

**§ 108.103**

**14 CFR Ch. I (1-1-02 Edition)**

out a security program that meets the applicable requirements of §108.103 for any private charter operation in which passengers are enplaned from or deplaned into a sterile area.

(c) *Partial program—adoption.* Each aircraft operator shall carry out the requirements specified in paragraph (d) of this section for any of the following operations:

(1) A scheduled passenger or public charter passenger operation with an aircraft having a passenger-seating configuration of more than 30 and less than 61 seats that does not enplane from or deplane into a sterile area.

(2) A scheduled passenger or public charter passenger operation with an aircraft having a passenger-seating configuration of less than 61 seats engaged in operations to, from, or outside the United States that does not enplane from or deplane into a sterile area.

(d) *Partial program—content.* For operations described in paragraph (c) of this section, the aircraft operator shall carry out the following, and shall adopt and carry out a security program that meets the applicable requirements of §108.103(c):

(1) The requirements of §§108.215, 108.217, 108.219, 108.235, 108.301, 108.303, and 108.305.

(2) Such other provisions of Subparts C and D of this part as the Administrator has approved upon request.

(3) The remaining requirements of Subparts C and D of this part when the Administrator notifies the aircraft operator in writing that a security threat exists concerning that operation.

(e) *Limited program.* The Administrator may approve a security program after receiving a request by an aircraft operator, holding a certificate under part 119 of this chapter other than one identified in paragraphs (a), (b), or (c) of this section. The aircraft operator shall—

(1) Carry out selected provisions of Subparts C and D of this part,

(2) Carry out §108.305, as specified in its security program, and

(3) Adopt and carry out a security program that meets the applicable requirements of §108.103(c).

**§ 108.103 Form, content, and availability.**

(a) *General requirements.* Each security program shall:

(1) Provide for the safety of persons and property traveling on flights provided by the aircraft operator against acts of criminal violence and air piracy, and the introduction of explosives, incendiaries, or deadly or dangerous weapons aboard an aircraft.

(2) Be in writing and signed by the aircraft operator or any person delegated authority in this matter.

(3) Be approved by the Administrator.

(b) *Availability.* Each aircraft operator having a security program shall:

(1) Maintain an original copy of the security program at its corporate office.

(2) Have accessible a complete copy, or the pertinent portions of its security program, or appropriate implementing instructions, at each airport served. An electronic version of the program is adequate.

(3) Make a copy of the security program available for inspection upon request of the Administrator.

(4) Restrict the distribution, disclosure, and availability of information contained in the security program to persons with a need-to-know as described in part 191 of this chapter.

(5) Refer requests for such information by other persons to the Administrator.

(c) *Content.* The security program shall include, as specified for that aircraft operator in §108.101, the following:

(1) The procedures and description of the facilities and equipment used to perform screening functions specified in §108.201 regarding persons and their accessible property.

(2) The procedures and description of the facilities and equipment used to comply with the requirements of §108.203 regarding the acceptance and screening of checked baggage.

(3) The procedures and description of the facilities and equipment used to comply with the requirements of §108.205 regarding the acceptance and screening of cargo.

(4) The procedures and description of the facilities and equipment used to

comply with the requirements of §108.207 regarding the use of metal detection devices.

(5) The procedures and description of the facilities and equipment used to comply with the requirements of §108.209 regarding the use of x-ray systems.

(6) The procedures and description of the facilities and equipment used to comply with the requirements of §108.211 regarding the use of explosives detection systems.

(7) The procedures used to comply with the requirements of §108.213 regarding standards for screening personnel.

(8) The procedures used to comply with the requirements of §108.215 regarding the responsibilities of security coordinators. The names of the Aircraft Operator Security Coordinator (AOSC) and any alternate, and the means for contacting the AOSC(s) on a 24-hour basis, as provided in §108.215.

(9) The procedures used to comply with the requirements of §108.217 regarding the requirements for law enforcement personnel.

(10) The procedures used to comply with the requirements of §108.219 regarding carriage of accessible weapons.

(11) The procedures used to comply with the requirements of §108.221 regarding carriage of prisoners under the control of armed law enforcement officers.

(12) The procedures used to comply with the requirements of §108.223 regarding transportation of Federal Air Marshals.

(13) The procedures and description of the facilities and equipment used to perform the aircraft and facilities control function specified in §108.225.

(14) The specific locations where the air carrier has entered into an exclusive area agreement under §108.227.

(15) The procedures used to comply with the applicable requirements of §108.229 regarding employment history investigations.

(16) The procedures used to comply with the requirements of §108.231 regarding personnel identification systems.

(17) The procedures and syllabi used to accomplish the training required under §108.233.

(18) The procedures and syllabi used to accomplish the training required under §108.235.

(19) An aviation security contingency plan as specified under §108.301.

(20) The procedures used to comply with the requirements of §108.303 regarding bomb and air piracy threats.

#### § 108.105 Approval and amendments.

(a) *Initial approval of security program.* Unless otherwise authorized by the Assistant Administrator, each aircraft operator required to have a security program under this part shall submit its proposed security program to the Assistant Administrator for approval at least 90 days before the date of intended passenger operations. The proposed security program shall meet the requirements applicable to its operation as described in §108.101. Such requests will be processed as follows:

(1) The Assistant Administrator, within 30 days after receiving the proposed aircraft operator security program, will either approve the program or give the aircraft operator written notice to modify the program to comply with the applicable requirements of this part.

(2) The aircraft operator may either submit a modified security program to the Assistant Administrator for approval, or petition the Administrator to reconsider the notice to modify within 30 days of receiving a notice to modify. A petition for reconsideration shall be filed with the Assistant Administrator.

(3) The Assistant Administrator, upon receipt of a petition for reconsideration, either amends or withdraws the notice, or transmits the petition, together with any pertinent information, to the Administrator for reconsideration. The Administrator disposes of the petition within 30 days of receipt by either directing the Assistant Administrator to withdraw or amend the notice to modify, or by affirming the notice to modify.

(b) *Amendment requested by an aircraft operator.* An aircraft operator may submit a request to the Assistant Administrator to amend its security program as follows: