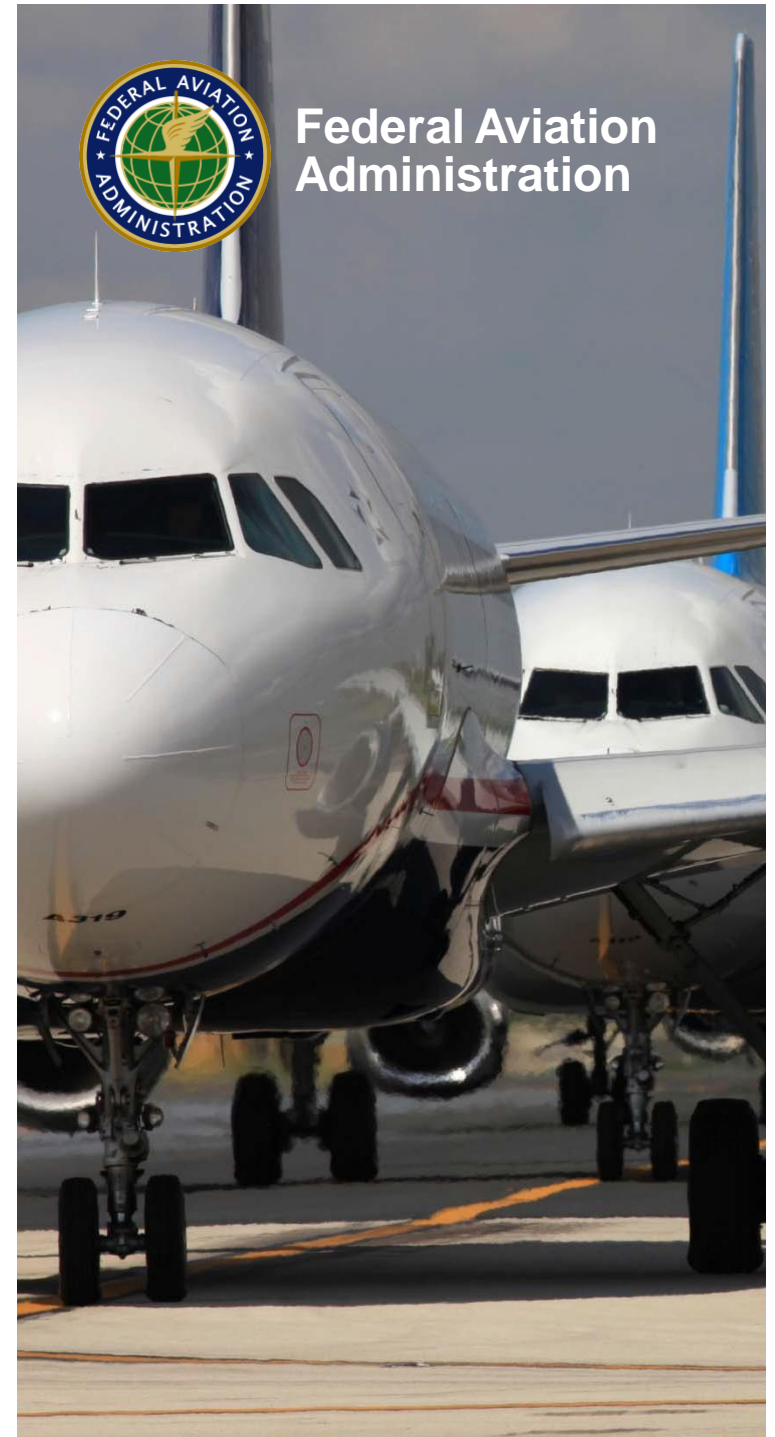


Policy on the Non-Aeronautical Use of Airport Hangars

AAAE, General Aviation and Securities
Conference

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August 2017



Background

- **July 22, 2014 - FAA issued FRN on hangar use policy regarding storage of non-aeronautical items**
- **Goals:**
 - **to clarify policy concerning Federally obligated airports by making aeronautical facilities, including hangars, available to aeronautical users.**
 - **to recognize that hangars can accommodate more than an aircraft as long as the aeronautical use of the hangar is preserved**

Industry Comments

- **FAA should not regulate the use of hangars, especially privately owned hangars**
- **Proposed policy was too restrictive**
- **FAA should defer to local government and leave all regulation to airport operator**
- **FAA lacks the authority to regulate private owned hangars**
- **Policy is too general, should acknowledge difference between private ownership and airport sponsor**
- **All construction of an aircraft should be considered aeronautical use**



Hangar Use Policy

Standards for aeronautical use of hangars

- **Aeronautical facilities must be used or be available for use for aeronautical activities**, unless otherwise approved by the FAA.
- Airport sponsor may permit non-aeronautical items to be stored in hangars provided the hangar is used primarily for aeronautical purposes and the items **do not interfere** with the aeronautical use of the hangar.
- Hangars may **not be used as a residence**, with the rare exception for sponsors providing an on-airport caretaker quarters for a full-time airport manager, watchman, or airport operations staff at remote airports.

