

(d) *Twelve-five program-adoption*: Each aircraft operator must carry out the requirements of paragraph (e) of this section for each operation that meets all of the following—

(1) Is in an aircraft with a maximum certificated takeoff weight of 12,500 pounds or more;

(2) Is in scheduled or charter service;

(3) Is carrying passengers or cargo or both; and

(4) Is not under a full program or partial program under paragraph (a) or (b) of this section.

(e) *Twelve-five program-contents*: For each operation described in paragraph (d) of this section, the aircraft operator must carry out the following, and must adopt and carry out a security program that meets the applicable requirements of § 1544.103 (c):

(1) The requirements of §§ 1544.215, 1544.217, 1544.219, 1544.223, 1544.230, 1544.235, 1544.237, 1544.301(a) and (b), 1544.303, and 1544.305.

(2) Other provisions of subparts C, D, and E that TSA has approved upon request.

(3) The remaining requirements of subparts C, D, and E when TSA notifies the aircraft operator in writing that a security threat exists concerning that operation.

(f) *Private charter program*. In addition to paragraph (d) of this section, if applicable, each aircraft operator must carry out §§ 1544.201, 1544.207, 1544.209, 1544.211, 1544.215, 1544.217, 1544.219, 1544.225, 1544.229, 1544.230, 1544.233, 1544.235, 1544.303, and 1544.305, and subpart E of this part and—

(1) Must adopt and carry out a security program that meets the applicable requirements of § 1544.103 for each private charter passenger operation in which—

(i) The passengers are enplaned from or deplaned into a sterile area; or

(ii) The aircraft has a maximum certificated takeoff weight greater than 45,500 kg (100,309.3 pounds), or a passenger-seating configuration of 61 or more, and is not a government charter under paragraph (2) of the definition of private charter in § 1540.5 of this chapter.

(2) The Administrator may authorize alternate procedures under paragraph (f)(1) of this section as appropriate.

(g) *Limited program*: In addition to paragraph (d) of this section, if applicable, TSA may approve a security program after receiving a request by an aircraft operator holding a certificate under 14 CFR part 119, other than one identified in paragraph (a), (b), (d), or (f) of this section. The aircraft operator must—

(1) Carry out selected provisions of subparts C, D, and E;

(2) Carry out the provisions of § 1544.305, as specified in its security program; and

(3) Adopt and carry out a security program that meets the applicable requirements of § 1544.103 (c).

[67 FR 8364, Feb. 22, 2002, as amended at 67 FR 8209, Feb. 22, 2002; 67 FR 41639, June 19, 2002; 67 FR 79887, Dec. 31, 2002]

§ 1544.103 Form, content, and availability.

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

(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 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 TSA.

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

(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 TSA.

(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 1520 of this chapter.

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

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(c) *Content.* The security program must include, as specified for that aircraft operator in §1544.101, the following:

(1) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.201 regarding the acceptance and screening of individuals and their accessible property, including, if applicable, the carriage weapons as part of State-required emergency equipment.

(2) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.203 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 §1544.205 regarding the acceptance and screening of cargo.

(4) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.207 regarding the screening of individuals and property.

(5) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.209 regarding the use of metal detection devices.

(6) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.211 regarding the use of x-ray systems.

(7) The procedures and description of the facilities and equipment used to comply with the requirements of §1544.213 regarding the use of explosives detection systems.

(8) The procedures used to comply with the requirements of §1544.215 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 §1544.215.

(9) The procedures used to comply with the requirements of §1544.217 regarding the requirements for law enforcement personnel.

(10) The procedures used to comply with the requirements of §1544.219 regarding carriage of accessible weapons.

(11) The procedures used to comply with the requirements of §1544.221 re-

garding carriage of prisoners under the control of armed law enforcement officers.

(12) The procedures used to comply with the requirements of §1544.223 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 §1544.225.

(14) The specific locations where the air carrier has entered into an exclusive area agreement under §1544.227.

(15) The procedures used to comply with the applicable requirements of §§1544.229 and 1544.230 regarding fingerprint-based criminal history records checks.

(16) The procedures used to comply with the requirements of §1544.231 regarding personnel identification systems.

(17) The procedures and syllabi used to accomplish the training required under §1544.233.

(18) The procedures and syllabi used to accomplish the training required under §1544.235.

(19) An aviation security contingency plan as specified under §1544.301.

(20) The procedures used to comply with the requirements of §1544.303 regarding bomb and air piracy threats.

(21) The procedures used to comply with §1544.237 regarding flight deck privileges.

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§ 1544.105 Approval and amendments.

(a) *Initial approval of security program.* Unless otherwise authorized by TSA, each aircraft operator required to have a security program under this part must submit its proposed security program to the designated official for approval at least 90 days before the intended date of passenger operations. The proposed security program must meet the requirements applicable to its operation as described in §1544.101. Such requests will be processed as follows:

(1) The designated official, within 30 days after receiving the proposed aircraft operator security program, will either approve the program or give the aircraft operator written notice to