit the usage of the SCPOA airport as not having insurance is against California law. Once financial responsibility has been provided in the form of a valid, written instrument, then use of the common area SCPOA airport may resume.

Board Signature and position

Date

5/24/21