



# SELF SERVICE AND SELF-FUELING

FREQUENTLY ASKED QUESTIONS



AS AN AIRCRAFT OWNER, HAVE YOU EXPERIENCED CONFUSION CONCERNING SELF-SERVICE OR SELF-FUELING OF YOUR AIRCRAFT? SOME AIRPORT SPONSORS RESTRICT OR PROHIBIT AN AIRCRAFT OWNER FROM TAKING CARE OF THEIR OWN AIRCRAFT. FROM TIME TO TIME, AOPA HAS BEEN CONTACTED WITH QUESTIONS FROM OWNERS SEEKING GUIDANCE ABOUT WHAT THEY CAN DO WITH THEIR OWN AIRCRAFT IN THEIR HANGAR OR TIE-DOWN AREA. TO “FILL IN THE BLANKS” ON THIS TOPIC, WE HAVE PUT TOGETHER THE FOLLOWING FAQ LISTING.

AOPA often hears from members concerned about fuel prices. Self-fueling, airport sponsored self-serve fuel islands, fuel co-ops or SASO (Specialized Aviation Service Organization) fuel providers may provide opportunities for reducing the cost of aviation fuel. However, these options are governed by airports Minimum Standards or Airport Rules and Regulations.

The FAA establishes the authority of aircraft owners to self-service their aircraft in Federal Grant Assurances. These assurances apply only to airports that have accepted federal Airport Improvement Grants (AIP). Upon accepting a federal grant, an airport is expected to follow a set of obligations to the FAA. If an airport is not federally obligated, which is the case for most privately owned, public use airports, the airport sponsor may impose rules, regulations, or restrictions as they see fit. In this case, the FAA has no authority. Accordingly, these FAQ's apply to federally obligated airports.

If your hangar or tie-down area is located off the airport with through the fence access to the airport, none of this will likely apply. However, if you're located in a private development, on a privately owned airport, the owner of that development may impose their own rules, regulations or restrictions.

So, what does the FAA say about an aircraft owner's right to self-service? Federal grant assurances cover this topic. Specifically, this subject is covered in assurance number 22, paragraph (f). Grant Assurance 22(f), Economic Nondiscrimination, provides that a sponsor “will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to, maintenance, repair, and fueling) that it may choose to perform.”

The following FAQs should assist in understanding what may or may not be done by an aircraft owner.

#### **CAN I PERFORM MAINTENANCE ON MY AIRCRAFT?**

**Yes,** an aircraft owner may perform maintenance on his/her own aircraft. That activity must only be performed by the aircraft owner.

#### **The FAA's Airport Compliance Order 5190.6b states that:**

*“The FAA considers the right to self-service as prohibiting the establishment of any unreasonable restriction on the owners or operators of aircraft regarding the servicing of their own aircraft and equipment. Aircraft owners must be permitted to fuel, wash, repair, and otherwise take care of their own aircraft with their own personnel, equipment, and supplies. At the same time, the sponsor is federally obligated to operate the airport in a safe and efficient manner.”*





### CAN I HIRE AN OUTSIDE A&P TO PERFORM MAINTENANCE IN MY HANGAR?

**This will be a function of the airport rules and regulations as well as airport Minimum Standards.** The airport has the right under FAA grant assurances to regulate these activities.

**The FAA's Airport Compliance Order, Order 5190.6b Section 11 states:**

*"11.4. Contracting to a Third Party. Self-service activities must be performed by the owner or employees of the entity involved. Self-service activities cannot be contracted out to a third party. To confirm that particular individuals performing tasks on aircraft are employees of the individual or company conducting the self-service activity, the FAA may request clarifying information, such as payroll data."*

As an example, if an aircraft is owned by a company or a flight school, they may perform self-maintenance on their aircraft with employees, not independent contractors.

### CAN I PERFORM MAINTENANCE IN MY HANGAR?

**Typically, airport rules and regulations or leases will dictate what maintenance may be performed in your hangar.** However, usually these activities are limited to 14 CFR Part 43 Appendix C - Preventative Maintenance. Most airports restrict or prohibit "heavy maintenance" such as engine changes, de-fueling, painting, and other hazardous procedures. The airport is not compelled to allow self-maintenance in a hangar. Some airports have designated areas on the airport for self-maintenance activities. It is best to check with your airport manager.

### CAN I SELF-FUEL MY AIRCRAFT?

**Yes,** you have the ability to fuel your own aircraft. This usually applies to aircraft with an STC for MOGAS. Fuel is normally brought to the airport in a number of 5-gallon cans. Certainly this activity cannot occur in a hangar and the airport may charge fuel flowage fees for the fuel in gallons that you bring to the airport. Additionally, the airport may impose rules and regulations that apply to this activity.

