

- 122.142 Flights between the U.S. Virgin Islands and a foreign area.
- 122.143 Flights from the U.S. to the U.S. Virgin Islands.
- 122.144 Flights from the U.S. Virgin Islands to the U.S.

Subpart O—Flights to and From Cuba

- 122.151 Definitions.
- 122.152 Application.
- 122.153 Limitations on airport of entry or departure.
- 122.154 Notice of arrival.
- 122.155 Document to be presented upon arrival.
- 122.156 Release of passengers.
- 122.157 Documents required for clearance.
- 122.158 Other entry and clearance requirements.

Subpart P—Public Aircraft [Reserved]

Subpart Q—Penalties

- 122.161 In general.
- 122.162 Failure to notify and explain differences in air cargo manifest.
- 122.163 Transit air cargo traveling to U.S. ports.
- 122.164 Transportation to another port for exportation.
- 122.165 Air cabotage.
- 122.166 Arrival, departure, discharge, and documentation.
- 122.167 Aviation smuggling.

Subpart R—Air Carrier Smuggling Prevention Program

- 122.171 Description of program.
- 122.172 Eligibility.
- 122.173 Application procedures.
- 122.174 Operational procedures.
- 122.175 Exemption from penalties.
- 122.176 Removal from ACSPP.

Subpart S—Access to Customs Security Areas

- 122.181 Definition of Customs security area.
- 122.182 Security provisions.
- 122.183 Denial of access.
- 122.184 Change of identification.
- 122.185 Report of loss or theft of identification cards.
- 122.186 Presentation of identification by other person.
- 122.187 Revocation or suspension of access.
- 122.188 Issuance of temporary identification.

AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1433, 1436, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a.

SOURCE: T.D. 88-12, 53 FR 9292, Mar. 22, 1988, unless otherwise noted.

§ 122.0 Scope.

The regulations in this part relate to the entry and clearance of aircraft, and the transportation of persons and cargo by aircraft, and are applicable to all air commerce. They do not apply to Guam, Midway, American Samoa, Wake, Kingman Reef, Johnston Island, and other insular possessions of the U.S. not specified herein. They do apply to the U.S. Virgin Islands as stated in subpart N (§§122.141 through 122.144), and Cuba as stated in subpart O (§§122.151 through 122.158).

Subpart A—General Definitions and Provisions

§ 122.1 General definitions.

The following definitions apply in this part, unless otherwise stated:

(a) *Aircraft*. An “aircraft” is any device now known, or hereafter invented, used or designed for navigation or flight in the air. It does not include hovercraft.

(b) *Aircraft commander*. An “aircraft commander” is any person serving on an aircraft who is in charge or has command of its operation and navigation.

(c) *Agent*. An “agent” is any person who is authorized to act for or in place of:

- (1) An owner or operator of a scheduled airline by written authority; or
- (2) An owner or operator of a non-scheduled airline, by power of attorney.

The authority to act shall be in writing and satisfactory to the port director.

(d) *Commercial aircraft*. A “commercial aircraft” is any aircraft transporting passengers and/or cargo for some payment or other consideration, including money or services rendered.

(e) *International airport*. An “international airport” is any airport designated by:

- (1) The Secretary of the Treasury or the Commissioner of Customs as a port of entry for aircraft arriving in the U.S. from any place outside thereof and for the merchandise carried on such aircraft;
- (2) The Attorney General as a port of entry for aliens arriving on such aircraft; and