

- c. Telephone number.
- d. Address where your Antidrug and Alcohol Misuse Prevention Program records are kept.
- e. Whether you have 50 or more covered employees, or 49 or fewer covered employees. (Part 119 certificate holders with authority to operate only under part 121 are not required to provide this information.)
- 2. You must certify on your Antidrug and Alcohol Misuse Prevention Program Operations Specification, issued by your FAA Principal Operations Inspector or Principal Maintenance Inspector, that you will comply with appendix I of this part, this appendix, and 49 CFR part 40.
- 3. You are required to obtain only one Antidrug and Alcohol Misuse Prevention Program Operations Specification to satisfy this requirement under appendix I of this part and this appendix.
- 4. You must update the Antidrug and Alcohol Misuse Prevention Program Operations Specification when any changes to the information contained in the Operation Specification occur.
 - E. 1. To register with the FAA, submit the following information:
 - a. Company name.
 - b. Telephone number.
 - c. Address where your Antidrug and Alcohol Misuse Prevention Program records are kept.
 - d. Type of safety-sensitive functions you perform for an employer (such as flight instruction duties, aircraft dispatcher duties, maintenance or preventive maintenance duties, ground security coordinator duties, aviation screening duties, air traffic control duties).
 - e. Whether you have 50 or more covered employees, or 49 or fewer covered employees.
 - f. A signed statement indicating that: Your company will comply with this appendix, appendix I of this part, and 49 CFR part 40; and, if you are a contractor, you intend to provide safety-sensitive functions by contract to a part 119 certificate holder with authority to operate under part 121 and/or 135, an operator as defined by §91.147 of this chapter, or an air traffic control facility not operated by the FAA or by or under contract to the U.S. Military.
 - 2. Send this information in the form and manner prescribed by the Administrator, in duplicate to the appropriate address below:
 - a. For §91.147 operators: The Flight Standards District Office nearest to your principal place of business.
 - b. For all others: The Federal Aviation Administration, Office of Aerospace Medicine, Drug Abatement Division (AAM-800), 800 Independence Avenue, SW., Washington, DC 20591.
 - 3. Update the registration information as changes occur. Send the updates in duplicate to the address specified in paragraph 2.

- 4. This registration will satisfy the registration requirements for both your Antidrug Program under appendix I of this part and your Alcohol Misuse Prevention Program under this appendix.

VIII. EMPLOYEES LOCATED OUTSIDE THE U.S.

A. No covered employee shall be tested for alcohol misuse while located outside the territory of the United States.

1. Each covered employee who is assigned to perform safety-sensitive functions solely outside the territory of the United States shall be removed from the random testing pool upon the inception of such assignment.

2. Each covered employee who is removed from the random testing pool under this paragraph shall be returned to the random testing pool when the employee resumes the performance of safety-sensitive functions wholly or partially within the territory of the United States.

B. The provisions of this appendix shall not apply to any person who performs a safety-sensitive function by contract for an employer outside the territory of the United States.

[Amdt. 121-237, 59 FR 7390, Feb. 15, 1994, as amended at 59 FR 53086, Oct. 21, 1994; 59 FR 62238, 62239, Dec. 2, 1994; 59 FR 66672, Dec. 28, 1994; 61 FR 37224, July 17, 1996; 65 FR 18887, Apr. 10, 2000; 66 FR 41967, Aug. 9, 2001; Amdt. 121-287, 66 FR 57866, Nov. 19, 2001; 68 FR 75461, Dec. 31, 2003; 69 FR 1858, Jan. 12, 2004; 69 FR 12938, Mar. 18, 2004; Amdt. 121-315, 71 FR 1677, Jan. 10, 2006; Amdt. 121-325, 71 FR 35765, June 21, 2006; 71 FR 38517, July 7, 2006; 71 FR 62209, Oct. 24, 2006; Amdt. 121-332, 72 FR 12084, Mar. 15, 2007; Amdt. 121-332, 72 FR 31449, June 7, 2007]

EFFECTIVE DATE NOTE: By Amdt. 121-237, 60 FR 24766, May 10, 1995, part 121, was amended by suspending appendix J, sec. III, subsection A ("Pre-employment"), effective May 10, 1995.