**FAA Compliance Order 5190.6b Section 11 provides additional guidance:**

*"Section 11.9 - Sponsor Self-service Prerogatives. a. A sponsor may establish reasonable minimum standards and rules and regulations to be followed when conducting self-service operations, including specifying equipment and personnel training requirements. Where an owner or operator does not have the equipment or personnel to meet the sponsor's self-service requirements, the sponsor may deny the owner or operator the opportunity to perform the specific self-service activity. In such cases, the FAA will not find the sponsor in violation of its grant assurances regarding self-service operations. In other words, the fact that a particular operator cannot meet requirements the FAA finds reasonable does not constitute a violation of federal obligations on the part of the sponsor."*



### MY AIRCRAFT IS OWNED BY A BUSINESS. CAN WE SELF-FUEL THE AIRCRAFT?

**Yes**, but as noted above, the activity, fueling or maintenance, must be performed by employees, not sub-contractors.

### CAN I INSTALL A FUEL TANK ON MY LEASEHOLD?

**While the FAA guidance to airports authorizes self-fueling for aircraft owners, there is not any provision that would require an airport to allow or require an airport to allow for the installation of self-fueling facilities such as a large capacity fuel tank and pump equipment.** If the leasehold area is large enough, the airport may choose to allow this equipment. However, it is important to understand the regulatory environment. It's likely that the local fire codes and environmental requirements will need to be met. A spill prevention program may also be required. It is best to consult with the airport manager to understand local lease and regulatory requirements.

### CAN A FLYING CLUB SELF-FUEL AND SELF-SERVICE CLUB AIRCRAFT?

**In most cases, the answer is yes.** On this subject, the FAA's Compliance Handbook, Order 5190.6b, Chapter 11 states:

*"11.9 (d). Flying Club. When an organization claims self-service status by virtue of its status as a flying club, the sponsor may hold the organization to the same rules and regulations that it established for its other self-service operations. In addition, it may establish reasonable criteria to ensure that the organization qualifies as a flying club, as described in chapter 10 of this Order, Reasonable Commercial Minimum Standards."*

### WHAT'S A FUEL CO-OP?

In simple terms, **Co-Op Fueling is an organization of tenants of a single contiguous leasehold who have entered into an approved agreement for Non-Commercial Fueling**, including the purchase, storage and dispensing of fuel to eligible members of the cooperative.

### FAA Order 5190.6b Chapter 11 provides additional context to fuel co-ops:

*"11.9(b). Fuel Cooperative Organizations (CO-OPs). An airport sponsor is not required to permit a CO-OP to self-service. If a sponsor does permit CO-OPs to self-service, the CO-OP will have to observe the same minimum standards and rules and regulations applicable to all self-service activities. In addition, if self-fueling is allowed for CO-OPs, the sponsor may require the CO-OP to demonstrate joint ownership of the fuel tank and the fuel. The sponsor may also require the CO-OP to document that all personnel involved in fueling operations are adequately trained and that self-fueling is conducted only for that CO-OP business partner for which the employee actually works."*

### DO I HAVE THE RIGHT TO SET-UP A FUEL CO-OP?

**Not necessarily.** An airport sponsor has no obligation to allow co-op fueling. Additionally, Co-op fueling is not applicable to individuals. However, if an individual is interested in working with others to establish a fuel co-op in the structure noted above. Before investing time and money, it would be prudent to check with the airport sponsor to determine if they would approve such an organization. Some airport Minimum Standards, like Deer Valley (DVT) in AZ, specifically prohibit fuel co-ops.

### CAN A FUEL CO-OP SELL FUEL TO THE PUBLIC?

**No.** Fuel may only be sold to members of the co-op.



### IS THERE AN EXAMPLE OF A FUEL CO-OP?

**AOPA is aware of several fueling co-ops.** One is located at Denton Enterprise Airport (DTO) in Texas. The fuel co-op is part of a private hangar development project at the airport. Hangar tenants in this private development may buy fuel (self-fuel) from the co-op via a self-service fuel facility since the tenants have a financial interest in the development.

### CAN AN AIRPORT COMPETE WITH AN FBO TO SUPPLY FUEL?

**Yes.** Some GA airports have sponsor supplied fuel either by truck or via a self-service fuel island in addition to fuel sold by a commercial FBO operator. If your airport doesn't already have a self-service fuel island, it may be possible to propose the airport install one.

### CAN MY AIRPORT INSTALL A SELF-FUELING ISLAND?

**Yes,** an airport operator can construct/install a self-fueling island that would be available to based tenants and itinerant traffic. The airport would need to be convinced that the financial outlay will be beneficial to the airport. It's very likely that a lobbying effort of elected officials having jurisdiction over the airport will be needed.

### CAN A SASO SUPPLY FUEL?

**Specialized Aviation Service Organizations (SASO) may be defined in an airports Minimum Standards as a SASO Fuel provider.** SASO's are not normally required to provide all of the services of a traditional FBO. An airport's Minimum Standards may define various levels of services supplied including a SASO specific to supplying fuel services only. However, there is no federal requirement for an airport to include SASO provisions in Minimum Standards.

