

CHANGE

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
2150.3C
CHG 4**

National Policy

Effective Date:
01/13/2021

SUBJ: FAA Compliance and Enforcement Program

- 1. Purpose.** This change to FAA Order 2150.3C, as amended, provides for a special emphasis enforcement program applicable to passengers who assault, threaten, intimidate, or interfere with a crewmember in the performance of a crewmember's duties in violation of 14 C.F.R. §§ 91.11, 121.580, 125.328, or 135.120, or who engage in conduct proscribed under 49 U.S.C. § 46318.
- 2. Who this change affects.** The change affects all agency personnel who investigate, report, or process statutory and regulatory violations involving passengers.
- 3. Explanation of policy change.** The change contained herein provides that passengers who assault, threaten, intimidate, or interfere with a crewmember in the performance of a crewmember's duties in violation of 14 C.F.R. §§ 91.11, 121.580, 125.328, or 135.120, or who engage in conduct proscribed under 49 U.S.C. § 46318, will be addressed with legal enforcement action in the form of a civil penalty. Compliance and administrative actions will not be used to address such violations.
- 4. Disposition of transmittal paragraph.** Retain this transmittal sheet until the directive is cancelled by a new directive.

PAGE CHANGE CONTROL CHART

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N/A	N/A	Appendix B, B-2	01/13/2021

- 5. Administrative information.** This Order change is distributed to divisions and branches in Washington D.C. headquarters, regions, and centers, and to all field offices and facilities.



Steve Dickson
Administrator

COMPLIANCE AND ENFORCEMENT BULLETIN NO. 2021-1

SUBJECT: Sanctions for passengers who assault, threaten, intimidate, or interfere with a crewmember in the performance of a crewmember's duties in violation 14 C.F.R. §§ 91.11, 121.580, 125.328, or 135.120 or who engage in conduct proscribed under 49 U.S.C. § 46318.

DISCUSSION: The Federal Aviation Administration (FAA) has authority to sanction conduct by passengers aboard U.S.-registered aircraft in violation of 14 C.F.R. §§ 91.11, 121.580, 125.328, or 135.120, or who engage in conduct proscribed under 49 U.S.C. § 46318. The FAA has recently observed a proliferation of such conduct, including conduct stemming from the failure to wear masks in response to the COVID-19 pandemic-related health measures in place on board aircraft or conduct following the January 6, 2021 violence at the U.S. Capitol.¹ This bulletin announces an FAA special emphasis enforcement program to more effectively address and deter such conduct by passengers.

This special emphasis enforcement program provides that civil penalty action will be initiated against passengers who assault, threaten, intimidate, or interfere with a crewmember in the performance of a crewmember's duties in violation of FAA regulations or who engage in conduct proscribed under 49 U.S.C. § 46318 regardless of culpability. The civil penalties will be assessed in accordance with chapter 9 of this order. This special emphasis enforcement program does not restrict the use of other types of actions available to the FAA, such as orders of compliance or cease and desist orders, nor does it limit the possibility of criminal sanctions, such as for violations of 49 U.S.C. § 46504.

ACTION: Effective immediately and through March 30, 2021, the following compliance and enforcement procedures are in effect for conduct resulting in violations of 14 C.F.R. §§ 91.11, 121.580, 125.328, and 135.120, or conduct proscribed under 49 U.S.C. § 46318:

1. When a passenger commits any such regulatory violation,² or when a passenger's conduct is proscribed under 49 U.S.C. § 46318, FAA investigative personnel will send the case to the Office of the Chief Counsel's Enforcement Division (AGC-300) for legal enforcement action. Compliance actions and administrative actions will not be used to address such conduct.
2. The FAA will address any such conduct through legal enforcement action. The FAA will assess a civil penalty for any such conduct consistent with the guidance provided in chapter 9 of this order.

¹ While a passenger's failure to wear a mask aboard an aircraft is not itself a violation of federal law, conduct related to such a failure that results in a violation of 14 C.F.R. §§ 91.11, 121.580, 125.328, and 135.120, or is proscribed under 49 U.S.C. § 46318, will be subject to civil penalty in accordance with this bulletin.

² The cited regulations also apply to interference with crewmembers committed by persons not on board the aircraft (for example, by directing a laser toward the aircraft). Such violations are not covered by this special emphasis enforcement program.