APPENDIX K TO PART 121—PERFORMANCE REQUIREMENTS FOR CERTAIN TURBOPROPELLER POWERED AIRPLANES

1. *Applicability.* This appendix specifies requirements for the following turbopropeller powered airplanes that must comply with the Airplane Performance Operating Limitations in §§121.189 through 121.197:

a. After December 20, 2010, each airplane manufactured before March 20, 1997 and type certificated in the:

i. Normal category before July 1, 1970, and meets special conditions issued by the Administrator for airplanes intended for use in operations under part 135 of this chapter.

ii. Normal category before July 19, 1970, and meets the additional airworthiness standards in SFAR No. 23 of 14 CFR part 23.

iii. Normal category, and complies with the additional airworthiness standards in appendix A of part 135 of this chapter.

iv. Normal category, and complies with section 1.(a) or 1.(b) of SFAR No. 41 of 14 CFR part 21.

b. After March 20, 1997, each airplane:

i. Type certificated prior to March 29, 1995, in the commuter category.

ii. Manufactured on or after March 20, 1997, and that was type certificated in the normal category, and complies with the requirements described in paragraphs 1.a.i through iii of this appendix.

2. *Background.* Sections 121.157 and 121.173(b) require that the airplanes operated under this part and described in paragraph 1 of this appendix, comply with the Airplane Performance Operating Limitations in §§121.189 through 121.197. Airplanes described in §121.157(f) and paragraph 1.a of this appendix must comply on and after December 20, 2010. Airplanes described in §121.157(e) and paragraph 1.b of this appendix must comply on and after March 20, 1997. (Airplanes type certificated in the normal category, and in accordance with SFAR No. 41 of 14 CFR part 21, as described in paragraph 1.a.iv of this appendix, may not be produced after October 17, 1991.)

3. *References.* Unless otherwise specified, references in this appendix to sections of part 23 of this chapter are to those sections of 14 CFR part 23, as amended by Amendment No. 23–45 (August 6, 1993, 58 FR 42156).

Performance

4. Interim Airplane Performance Operating Limitations.

a. Until December 20, 2010, airplanes described in paragraph 1.a of this appendix may continue to comply with the requirements in subpart I of part 135 and §135.181(a)(2) of this chapter that apply to small, nontransport category airplanes.

b. Until March 20, 1997, airplanes described in paragraph 1.b.i of this appendix may continue to comply with the requirements in subpart I of part 135 of this chapter that apply to commuter category airplanes.

5. Final Airplane Performance Operating Limitations.

a. Through an amended type certification program or a supplemental type certification program, each airplane described in paragraph 1.a and 1.b.ii of this appendix must be shown to comply with the commuter category performance requirements specified in this appendix, which are included in part 23 of this chapter. Each new revision to a current airplane performance operating limitation for an airplane that is or has been demonstrated to comply, must also be approved

by the Administrator. An airplane approved to the requirements of section 1.(b) of SFAR No. 41 of 14 CFR part 21, as described in paragraph 1.a.iv of this appendix, and that has been demonstrated to comply with the additional requirements of section 4.(c) of SFAR No. 41 of 14 CFR part 21 and International Civil Aviation Organization Annex 8 (available from the FAA, 800 Independence Avenue SW., Washington, DC 20591), will be considered to be in compliance with the commuter category performance requirements.

b. Each turbopropeller powered airplane subject to this appendix must be demonstrated to comply with the airplane performance operating limitation requirements of this chapter specified as follows:

i. Section 23.45 Performance General.

ii. Section 23.51 Takeoff.

iii. Section 23.53 Takeoff speeds.

iv. Section 23.55 Accelerate stop distance.

v. Section 23.57 Takeoff path.

vi. Section 23.59 Takeoff distance and take-off run.

vii. Section 23.61 Takeoff flight path.

viii. Section 23.65 Climb: All engines operating.

ix. Section 23.67 Climb: one engine inoperative.

x. Section 23.75 Landing.

xi. Section 23.77 Balked landing.

xii. Sections 23.1581 through 23.1589 Airplane flight manual and approved manual material.

6. *Operation.* After compliance with the final airplane performance operating limitations requirements has been demonstrated and added to the Airplane Flight Manual performance data of the affected airplane, that airplane must be operated in accordance with the performance limitations of §§121.189 through 121.197.

[Doc. No. 28154, 60 FR 65936, Dec. 20, 1995, as amended by Doc. No. OST–2002–13435]

APPENDIX L TO PART 121—TYPE CERTIFICATION REGULATIONS MADE PREVIOUSLY EFFECTIVE

Appendix L lists regulations in this part that require compliance with standards contained in superseded type certification regulations that continue to apply to certain transport category airplanes. The tables set out citations to current CFR section, applicable aircraft, superseded type certification regulation and applicable time periods, and the CFR edition and FEDERAL REGISTER documents where the regulation having prior effect is found. Copies of all superseded regulations may be obtained at the Federal Aviation Administration Law Library, Room 924, 800 Independence Avenue SW., Washington, DC.