

National Oceanic and Atmospheric Administration	NOAA Administrative Order 209-124	
NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE	EFFECTIVE DATE
SUBJECT NOAA AVIATION SAFETY POLICY		
<p><u>SECTION 1. PURPOSE.</u></p> <p>The National Oceanic and Atmospheric Administration (NOAA) is responsible for providing a safe working environment for its workforce, and for partners who are exposed to the risks associated with flying on aircraft owned or operated by NOAA. The purpose of this order is to make aviation safety the number one priority for all aviation operations by creating policy that:</p> <ol style="list-style-type: none"> a. ensures aircraft meet airworthiness and operational safety standards; b. ensures personnel are provided with aviation safety training and aviation life support equipment (ALSE); and c. establishes a corporate NOAA Aviation Safety Board (NASB) and Aviation Safety Program (ASP) to provide policies, procedures, tools and training that follow the Safety Standards Guidelines for Federal Flight Programs codified in sections 102-33.140 and 102-33.155-185 of title 41 of the Code of Federal Regulations (41 CFR 102-33.140 and 41 CFR 102-33.155-185). <p><u>SECTION 2. SCOPE.</u></p> <p>.01 Except as provided in Section 2.02, this order applies to all NOAA personnel flying on any aircraft in the performance of their official duties, and to all individuals flying on aircraft owned or operated by NOAA. For purposes of this order, aircraft operated by NOAA includes aircraft:</p> <ol style="list-style-type: none"> a. rented, chartered, leased, or owned by NOAA or NOAA personnel, and used to conduct official business; and b. operated by public or private entities on behalf of NOAA through written support agreements with NOAA. <p>.02 This order does not apply to the use of:</p> <ol style="list-style-type: none"> a. air carriers for transportation; b. aircraft for the acquisition of products or data (including products or data acquired through grants) where no NOAA personnel fly on the aircraft in any capacity; or c. aircraft for movement of cargo where no NOAA personnel fly on the aircraft in any capacity. 		

SECTION 3 . BACKGROUND.

.01 NOAA operations often require flights for transportation or mission operations accomplished in both *rotary* and *fixed wing* aircraft operated by NOAA or other federal agencies of the U.S. Government. These may include the armed forces, state and local governments, foreign governments, and civilian aviation service providers. These aircraft operators may be providing the service directly to NOAA or to another party. Examples of routine NOAA flight operations include hazardous weather research, aerial damage assessment, air chemistry, forecaster training, coastal and offshore surveys, enforcement, and remote sensing.

.02 An aircraft operated by the U.S. Government, or one owned and operated by the government of a state, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, may be considered to be operating as a "public aircraft" as defined in sections 40102 and 40125 of title 49 of the U.S. Code. Except for certain airspace rules that apply to all aircraft (reference Federal Aviation Act of 1958, Title 49 U.S.C. Subtitle VII), the Federal Aviation Administration (FAA) has no legal jurisdiction over public aircraft operations. As such, public aircraft are not subject to many federal aviation regulations, including requirements relating to aircraft certification, maintenance, and pilot certification.

.03 To ensure the safety of federal employees while operating in public aircraft, federal agencies are required to develop agency-specific flight program standards that meet or exceed applicable civil or military rules. These standards must be incorporated in contracts and agreements as set forth in Safety Standards Guidelines for Federal Flight Programs codified by regulations set forth in 41 CFR 102-33.140 and 41 CFR 102-33.155-185.

SECTION 4. POLICY.

.01 NOAA is responsible for ensuring that:

a. aircraft owned or operated by NOAA meet airworthiness and operational safety standards; and

b. all qualified non-crewmembers who fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel who fly as qualified non-crewmembers on any aircraft for mission operations in the performance of their official duties, are:

1. appropriately trained in aviation safety; and

2. provided appropriate ALSE.

.02 The Director, Office of Marine and Aviation Operations (OMAO). The Director, OMAO, shall broadly administer NOAA's aviation safety policy through the Aviation Safety Program Manager (ASPM). The Director, OMAO, shall approve all revisions to the accompanying NOAA Aviation Safety Handbook.

.03 NOAA Aviation Safety Board (NASB).

a. The NASB is composed of the both voting and non-voting personnel appointed by Line and Staff offices as governed by the Terms of Reference. The NASB is chaired by the ASPM.

Duties, functions, responsibilities and procedures are delineated in the Aviation Safety Policy Handbook.

b. Voting members of the NASB must meet the aviation safety training and qualification standards outlined in the NASB Terms of Reference.

SECTION 5. AUTHORITIES.

5 USC Chapter 81:

http://finduslaw.com/federal_employment_compensation_act_feca_5_u_s_code_chapter_81

14 CFR 1.1:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div8&view=text&node=14:1.0.1.1.1.0.1.1&idno=14>

41 CFR 102-33.20:

<http://law.justia.com/cfr/title41/41-3.1.1.2.9.html>

49 U.S.C. Subtitle VII:

http://www.tsa.gov/assets/pdf/49_USC_Chapters_401_to_501.pdf

49 CFR 830:

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr830_main_02.tpl

49 CFR sections 40102 and 40125 International Civil Aviation Organization (ICAO), a United Nations agency, Annexes 1, 6, and 8 of the Chicago Convention standards. Federal Aviation Administration International Aviation Safety Assessment Program:

<http://www.faa.gov/about/initiatives/iasa/>

SECTION 6. REFERENCES.

Further information on the Aviation Safety Policy and procedures mentioned in this NAO can be found in the NOAA Aviation Safety Policy Handbook.

NAO 209-1, NOAA Safety Policy:

http://www.corporateservices.noaa.gov/~ames/NAOs/Chap_209/naos_209_1.html

NAO 216-104, Management and Utilization of Aircraft:

http://www.rdc.noaa.gov/ames/NAOs/Chap_216/naos_216_104.html

NAO 217-106, Transportation of Non-government Personnel as Passengers on NOAA Vessels, Aircraft, and Motor Vehicles:

http://www.corporateservices.noaa.gov/~ames/NAOs/Chap_217/naos_217_106.html

NOAA Aviation Safety Board Terms of Reference:

http://www.oma.noaa.gov/aviationsafety/safety_board/AvnSafetyBoardTOR.pdf

NOAA Aircraft Operations Center (AOC) Aircraft Operations Manual: in Draft available from AOC


SECTION 7. EFFECT ON OTHER ISSUANCES.

This Order supersedes NAO 209-124, Aviation Safety Policy, dated October 1, 2006.

Implementation of the Aviation Safety Policy will be consistent with existing collective bargaining agreements and the Federal Service Labor-Management Relations Statute.

Use of aircraft for NOAA operations is also governed by NAO 216-104, Management and Utilization of Aircraft, and by NAO 217-106, Transportation of Non-government Personnel as Passengers on NOAA Vessels, Aircraft, and Motor Vehicles. This Order should be read in conjunction with the others. If there is a conflict, this Order shall govern.

An electronic copy of this Order will be posted in place of the superseded Order on the NOAA Office of the Chief Administrative Officer website under the NOAA Administrative Issuances Section. <http://www.corporateservices.noaa.gov/~ocao/index.html>


Under Secretary of Commerce
for Oceans and Atmosphere

Offices of Primary Interest:
Office of Marine and Aviation Operations (OMAO)

Attachment: Handbook to NAO 209-124