



FAA
Great Lakes Region, Airports Division
Safety Standards Branch

Airport Certification Information Bulletin 2013-05

Subject: ACM Revisions Needed to Comply with Part 139 Safety Enhancements Final Rule

1. Background.

The FAA published a Notice of Proposed Rulemaking (NPRM) February 1, 2011, on Safety Enhancements to Part 139. The updates to Part 139 are listed below, some of which require updates to the Airport Certification Manual (ACM). The Final Rule on Safety Enhancements was published January 16, 2013, and is effective March 18, 2013. Per Part 139 Sec. 205b, you must submit an ACM revision to reflect the changes outlined below. This revision must be received for review and approval by your assigned Airport Certification Safety Inspector (ACSI) no later than February 18, 2013.

The portions of the NPRM concerning Surface Movement Guidance and Control System (SMGCS), Non-Movement Area Safety Training and Runway Pavement Surface Evaluation, were not adopted in the Final Rule.

2. New Part 139 Language Effective March 18, 2013.

(Updated language is shown in ***bold italics***)

Sec. 139.1 Applicability.

(a) This part prescribes rules governing the certification and operation of airports in any State of the United States, the District of Columbia, or any territory or possession of the United States serving any-

- (1) Scheduled passenger-carrying operations of an air carrier operating aircraft ***configured*** for more than 9 passenger seats, as determined by ***the regulations under which the operation is conducted*** or the aircraft type certificate issued by a competent civil aviation authority; and
- (2) Unscheduled passenger-carrying operations of an air carrier operating aircraft configured for at least 31 passenger seats, as determined by the ***regulations under which the operation is conducted*** or the aircraft type certificate issued by a competent civil aviation authority.

Sec. 139.5 Definitions.

The following are definitions of terms used in this part:

Joint-use airport means an airport owned by the *Department of Defense, at which both military and civilian aircraft make shared use of the airfield.*

Sec. 139.115 Falsification, reproduction, or alteration of applications, certificates, reports, or records.

(Add new Section 115 – template provided)

(a) No person shall make or cause to be made:

(1) Any fraudulent or intentionally false statement on any application for a certificate or approval under this part.

(2) Any fraudulent or intentionally false entry in any record or report that is required to be made, kept, or used to show compliance with any requirement under this part.

(3) Any reproduction, for a fraudulent purpose, of any certificate or approval issued under this part.

(4) Any alteration, for a fraudulent purpose, of any certificate or approval issued under this part.

(b) The commission by any owner, operator, or other person acting on behalf of a certificate holder of an act prohibited under paragraph (a) of this section is a basis for suspending or revoking any certificate or approval issued under this part and held by that certificate holder and any other certificate issued under this title and held by the person committing the act.

Sec. 139.203(b) Contents of Airport Certification Manual.

(Update Section 203 adding 329 requirement for Class IV airports)

Required Airport Certification Manual Elements

Manual elements	Airport certificate class			
	Class I	Class II	Class III	Class IV
22. Procedures for controlling pedestrians and ground vehicles in movement areas and safety areas, as required under Sec. 139.329.	X	X	X	X

Sec. 139.303 Personnel.

(Update Section 303)

In a manner authorized by the Administrator, each certificate holder shall--

(c) Train all *persons* who access movement areas and safety areas and perform duties in compliance with the requirements of the Airport Certification Manual and the requirements of this part. This training must be completed prior to the initial performance of such duties and at least once every 12 consecutive calendar months. The curriculum for initial and recurrent training must include at least the following areas:

Sec. 139.329 Pedestrians and ground vehicles.

(Updated Section 329 – template provided)

(b) Establish and implement procedures for the safe and orderly access to and operation in movement areas and safety areas by pedestrians and ground vehicles, including provisions identifying the consequences of noncompliance with the procedures by *all persons*;

(e) Ensure that *all persons are* trained on procedures required under paragraph (b) of this section *prior to the initial performance of such duties and at least once every 12 consecutive calendar months*, including consequences of noncompliance, prior to moving on foot, or operating a ground vehicle, in movement areas or safety areas; and

3. Submit the following ACM revisions to the assigned ACSI by February 18, 2013 (30 days prior to rule effective date).

Required ACM Revisions-

- Add new Section 115 Certification and Falsification.
- Update Section 203 to mark Section 329 as required for Class IV airports.
- Update Section 303(c), changing “personnel” to “persons”.
- Add Section 329 to the ACM if airports do not currently have this section.
- Update Section 329(b) and (e), changing "employees, tenants and contractors" to "persons".
- Update Section 329(e) to require initial as well as recurrent training every 12 consecutive calendar months for all persons who have access to and operate in movement areas and safety areas.
- Update table of contents.

Notes:

- All Airports- The attached revised template for Section 329 will capture the required changes in the Final Rule and further clarify operations at airports.
- Airports are encouraged to use this bulletin for staff training on the updates to Part 139.