

§ 139.1

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SOURCE: Docket No. 24812, 52 FR 44282, Nov. 18, 1987, unless otherwise noted.

Subpart A—General

§ 139.1 Applicability.

This part prescribes rules governing the certification and operation of land airports which serve any scheduled or unscheduled passenger operation of an air carrier that is conducted with an aircraft having a seating capacity of more than 30 passengers. This part does not apply to airports at which air carrier passenger operations are conducted only by reason of the airport being designated as an alternate airport.

§ 139.3 Definitions.

The following are definitions of terms as used in this part:

FFF means aqueous film forming foam agent.

Air carrier means a person who holds or who is required to hold an air carrier operating certificate issued under this chapter while operating aircraft having a seating capacity of more than 30 passengers.

Air carrier aircraft means an aircraft with a seating capacity of more than 30 passengers which is being operated by an air carrier.

Air carrier operation means the takeoff or landing of an air carrier aircraft and includes the period of time from 15 minutes before and until 15 minutes after the takeoff or landing.

Airport means an area of land or other hard surface, excluding water, that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any.

Airport operating certificate means a certificate, issued under this part, for operation of an airport serving scheduled operations of air carriers.

Average daily departures means the average number of scheduled departures per day of air carrier aircraft computed on the basis of the busiest 3 consecutive months of the immediately preceding 12 calendar months; except that if the average daily departures are expected to increase, then “average daily departures” may be determined by planned rather than current activity in a manner acceptable to the Administrator.

Certificate holder means the holder of an airport operating certificate or a limited airport operating certificate, except that as used in subpart D “certificate holder” does not mean the holder of a limited airport operating certificate if its airport certification specifications, or this part, do not require compliance with the section in which it is used.

Heliport means an airport or an area of an airport used or intended to be used for the landing and takeoff of helicopters.

Index means an airport ranking according to the type and quantity of aircraft rescue and firefighting equipment and agent required, determined by the length and frequency of air carrier aircraft served by the airport, as provided in subpart D of this part.

Limited airport operating certificate means a certificate, issued under this part, for the operation of an airport serving unscheduled operations of air carriers.

Movement area means the runways, taxiways, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.

Regional Airports Division Manager means the airports division manager for the FAA region in which the airport is located.

Safety area means a designated area abutting the edges of a runway or taxiway intended to reduce the risk of damage to an aircraft inadvertently leaving the runway or taxiway.

Wildlife hazard means a potential for a damaging aircraft collision with wildlife on or near an airport. As used in this part, "wildlife" includes domestic animals while out of the control of their owners.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987; 53 FR 4258, Feb. 12, 1988, as amended by Amdt. 139-16, 54 FR 39295, Sept. 25, 1989]

§ 139.5 Standards and procedures for compliance with the certification and operations requirements of this part.

Certain requirements prescribed by subparts C and D of this part must be complied with in a manner acceptable to the Administrator. FAA Advisory Circulars contain standards and procedures that are acceptable to the Administrator for compliance with subparts C and D. Some of these advisory circulars are referenced in specific sections of this part. The standards and procedures in them, or other standards and procedures approved by the Administrator, may be used to comply with those sections.

Subpart B—Certification

§ 139.101 Certification requirements: General.

(a) No person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any scheduled passenger operation of an air carrier operating an aircraft having a seating capacity of more than 30 passengers without an airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport certification manual for that airport.

(b) Unless otherwise authorized by the Administrator, no person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any unscheduled passenger operation of an air carrier operating an aircraft having a

seating capacity of more than 30 passengers without a limited airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport specifications for that airport.

[Doc. No. 25698, 55 FR 48214, Nov. 19, 1990]

§ 139.103 Application for certificate.

(a) Each applicant for an airport operating certificate or a limited airport operating certificate must submit an application, in a form and in the manner prescribed by the Administrator, to the Regional Airports Division Manager.

(b) The application must be accompanied by two copies of an airport certification manual or airport certification specifications, as appropriate, prepared in accordance with subpart C of this part.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987, as amended by Amdt. 139-16, 54 FR 39295, Sept. 25, 1989]

§ 139.105 Inspection authority.

Each applicant for an airport operating certificate or a limited airport operating certificate must allow the Administrator to make any inspections, including unannounced inspections, or tests to determine compliance with—

(a) The Federal Aviation Act of 1958, as amended; and

(b) The requirements of this part.

§ 139.107 Issuance of certificate.

(a) An applicant for an airport operating certificate is entitled to a certificate if—

(1) The provisions of § 139.103 of this subpart are met;

(2) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with—

(i) Subpart D of this part, and

(ii) Any limitations which the Administrator finds necessary in the public interest; and

(3) The Administrator approves the airport certification manual.

(b) An applicant for a limited airport operating certificate is entitled to a certificate if—