

§ 47142. Design-build contracting

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may approve an application of an airport sponsor under this section to authorize the airport sponsor to award a design-build contract using a selection process permitted under applicable State or local law if—

- (1) the Administrator approves the application using criteria established by the Administrator;
- (2) the design-build contract is in a form that is approved by the Administrator;
- (3) the Administrator is satisfied that the contract will be executed pursuant to competitive procedures and contains a schematic design adequate for the Administrator to approve the grant;
- (4) use of a design-build contract will be cost effective and expedite the project;
- (5) the Administrator is satisfied that there will be no conflict of interest; and
- (6) the Administrator is satisfied that the selection process will be as open, fair, and objective as the competitive bid system and that at least 3 or more bids will be submitted for each project under the selection process.

(b) REIMBURSEMENT OF COSTS.—The Administrator may reimburse an airport sponsor for design and construction costs incurred before a grant is made pursuant to this section if the project is approved by the Administrator in advance and is carried out in accordance with all administrative and statutory requirements that would have been applicable under this chapter if the project were carried out after a grant agreement had been executed.

(c) DESIGN-BUILD CONTRACT DEFINED.—In this section, the term “design-build contract” means an agreement that provides for both design and construction of a project by a contractor.

(Added Pub. L. 108–176, title I, §181(a), Dec. 12, 2003, 117 Stat. 2515.)

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

§ 47143. Non-movement area surveillance surface display systems pilot program

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may carry out a pilot program to support non-Federal acquisition and installation of qualifying non-movement area surveillance surface display systems and sensors if—

- (1) the Administrator determines that such systems and sensors would improve safety or capacity in the National Airspace System; and
- (2) the non-movement area surveillance surface display systems and sensors supplement existing movement area systems and sensors at the selected airports established under other programs administered by the Administrator.

(b) PROJECT GRANTS.—

(1) IN GENERAL.—For purposes of carrying out the pilot program, the Administrator may make a project grant out of funds apportioned under paragraph (1) or paragraph (2) of section 47114(c) to not more than 5 eligible sponsors to acquire and install qualifying non-movement area surveillance surface display systems and sensors. The airports selected to participate in the pilot program shall have existing Administration movement area systems and airlines that are participants in Federal Aviation Administration’s airport collaborative decision-making process.

(2) DATA EXCHANGE PROCESSES.—As part of the pilot program carried out under this section, the Administrator may establish data exchange processes to allow airport participation in the Administration’s airport collaborative decision-making process and fusion of the non-movement surveillance data with the Administration’s movement area systems.

(c) SUNSET.—This section shall cease to be effective on October 1, 2023.

(d) DEFINITIONS.—In this section:

(1) NON-MOVEMENT AREA.—The term “non-movement area” means the portion of the airfield surface that is not under the control of air traffic control.

(2) NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS AND SENSORS.—The term “non-movement area surveillance surface display systems and sensors” means a non-Federal surveillance system that uses on-airport sensors that track vehicles or aircraft that are equipped with transponders in the non-movement area.

(3) QUALIFYING NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.—The term “qualifying non-movement area surveillance surface display system and sensors” means a non-movement area surveillance surface display system that—

- (A) provides the required transmit and receive data formats consistent with the National Airspace System architecture at the appropriate service delivery point;
- (B) is on-airport; and
- (C) is airport operated.

(Added Pub. L. 115–254, div. B, title I, §140(a), Oct. 5, 2018, 132 Stat. 3210.)

§ 47144. Use of funds for repairs for runway safety repairs

(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—