and Alcohol Testing Program Registration from the FAA, you must submit
the following information to the Office
of Aerospace Medicine, Drug Abatement Division:

(i) Company name.
(ii) Telephone number.
(iii) Address where your drug and alcohol testing program records are kept.
(iv) Type of safety-sensitive functions you or your employees perform
(such as flight instruction duties, aircraft dispatcher duties, maintenance or
preventive maintenance duties, ground security coordinator duties, aviation
screening duties, air traffic control duties).
(v) Whether you have 50 or more covered employees, or 49 or fewer covered employees.
(vi) A signed statement indicating that: your company will comply with
this part and 49 CFR part 40; and you
intend to provide safety-sensitive functions by contract (including sub-
contract at any tier) to a part 119 certificate holder with authority to operate
under part 121 or part 135 of this
chapter, an operator as defined in
§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 to the Federal
Aviation Administration, Office of
Aerospace Medicine, Drug Abatement
Division (AAM–800), 800 Independence
Avenue SW., Washington, DC 20591.

(3) This Drug and Alcohol Testing
Program Registration will satisfy the registration requirements for both
your drug testing program under this
subpart and your alcohol testing pro-
gram under subpart F of this part.

(4) Update the registration information as changes occur. Send the up-
dates to the address specified in para-
graph (f)(2) of this section.

§120.119 Annual reports.

(a) Annual reports of testing results
must be submitted to the FAA by
March 15 of the succeeding calendar
year for the prior calendar year (Janu-
ary 1 through December 31) in accord-
ance with the following provisions:

(1) Each part 121 certificate holder
shall submit an annual report each
year.

(2) Each entity conducting a drug
testing program under this part, other
than a part 121 certificate holder, that
has 50 or more employees performing a
safety-sensitive function on January 1
of any calendar year shall submit an
annual report to the FAA for that cal-
endar year.

(3) The Administrator reserves the
right to require that aviation employ-
ers not otherwise required to submit
annual reports prepare and submit
such reports to the FAA. Employers
that will be required to submit annual
reports under this provision will be no-
tified in writing by the FAA.

(b) As an employer, you must use the Management Information System
(MIS) form and instructions as re-
quired by 49 CFR part 40 (at 49 CFR
40.26 and appendix H to 49 CFR part 40).
You may also use the electronic
version of the MIS form provided by
DOT. The Administrator may des-
ignate means (e.g., electronic program
transmitted via the Internet) other
than hard-copy, for MIS form submis-
sion. For information on where to sub-
mit MIS forms and for the electronic
version of the form, see: http://
www.faa.gov/about/office_org/
headquarters_offices/avs/offices/aam/
drug_alcohol.

(c) A service agent may prepare the
MIS report on behalf of an employer.
However, a company official (e.g., De-
signated Employer Representative as
defined in 49 CFR part 40) must certify
the accuracy and completeness of the
MIS report, no matter who prepares it.


§120.121 Preemption.

(a) The issuance of 14 CFR parts 65,
91, 121, and 135 by the FAA preempts
any State or local law, rule, regula-
tion, order, or standard covering the
subject matter of 14 CFR parts 65, 91,
121, and 135, including but not limited
to, drug testing of aviation personnel
performing safety-sensitive functions.