

Chapter 11. Self-Service

11.1. General. The sponsor of a federally obligated airport must permit airport aeronautical users, including air carriers, the right to self-service and to use any of the airport's fixed-base operators (FBOs).³⁰

11.2. Restrictions on Self-servicing Aircraft. Grant Assurance 22(f), *Economic Nondiscrimination*, provides that a sponsor "will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to, maintenance, repair, and fueling)³¹ that it may choose to perform."



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The FAA considers the right to self-service as prohibiting the establishment of any unreasonable restriction on the owners or operators of aircraft regarding the servicing of their own aircraft and equipment.

³⁰ A fixed-base operator (FBO) is a commercial entity providing aeronautical services such as fueling, maintenance, storage, ground and flight instruction, etc., to the public.

³¹ For information regarding fueling, refer to *Aircraft Fuel Storage, Handling, and Dispensing on Airports*, Advisory Circular (AC) 150/5230-4.

Aircraft owners must be permitted to fuel, wash, repair, and otherwise take care of their own aircraft with their own personnel, equipment, and supplies. At the same time, the sponsor is federally obligated to operate the airport in a safe and efficient manner.

The establishment of reasonable rules, applied in a not unjustly discriminatory manner, restricting the introduction of equipment, personnel, or practices that would be unsafe, unsightly, detrimental to the public welfare, or that would affect the efficient use of airport facilities by others, will not be considered a violation of Grant Assurance 22(f), *Economic Nondiscrimination*.

11.3. Permitted Activities. An aircraft owner or operator, including but not limited to individuals, air carriers, air taxis, corporate flight departments, charter operators, or flight schools may:

- a. Perform self-service operations, usually in accordance with 14 Code of Federal Regulations (CFR) Part 43.
- b. Use its own sources for parts and supplies.
- c. Perform its own self-fueling activities, including bringing fuel to the airport with its own employees in conformance with the sponsor's rules and regulations pertaining to self-service operations. (See Appendix P of this Order, *Sample Airport Rules and Regulations*.)



The sponsor should design its self-service rules and regulations to ensure safe operations, preservation of facilities, and protection of the public interest. Examples of such rules and regulations include safe practices for handling, storage, and application of paint and fuel. The safety of operations at a self-service fueling location -- such as the one shown below -- will depend greatly upon the airport's minimum standards and rules and regulations established for both the provider and the users. A sponsor may require the owner or operator to confine aircraft maintenance, servicing, and fueling operations to appropriate locations with equipment appropriate for the job being done. (Photos: Above, USAF; Below, FAA)



11.4. Contracting to a Third Party. Self-service activities must be performed by the owner or employees of the entity involved. Self-service activities cannot be contracted out to a third party. To confirm that particular individuals performing tasks on aircraft are employees of the individual or company conducting the self-service activity, the FAA may request clarifying information, such as payroll data.

11.5. Restricted Service Activities. The sponsor may require an aircraft owner or operator to:

- a. Observe reasonable rules and regulations pertaining to self-service operations, including local fire safety and federal and/or state environmental requirements.³²
- b. Confine aircraft maintenance, painting, and fueling operations to appropriate locations using equipment appropriate for the job being done. (For information regarding fueling, refer to Advisory Circular (AC) 150/5230-4, *Aircraft Fuel Storage, Handling, and Dispensing on Airports.*)
- c. Limit equipment, personnel, or practices that are unsafe, unsightly, or detrimental to the public welfare or that would affect the efficient use of airport facilities by others.
- d. Pay the same fuel flowage fees that the sponsor charges providers selling fuel to the public. This practice alleviates the potential for claims of unjust discrimination.

11.6. Reasonable Rules and Regulations. The sponsor should design its self-service rules and regulations to ensure safe operations, preservation of facilities, and the protection of the public interest. Examples of such rules and regulations may include:

- a. Confining the use of paints, dopes, and thinners to structures that meet appropriate safety and environmental criteria.
- b. Establishing safe practices for storing and transporting fuel.
- c. Restricting hangars to related aeronautical activities.
- d. Placing restrictions on the use of solvents to protect sewage and drainage facilities.
- e. Establishing weight limitations on vehicles and equipment to protect airport roads and paving, including limits on delivery trucks, fuel trucks, and construction equipment.

³² FAA Order 1050.15A, *Fuel Storage Tanks at FAA Facilities*, dated April 30, 1997, establishes agency policy, procedures, responsibilities, and implementation guidelines to comply with regulations pertaining to underground storage tanks (UST) of the Federal Aviation Administration as required by the Resource Conservation and Recovery Act of 1976 (52 U.S.C. § 6901 et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984 (Public Law 98-616) and other acts, and as implemented by the U.S. Environmental Protection Agency's "Underground Storage Tanks; Technical Requirements and State Program Approval; Final Rules regulation, 40 CFR Parts 280 and 281."

f. Setting time limits on the open storage of nonairworthy aircraft, wreckage, and unsightly major components.

g. Maintaining minimum requirements for taxiing an aircraft, i.e., student pilot, rated pilot or Airframe and Power Plant (A&P) mechanic.

h. Setting requirements for escorting passengers and controlling vehicular access.

i. Requiring certain regulations that mirror FAA regulations in Title 14. Requirements inconsistent with FAA regulations may not be reasonable. For example, requiring a pilot license or medical certificate as a condition for self-servicing aircraft is inconsistent with 14 CFR Part 61 (i.e., an aircraft *owner* is not required to be a licensed pilot or to hold a medical certificate). The aircraft *pilot* or *operator* would have to meet FAA licensing requirements. The aircraft *owner* must simply *own* the aircraft to self-service it.

