

**METROPOLITAN AIRPORTS COMMISSION**

**ORDINANCE NO. 133**

**MSP AIRPORT SECURITY ORDINANCE**

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**METROPOLITAN AIRPORTS COMMISSION**  
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**METROPOLITAN AIRPORTS COMMISSION**

**ORDINANCE NO. 133**

**MSP AIRPORT SECURITY ORDINANCE**

An Ordinance relating to the management and operation of the Minneapolis-Saint Paul International Airport (MSP Airport); to promote the public safety and welfare of MSP Airport; to establish rules of conduct for the public, badge holders and airport tenants while at the MSP Airport, in furtherance of airport security regulations required of the Commission by laws of the United States and regulations of the Federal Aviation Administration and the Transportation Security Administration; prescribing the penalty for violations thereof; and repealing Ordinance No. 117.

The Metropolitan Airports Commission does ordain:

**SECTION 1 – DEFINITIONS.**

- 1.1 Air Operations Areas (AOA). A portion of the MSP Airport, specified in the Airport Security Program, in which security measures specified in 49 C.F.R. Part 1500 are carried out. This area includes aircraft moving areas, aircraft parking areas, loading ramps, and safety areas for use by aircraft regulated under 49 C.F.R. Parts 1544 and 1546, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures or procedures. This area does not include the secured area.
- 1.2 Airline Personnel. Those Persons employed or contracted by an airline operating at the MSP Airport.
- 1.3 Airport. Minneapolis-Saint Paul International Airport, Wold-Chamberlain Field, a public airport under the supervision and control of the Metropolitan Airports Commission and located in the County of Hennepin and State of Minnesota.
- 1.4 Airport Security Area(s) (Security Areas). Air Operations Areas, roadways, and common air carrier areas within terminal facilities (i.e. baggage makeup areas),-excluding exclusive leasehold structural areas, to which public access is limited or denied under the Airport Security Program. Signs limiting or forbidding public access are posted at the entrances to Security Areas. Security Areas are surrounded by walls, fencing or other means. Security Areas include:
  - a. Secured Area SIDA (Security Identification Display Area). The area immediately surrounding Terminal 1 extending out to the nearest taxiway. The area immediately surrounding Terminal 2 extending out to the perimeter roadway. These areas are considered the Secured Area SIDA. The Secured Area SIDA includes the baggage makeup areas. Only Secured Area SIDA badge holders or those under proper escort are permitted to be in the area.

- b. AOA SIDA (Security Identification Display Area). Any area of the MSP Airport designed and used for landing, taking off, or surface maneuvering of aircraft. This is the entire area within the Security Barrier except for the Secured Area SIDA.
  - c. Sterile Area. An area inside the terminals to which access is controlled by inspection of Persons and property in accordance with TSA requirements.
  - d. Restricted Non-Public Area. Areas controlled by the Secured Area Access Control System (SAACS) that are not sterile, secured SIDA, or AOA areas and are restricted from public access. These areas affect security and, in some cases, may give access to the Sterile or SIDA areas which are also controlled by the SAACS. Examples include, but are not limited to: Fire Stations, the corridor behind the ticket counters at Terminal 2, and the MAC Energy Management Center (EMC).
- 1.5 Airport Security Coordinator. An employee of the Commission charged with the authority and responsibility to implement and enforce the Airport's Security Program or such employee's designated representative.
- 1.6 Airport Security Program. The Security Program which is the responsibility of an airport operator pursuant to 49 C.F.R. §1542.
- 1.7 Airport Tenants or Tenants. Individuals, partnerships, corporations or other business entities, and their agents, employees and subtenants, that occupy or control part or all of areas, buildings or other facilities at the MSP Airport which they lease or occupy with permission from the Commission.
- 1.8 Authorized Persons. Persons who are authorized to access designated Airport Security Areas in accordance with the Airport Security Program. This includes, but is not limited to, Passengers with a valid boarding pass (which only authorizes access to Passenger Areas of the Sterile Area), Persons with a valid and active MAC-Issued or MAC-Approved Identification Badge, and Persons issued a valid Concourse Pass used in performance of job duties or intended use, or Persons with a valid airline-issued Gate Pass.
- 1.9 Authorized Signer. Person(s) designated to serve as a badged company's point of contact, liaison between the Airport Police Department and the badged company, and is responsible to maintain their company's compliance with badging requirements.
- 1.10 Clear Zone. The area extending six feet out from the Security Barrier. This includes both the SIDA and public side of the Security Barrier.
- 1.11 Commission or MAC. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.12 Concourse Pass/Gate Pass. Passes issued by MAC and airlines for purposes of allowing a non-passenger Person access into the Passenger Areas of the Sterile Area of the MSP Airport through the TSA checkpoints.

