§ 122.24 Landing requirements for certain aircraft arriving from areas south of U.S.

(a) In general. Certain aircraft arriving from areas south of the United States that are subject to §122.23 are required to furnish a notice of intended arrival in compliance with §122.23. Subject aircraft must land for CBP processing at the nearest designated airport to the border or coastline crossing point as listed under paragraph (b) unless exempted from this requirement in accordance with §122.25. In addition to the requirements of this section, pilots of aircraft to which §122.23 is applicable must comply with all other landing and notice of arrival requirements. This requirement shall not apply to those aircraft which have not landed in foreign territory or are arriving directly from Puerto Rico, if the aircraft was inspected by CBP officers in the U.S. Virgin Islands, or otherwise precleared by CBP officers at designated preclearance locations.

(b) List of designated airports. Private aircraft required to furnish a notice of intended arrival in compliance with §122.23 shall land for Customs processing at the nearest designated airport to the border or coastline crossing point as listed in this paragraph unless exempted from this requirement in accordance with §122.25. In addition to the requirements of this section, private aircraft commanders must comply with all other landing and notice of arrival requirements. This requirement shall not apply to private aircraft which have not landed in foreign territory or are arriving directly from Puerto Rico or if the aircraft was inspected by Customs officers in the U.S. Virgin Islands.

Location | Name
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Beaumont, Tex | Jefferson County Airport.
Brownsville, Tex | Brownsville International Airport.
Corpus Christi, Tex | Corpus Christi International Airport.
Del Rio, Tex | Del Rio International Airport.
Douglas, Ariz | Bisbee-Douglas International Airport.
Douglas, Ariz | Douglas Municipal Airport.
Eagle Pass, Tex | Eagle Pass Municipal Airport.
El Paso, Tex | El Paso International Airport.
Fort Lauderdale, Fla | Fort Lauderdale Executive Airport.
Fort Lauderdale, Fla | Fort Lauderdale-Hollywood International Airport.
Fort Pierce, Fla | St. Lucie County Airport.

§ 122.25 Exemption from special landing requirements.

(a) Request. Any company or individual that has operational control over an aircraft required to give advance notice of arrival under §122.23 may request an exemption from the landing requirements in §122.24. Single overflight exemptions may be granted to entities involved in air ambulance type operations when emergency situations arise and in cases involving the non-emergency transport of persons seeking medical treatment in the U.S. All approvals of requests for overflight exemptions and the granting of authority to be exempted from the landing requirements are at the discretion of the port director. Exemptions may allow aircraft to land at any airport in the U.S. staffed by Customs. Aircraft traveling under an exemption shall continue to follow advance notice and general landing rights requirements.

(b) Procedure. An exemption request shall be made to the port director at the airport at which the majority of Customs overflight processing is desired by the applicant. Except for air ambulance operations and other flights involving the non-emergency transport of persons seeking medical treatment in the U.S., the requests shall be signed by an officer of the company or by the requesting individual and be notarized or witnessed by a Customs officer. The requests shall be submitted:

(1) At least 30 days before the anticipated first arrival, if the request is for an exemption covering a number of flights over a period of one year, or

(2) At least 15 days before the anticipated arrival, if the request is for a single flight, or

(3) In cases involving air ambulance operations when emergency situations arise and other flights involving the non-emergency transport of persons seeking medical treatment in the U.S., if time permits, at least 24 hours prior to departure. If this cannot be accomplished, Customs will allow receipt of the overflight exemption application up to departure time. In cases of extreme medical emergency, Customs will accept overflight exemption requests in flight through a Federal Aviation Administration Flight Service Station.

(c) Content of request. All requests for exemption from special landing requirements, with the exception of those for air ambulance operations and other flights involving the non-emergency transport of persons seeking medical treatment in the U.S., shall include the following information. Requests for exemptions for air ambulance operations and other flights involving the non-emergency transport of persons for medical treatment in the U.S. shall include the following information except for paragraphs (c)(5) and (c)(6) of this section:

(1) Aircraft registration number(s) and manufacturer’s serial number(s) for all aircraft owned or operated by the applicant that will be utilizing the overflight exemption;

(2) Identification information for each aircraft including class, manufacturer, type, number, color scheme, and type of engine (e.g., turbojet, turbofan, turboprop, reciprocating, helicopter, etc.);

(3) A statement that the aircraft is equipped with a functioning mode C (altitude reporting) transponder which will be in use during overflight, that

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