An airport sponsor is under no obligation to permit aircraft owners to introduce equipment, personnel, or practices that would be unsafe, unsightly, or detrimental to the public welfare.

11.7. Restrictions Based on Safety and Location.

An airport sponsor is under no obligation to permit aircraft owners to introduce onto the airport any equipment, personnel, or practices that would be unsafe, unsightly, or detrimental to the public welfare or that would affect the efficient use of airport facilities by others. Reasonable rules and regulations should be adopted to confine aircraft maintenance and fueling operations to



A sponsor should design its self-service rules and regulations to ensure safe operations, preservation of facilities, and protection of the public interest. Examples of such rules and regulations may include minimum requirements for operating an aircraft, i.e. flight engineer, student pilot, private pilot or Airframe and Powerplant (A&P) mechanic. Above, a sample FAA airman certificate. Below, the possible outcome of permitting unqualified vehicle personnel in aircraft movement areas: a collision between an aircraft and a truck on a taxiway. (Photos: FAA)



appropriate locations with equipment commensurate to the job being done. In addition, aircraft owners that are subtenants of an airport tenant, such as an FBO, may not be able to self-fuel on the tenant or FBO premises without the approval of the airport owner and tenant. However, the subtenant may be directed by the airport owner to an alternative location on the airport to self-fuel.

11.8. Activities Not Classified as Self-service.

Activities not classified as self-service include servicing aircraft and parts for others, providing parts and supplies to others, receiving services and supplies from fuel cooperative organizations (CO-OPs), and delivery of fuel to owners or operators by off-airport suppliers.

11.9. Sponsor Self-service Prerogatives.

a. A sponsor may establish reasonable minimum standards and rules and regulations to be followed when conducting self-service operations, including specifying equipment and personnel training requirements. Where an owner or operator does not have the equipment or personnel to meet the sponsor's self-service requirements, the sponsor may deny the owner or operator the opportunity to perform the specific self-service activity. In such cases, the FAA will not find the sponsor in violation of its grant assurances regarding self-service operations. In other words, the fact that a particular operator cannot meet requirements the FAA finds reasonable does not constitute a violation of federal obligations on the part of the sponsor.

b. Fuel Cooperative Organizations (CO-OPs). An airport sponsor is not required to permit a CO-OP to self-service. If a sponsor does permit CO-OPs to self-service, the CO-OP will have to observe the same minimum standards and rules and regulations applicable to all self-service activities. In addition, if self-fueling is allowed for CO-OPs, the sponsor may require the CO-OP to demonstrate joint ownership of the fuel tank and the fuel. The sponsor may also require the CO-OP to document that all personnel involved in fueling operations are adequately trained and that self-fueling is conducted only for that CO-OP business partner for which the employee actually works.

c. When an owner or operator obtains a certificate that authorizes it to fuel with automotive gasoline, also known as MoGas, the sponsor may impose the same rules and regulations on that owner or operator as it imposes on the airport's other self-service operations.

d. Flying Club. When an organization claims self-service status by virtue of its status as a flying club, the sponsor may hold the organization to the same rules and regulations that it established for its other self-service operations. In addition, it may establish reasonable criteria to ensure that the organization qualifies as a flying club, as described in chapter 10 of this Order, *Reasonable Commercial Minimum Standards*.

11.10. Fractional Aircraft Ownership Programs.

a. Summary. Title 14 CFR Part 91, subpart K, provides the regulatory definitions and safety standards for fractional ownership programs. This regulation defines the program and program

elements, allocates operational control responsibilities and authority to the owners and program manager, and provides increased operational and maintenance safety requirements for fractional ownership programs. (Additional requirements can be found in Part 91, subpart F.)

b. Background. The fractional ownership concept began in 1986 with the creation of an industry program that offered increased flexibility in aircraft ownership and operation. This program used existing aircraft acquisition concepts, including shared aircraft ownership, with the aircraft being managed by an aircraft management company.

The aircraft owners participating in the program purchase a minimum share of an aircraft, share that specific aircraft with others having an ownership interest in that aircraft, and participate in a lease aircraft exchange program with other owners in the program. The aircraft owners use a common management company to maintain the aircraft, to administer aircraft leasing among the owners, and to provide other aviation expertise and professional management services.

c. Policy. FAA has found companies engaged in fractional ownership operations under Part 91, subpart K, to be aircraft owners for purposes of the self-service provisions of Grant Assurance 22(f), *Economic Nondiscrimination*, and entitled to self-fuel fractionally owned aircraft.

11.11. through 11.14. reserved.