

AUTONOMOUS PROVINCE OF TRENTO

PROVINCIAL LAW 12 August 1996, n. 5

Regulations for the protection of the environment in relation to the operation of aircraft

(b.u. August 20, 1996, n.37)

Art. 1 - Discipline of alpine flying activities

1. In order to ensure the protection of the natural environment and the prevention of noise pollution, the following are prohibited:

a) the landing and take-off as well as the overflight at an altitude below 500 meters from the ground of motor aircraft in the context of natural parks, nature reserves and protected areas, as well as in the Trentino territory of the Stelvio National Park; this altitude is reduced by half in the case of overcoming a ridge, passes or ridges for the passage from one valley to another;

b) the take-off and landing of motor-powered aircraft in all areas of the remaining provincial territory located at altitudes above 1,600 meters above sea level;

c) overflight with motor aircraft of the areas referred to in letter b) at an altitude below 300 meters above the ground. This altitude is reduced by half in the case of crossing a ridge, passes or ridges for the passage from one valley to another.

2. The prohibitions referred to in paragraph 1 do not apply to flights performed for services of public interest or by the armed forces or public security or by civil protection or forestry services or for rescue purposes or for maintenance services of telecommunications systems (TV radio repeaters).

3. The prohibitions referred to in paragraph 1 also do not apply to flights performed for the necessity of transporting materials or carrying out hygienic-sanitary and environmental services. In such cases, the flight must be reported in advance to the state-owned parks and forests service, where the territories referred to in paragraph 1, letter a) are concerned, or to the municipality or municipalities territorially concerned in the other cases.

4. Notwithstanding the prohibitions referred to in paragraph 1, letters b) and c), the communications and transport service, after consulting the Provincial Environmental Protection Agency, may authorize the performance of training flights within the activities of schools or associations based in the province of Trento. For the purposes of minimum flight training for the issue and maintenance of the mountain flying license, the authorization referred to in this paragraph is issued according to criteria and procedures established by the Provincial Government.

5. Landing, take-off and overflight with motor aircraft in the areas affected by the prohibitions referred to in paragraph 1 for reasons of study, research and technical-scientific documentation are subject to authorization by the communications and transport service.

6. The transport of skiers with motorized aircraft for the practice of heliskiing is prohibited throughout the provincial territory.

7. Model aircraft demonstrations are authorized by the territorially concerned municipality, in compliance with the provincial regulations concerning the prevention of noise pollution.

Notes to the text

Article thus amended by art. 81 of the l.p. 1 July 2011, n. 9.

Art. 1.1 - Use of the helicopter for passenger transport

1. To facilitate the use of the helicopter for passenger transport purposes, the Province is authorized to enter into agreements with the competent bodies and authorities in order to identify suitable corridors for low-altitude flights, also for connection with the airports of the Northern Italy and between these and the main tourist resorts of Trentino, taking into account the provisions of the provincial law on "Discipline of civil protection activities in the province of Trento".

Notes to the text

Article added by art. 81 of the l.p. 1 July 2011, n. 9.

Art. 1 bis - Interpretative rule

1. For the purposes of the application of this law, a motor aircraft is understood to mean any machine, equipped with a powerplant, suitable for transporting people or things by air from one place to another.

Notes to the text

Article added by art. 40 of the l.p. 7 July 1997, n. 10.

Art. 2 - Supervision

1. The verification of infringements of this law shall be carried out, according to their respective areas of competence:

- a) the staff employed by the natural park management bodies;
- b) the staff in charge of forestry police services, also belonging to municipalities or their consortia;
- c) the staff in charge of the local police services;
- d) the public security organs, at the request of the President of the Provincial Government.

Art. 3 - Administrative sanctions

1. For the violation of the provisions of this law, an administrative sanction from 1,000 to 6,000 euros is applied.

1 bis. In cases of specific recidivism, the administrative sanction is doubled.

2. For the application of sanctions, the provisions of the law of 24 November 1981, n. 689 (Amendments to the penal system).

3. The issuance of the injunction order or the archiving order, provided for by article 18 of law no. 689 of 1981, it is up to the competent subject of the Province in cases of violation of article 1, paragraphs 1, 4 and 6, and to the competent subject of the municipality in cases of violation of article 1, paragraphs 3, 5 and 7.

4. The sums collected are collected in the financial statements of the respective bodies to which the bodies indicated in paragraph 3 belong.

Notes to the text

Article thus amended by art. 81 of the l.p. 1 July 2011, n. 9.

Art. 4 - Final rules

1. The provincial law of 24 June 1985, n. 7 (Provisions for the protection of parks and nature reserves from pollution produced by aircraft).

2. The application of the provincial law of 24 June 1985, n. 7 to violations committed during the period of validity of the aforementioned law.

3. This law enters into force on the day of its publication in the Official Bulletin of the Trentino - Alto Adige region.