Hangar Use Policy

Aeronautical uses for hangars include:

- Storage of active aircraft (airworthy or operational).
- Final assembly of aircraft under construction.
- Non-commercial construction of amateur-built or kit-built aircraft.
- Maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of non-operational aircraft.
- Storage of aircraft handling equipment, e.g., towbars, glider tow equipment, workbenches, and tools used in the servicing, maintenance, repair or outfitting of aircraft.

Hangar Use Policy

FAA will not consider items to interfere with the aeronautical use of the hangar, unless the items:

- **Impede the movement of the aircraft** in and out of the hangar or impede access to aircraft or other aeronautical contents of the hangar.
- **Displace the aeronautical contents** of the hangar. A vehicle parked at the hangar while the vehicle owner is using the aircraft will not be considered to displace the aircraft.
- Are used for the **conduct of a non-aeronautical business** or government agency function from the hangar (including storage of inventory).
- Are **stored in violation of airport rules and regulations**, lease provisions, building codes or local ordinances.
- **While sponsors may adopt more restrictive rules for use of hangars**



Hangar Use Policy

Sponsor may request approval for interim use of a hangar for non-aeronautical purposes for a period no more than five years when there is no aeronautical demand for hangars

- An inventory of aeronautical and non-aeronautical land/uses,
- Information on vacancy rates;
- Procedures for accepting new requests for aeronautical use; and
- Assurance that facilities can be returned to aeronautical use when there is renewed aeronautical demand for hangar space.

Hangar Use Policy

Sponsor may request approval for a leasing plan for vacant hangars for non-aeronautical use on a month-to-month basis when there is no aeronautical demand for hangars

- Prior FAA approval of leasing plan is required
- Leases must contain a 30-day notice to vacate so an aeronautical use can occupy the hangar
- The leasing plan is valid as long as there is insufficient demand for hangars
- This policy allows hangars to earn FMV income rather than remain vacant and financially unproductive

Hangar Use Policy

No right to non-aeronautical use

- Sponsors **may restrict or prohibit storage** of non-aeronautical items (i.e., stricter rules than the FAA policy requires).
- Sponsors should consider **factors**, such as emergency access, fire codes, security, insurance, and the impact of vehicular traffic on their surface areas when enacting rules regarding hangar storage.
- Permitting certain incidental non-aeronautical items in hangars **could inhibit the sponsor's ability to meet obligations** associated with grant assurance 19, Operations and Maintenance.

Hangar Use Policy

Use of hangars for construction of an aircraft

- Aeronautical uses for hangars include **storage of an operational aircraft and short-term storage of non-operational aircraft** for purposes of maintenance, repair, or refurbishment.
- As with any aeronautical activity, an airport sponsor may lease or approve the lease of hangar space for this activity without FAA approval.
- Airport sponsors also should consider incorporating **construction progress targets** in the lease to ensure that the hangar will be used for final assembly and storage of an operational aircraft within a reasonable term after the project starts.

Hangar Use Policy

How to determine whether items in a hangar are considered acceptable?

- Does it interfere with the aeronautical use of the hangar?
- Does it displace the aeronautical contents of the hangar?
- Does it impede access to aircraft or other aeronautical contents of the hangar?
- Does it occupies an insignificant amount of hangar space?
- Is it owned by the hangar owner or tenant?
- Is it being used for non-aeronautical commercial purposes?
- Is it being stored in violation of airport rules and regulations?

Policy Intent

- **To ensure the federal investment in federally obligated airports is protected by making aeronautical facilities available to aeronautical users.**
- **To ensure airport sponsors receive fair market value for use of airport property for non-aeronautical purposes.**
- **Hangars located on airport property must be used for aeronautical purpose and be available for aeronautical purpose use, unless otherwise approved by the Office of Airports.**
- **Policy applies to both sponsor-owned and privately-owned hangars.**



Policy Intent

- **This policy neither creates nor constitutes a right to store non-aeronautical items in hangars or to use them for non-aeronautical purposes.**
- ***The FAA may disapprove an AIP grant request for hangar construction if there are existing hangars at the airport being used for non-aeronautical purposes***



Questions - Comments



Thank you
Lorraine Herson-Jones