- 1.13 Critical Infrastructure. Any equipment or system that, if disabled, would have a substantial effect on the MSP Airport's ability to operate. This includes, but is not limited to, control rooms, mechanical rooms, electronic equipment, junction boxes, electrical cables, security equipment, venting, aviation and aircraft navigation equipment, etc.
- 1.14 Disqualifying Crime(s). Those crimes identified within 49 U.S.C. § 44936(b)(1)(B), or as amended, for which a conviction precludes the issuance and/or possession of a MAC-Issued Identification Badge.
- 1.15 Escort. Authorized Person(s) displaying valid MAC-Issued Identification Badge(s) with Escort designation accompanying, monitoring, directing and controlling the actions of a Person(s) within Airport Security Areas who do not have unescorted access authority into or within an Airport Security Area.
- 1.16 Executive Director/CEO. The Commission's chief executive officer, executive director or a designated representative.
- 1.17 FAA. The Federal Aviation Administration of the United States Government or any federal agencies succeeding to its jurisdiction.
- 1.18 Hearing Officer. The Executive Director/CEO of the Commission or a designee who shall conduct hearings pursuant to the provisions of this Ordinance.
- 1.19 Identification Badge(s). Identification for Authorized Persons containing the individual's name, company name and photograph. There are two types of Identification Badges:
- a. MAC-Issued Identification Badge. Identification that is issued by the Commission to an Authorized Person for performance of the Person's job duties within Airport Security Areas.
  - b. MAC-Approved Identification Badge. Other types of identification that have approval from the Airport Security Coordinator for use by a specific Person(s) for performance of specific job duties within Airport Security Areas. This type of identification may be limited as to areas of operation, cannot open electronic control access doors and cannot be used to Escort Persons into Airport Security Areas.

Identification Badge(s) are commonly referred to as security badges.

- 1.20 Passenger. A Person who has access to Airport Security Areas by having a valid boarding pass to fly that day in their possession.
- 1.21 Passenger Area. The area within the Sterile Area where Passengers and those with Concourse Passes/Gate Passes are allowed with unescorted access. Locations within the Passenger Area include stores, restaurants, airline clubs, concourses and airline gate areas.
- 1.22 Person(s). Every natural Person, firm, partnership, association, corporation or other entity.

- 1.23 Revocation. The discontinuance of a Person's ability to access Airport Security Areas. This includes, but is not limited to, revoking or restricting the Person's MAC-Issued Identification Badge.
- 1.24 Screening Personnel. Individuals designated to inspect persons, belongings, baggage and vehicles.
- 1.25 Security Barrier. The fence, wall or other such barrier or markings that separate Airport Security Areas from public areas.
- 1.26 Security Devices. Equipment installed or placed by or under the direction of the Commission, Airport Tenants or designated representative, to monitor or control entrances to and exits from Airport Security Areas. Security Devices include, but are not limited to, bells, sirens, communication equipment, locks and corresponding keys, emergency exits, electronic access control, unstaffed exit lanes, magnetometers, x-ray machines, hand-held metal detectors and other security equipment.
- 1.27 Security Identification Display Area or SIDA. An area which requires Person(s) to display a MAC-Issued or MAC-Approved Identification Badge on the outermost garment above the waist.
- 1.28 Security Screening Area. An area in which Persons, their belongings, vehicles and/or any items found in the vehicle are inspected. These areas include, but are not limited to TSA screening checkpoints, field gates, vehicle entrance gates, employee screening portals, tenant screening locations, midfield screening checkpoints, or locations where random screening inspections are conducted.
- 1.29 Suspension. Temporary discontinuance of a Person's ability to access Airport Security Areas. This includes, but is not limited to, suspending or restricting the Person's MAC-Issued Identification Badge.
- 1.30 Tamper. The action of interfering with an item which either causes damage to or makes unauthorized alterations to the item.
- 1.31 TSA. The Transportation Security Administration of the United States – Department of Homeland Security, or any agency succeeding in jurisdiction.

