

Response from the  
Department of Transportation, Airports Division  
to the Board of Land Natural Resources

The Board of Land and Natural Resources (BOARD) has inquired with the Department of Transportation, Airports Division (DOTA) as to why the DOTA has not brought any Revocable Permits (RP) to the BOARD since 2016 for approval to continue the term of the of the RPs for the period beyond the initial year.

Section 171-11 Public purposes, land set aside by the governor; management states in part the following:

*The governor may, with the prior approval of the board of land and natural resources, set aside public lands to any department or agency of the State, the city and county, county, or other political subdivisions of the State for public use or purpose. All withdrawals of the lands or portions thereof so set aside shall be made by the governor.*

...

*Lands while so set aside for such use or purpose or when acquired for roads and streets shall be managed by the department, agency, city and county, county, or other political subdivisions of the State having jurisdiction thereof, unless otherwise provided by law. Such department, agency of the State, the city and county, county, or other political subdivisions of the State in managing such lands shall be authorized to exercise all of the powers vested in the board in regard to the issuance of leases, easements, licenses, revocable permits, concessions, or rights of entry covering such lands for such use as may be consistent with the purposes for which the lands were set aside on the same terms, conditions, and restrictions applicable to the disposition of public lands, as provided by this chapter all such dispositions being subject to the prior approval of the board.*

The DOTA has been informed by the Attorney General's Office that based on the above, the initial approval of the issuance of a Revocable Permit, Parking Permit or Lease by the Land Board, transfers the responsibility for the managing the contract to the DOTA. In the case of Revocable Permits and Parking Permits, which may be renewed, that includes deciding whether the documents should be continued for another one-year period.