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States' Unmanned Aerial Vehicle Laws: *Alaska*



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States' Unmanned Aerial Vehicle Laws: Alaska

AK ST § 14.40.082

AK ST § 29.10.200

AK Admin. Code 18 AAC 90.300

Current through November 4, 2022

AK ST § 14.40.082 Unmanned Aircraft System Training

The University of Alaska may establish a training program in the operation of unmanned aircraft systems.

AK ST § 29.10.200 Limitation of Home Rule Powers

Only the following provisions of this title apply to home rule municipalities as prohibitions on acting otherwise than as provided. These provisions supersede existing and prohibit future home rule enactments that provide otherwise:

...

(67) AS 29.71.050 (procurement preference for recycled Alaska products).

AK Admin. Code 18 AAC 90.300

(a) Certification under 18 AAC 90.300 - [18 AAC 90.315](#) for the applicable category of use described in (c) of this section is required before an individual may

- (1) use a restricted-use pesticide;
- (2) supervise the use of a restricted-use pesticide;
- (3) purchase a restricted-use pesticide, unless that purchase is authorized in writing by a certified applicator for the applicable category of use;
- (4) act as a restricted-use pesticide dealer;
- (5) engage in the custom, commercial, or contract use of a pesticide unless that use is under the direct, on-the-job supervision of a certified applicator certified in the applicable category of use;
- (6) supervise the custom, commercial, or contract use of a pesticide;
- (7) act as a pesticide consultant;
- (8) use or supervise the use of a pesticide at a school or licensed child care facility unless the pesticide is
 - (A) a general-use antimicrobial pesticide;



- (B) a rodenticide in a tamper-resistant bait station; or
- (C) an application of silica gel and other ready-to-use paste, foam, or gel; or
- (9) use or supervise the use of a pesticide at a public place unless the pesticide is
 - (A) a general-use antimicrobial pesticide;
 - (B) a rodenticide in a tamper-resistant bait station; or
 - (C) an application of silica gel and other ready-to-use paste, foam, or gel.
- (b) Unless specifically authorized in writing by the department, an individual certified under (a) of this section may use pesticides only in a category of use for which that individual is certified.
- (c) The department may certify an applicant for one or more categories of use listed in this subsection if the applicant meets the requirements of [18 AAC 90.305](#):
 - (1) regulatory pest control: state, federal, or other government employees, or their agents, who use or supervise the use of pesticides for control of regulated pests;
 - (2) pesticide consultation and demonstration: individuals who demonstrate to the public the proper use and techniques of application of restricted-use pesticides or supervise that demonstration; those individuals include government employees, extension specialists, or extension agents who use or supervise the use of pesticides or who advise, demonstrate, supervise demonstrations, or make pesticide recommendations;
 - (3) agricultural pest control: individuals who apply pesticides
 - (A) to agricultural commodities or properties including greenhouses and nurseries;
 - (B) the feed, bedding, or bodies of animals; or
 - (C) to treat seeds grown and stored for distribution or planting;
 - (4) ornamental and turf pest control: individuals who apply pesticides to control pests in the maintenance and production of ornamental plants and turf;
 - (5) antifouling paint: individuals who apply EPA-registered antifouling paints;
 - (6) aquatic pest control: individuals who apply pesticides to water;
 - (7) structural pest control: individuals who apply pesticides, excluding fumigants and general-use antimicrobial pesticides, in, on, or around structures and adjacent areas to control pests;
 - (8) public health pest control: individuals who use or supervise the use of pesticides in government-sponsored public health programs for the control of regulated pests; those individuals include environmental health officers, public health nurses, entomologists, and others in a preventive medicine or health care field who use or recommend pesticides for control of pests with medical or public health importance;
 - (9) right-of-way and industrial grounds pest control: individuals who use pesticides to control pests along the rights-of-way of roads, waysides, railroads, airfields, pipelines, or power lines, or at tank farms or industrial sites;
 - (10) mosquito and biting fly pest control: individuals who apply pesticides to control mosquitoes or biting flies;
 - (11) aerial pest control: pilots of manned or unmanned aircraft who apply pesticides by air;



- (12) forest pest control: individuals who use pesticides in forests, forest nurseries, or forest seed production;
- (13) restricted-use pesticide dealer: individuals who distribute or sell restricted-use pesticides;
- (14) pesticide research: individuals who conduct field research on pesticide use;
- (15) soil fumigation: individuals who apply fumigants to soil to control pests;
- (16) non-soil fumigation: individuals who apply fumigants to fumigate anything other than soil;
- (17) vertebrate pest control: individuals who apply pesticides to control vertebrate animals within one or more of the following categories:
 - (A) full vertebrate pest control: individuals who apply pesticides to control various species of vertebrate animals, whether indoors or outdoors, excluding the use of sodium cyanide ejectors or sodium fluoroacetate collars for predator control;
 - (B) limited vertebrate pest control - rodents: individuals who apply pesticides to control only rodent populations, whether indoors or outdoors;
 - (C) limited vertebrate pest control - predators: individuals who apply sodium cyanide ejectors or sodium fluoroacetate collars for predator control;
- (18) oilfield biocides: individuals who apply biocides during the process of oil and gas exploration, production, storage, or transport;
- (19) pesticide technician: individuals who apply general-use pesticides only under the direction of an applicator certified in the appropriate category under (1) - (17) of this subsection; the certified applicator shall
 - (A) make all decisions related to pest control;
 - (B) be immediately available for consultation by telephone or other means if needed; and
 - (C) before pesticide application, provide written instructions that identify
 - (i) the complete pesticide product name;
 - (ii) the EPA registration number of the pesticide;
 - (iii) the date of application;
 - (iv) the address of the application;
 - (v) the method of application;
 - (vi) the rate of application;
 - (vii) the dilution of the pesticide;
 - (viii) the estimated total amount of pesticide product to be applied;
 - (ix) the target pests;
 - (x) the site of the application;
 - (xi) the name and current certification number of the pesticide technician to apply the pesticide; and
 - (xii) the name and current certification number of the certified applicator directing the pesticide application.
- (d) An individual certified under 18 AAC 90.300 - [18 AAC 90.315](#) shall have a copy of the certification
 - (1) in that individual's possession when conducting an activity described in (a) of this section; or
 - (2) displayed in that individual's place of business.



- (e) An individual certified under 18 AAC 90.300 - [18 AAC 90.315](#) shall notify the department within 30 days after a change in
- (1) the individual's business name or organization of the individual's business; or
 - (2) other information provided in the certification application.
- (f) Certification under 18 AAC 90.300 - [18 AAC 90.315](#) may not be transferred.
- (g) An individual who uses only a general-use pesticide as part of the individual's workplace activity is exempt from the certification requirements of 18 AAC 90.300 - [18 AAC 90.315](#) if
- (1) the use is only on property owned or leased by the individual or the individual's employer;
 - (2) the individual's employer is not engaged in the custom, commercial, or contract use of pesticides; and
 - (3) the use is not in a public place or a school except for applications of
 - (A) general-use antimicrobial pesticides;
 - (B) rodenticides in tamper-resistant bait stations; or
 - (C) applications of silica gels and other ready-to-use pastes, foams, or gels.
- (h) An individual certified as a pesticide technician under (c)(19) of this section shall have a copy of the written instructions provided by the directing certified applicator in that individual's possession when conducting an activity described in (a) of this section.