## **SECTION 2 - AIRPORT SECURITY AREAS.**

### **2.1 Designated Entrances and Exits.**

No Person shall enter, exit, or attempt to enter or exit Airport Security Areas except through authorized entrances and exits designated by the TSA or the Airport Security Coordinator.

2.2 Access by Authorized Personnel.

Only Authorized Persons, or those under authorized Escort, shall have access to Airport Security Areas.

2.3 Airport Security Inspection.

- a. All Persons, vehicles, belongings and items that are entering any Airport Security Area are subject to inspection by designated MAC employees, TSA official, or designated Screening Personnel.
- b. No Person may pass any object or item through, under, or over Security Barriers (in either direction) unless authorized by the Airport Security Coordinator.
- c. The Airport Security Coordinator, or the TSA, may develop as part of federal requirements or the Airport Security Program, a plan for inspection of persons, vehicles, belongings and items within Airport Security Areas.
- d. Refusal to comply with airport security inspections shall result in immediate removal from the Airport Security Areas; and, denial of access to the area until the Airport Security Coordinator or designee determines that access should be granted.

2.4 Escort.

- a. Maintaining an Escort. A Person performing as an Escort must, at all times, be in a position to actively monitor, direct and control the movements and actions of the accompanied Person(s) along with any items or belongings that the Person brings with them. A Person being accompanied by an Escort must be in a position to be actively monitored, directed and controlled in their movements and actions. The Person providing the Escort is responsible for notifying Persons under their escort that prohibited items are not allowed in Airport Security Areas.
- b. Compliance with Escort Procedures. All Persons must follow the escorting procedures as directed by the Airport Security Coordinator.
- c. Escorting Vehicles. A Person may not escort more than four vehicles at one time, unless specifically authorized by the Airport Security Coordinator or designee.
- d. Identification Requirements. All Persons under Escort must possess a valid government-issued photo identification similar, but not limited to, a passport, state-issued driver's license, or military identification card. Persons under Escort and under the age of 18 are not required to have a government-issued photo identification in their possession.
- e. Prohibition on Escorting. The following Persons are prohibited from being escorted:

- (1) A Person with a MAC-Issued Identification Badge that allows them

unescorted access to the involved Airport Security Area without an Escort unless authorized by the Airport Security Coordinator;

- (2) A Person with a revoked, suspended, or lost MAC-Issued Identification Badge;
- (3) A Person with a terminated, but unreturned MAC-Issued Identification Badge;
- (4) A Person who was denied a MAC-Issued Identification Badge due to a Disqualifying Crime; and
- (5) A Person who has started the badging process and is awaiting clearance.

2.5 Entering an Airport Security Area Improperly or by Following Another (Piggybacking).

- a. No Person shall enter into an Airport Security Area except by using their MAC-Issued or MAC-Approved Identification Badge, Concourse Pass/Gate Pass, or airline boarding pass.
- b. No Person shall allow entrance to another into an Airport Security Area. except by the entering Person using their MAC-Issued Identification Badge, Concourse Pass/Gate Pass, or airline boarding pass.
- c. No Property shall enter, or be allowed to enter, into an Airport Security Area except by a Person using their own MAC-issued Identification Badge, Concourse Pass/Gate Pass, or airline boarding pass.
- d. No Person shall follow another into an Airport Security Area without first using their own MAC-Issued Identification Badge through any electronic access installed at the entry point. This provision does not apply to a Person under Escort, a Passenger with a valid boarding pass entering a Sterile Area through a TSA checkpoint, or a Person issued a valid Concourse Pass/Gate Pass or other document for entering Passenger Areas through a TSA screening checkpoint.

2.6 Vehicle Access.

Vehicles must have authorization from the Airport Security Coordinator in order to be driven, parked, or stationed in an Airport Security Area. Unauthorized drivers and/or vehicles will be removed from the Airport Security Area.

2.7 Driving into/out of an Airport Security Area Behind Another (Tailgating).

- a. No Person shall drive a vehicle into/or out of an Airport Security Area unless the Person enters/exits through a designated access point and has used their own MAC-Issued Identification Badge.
- b. No Person shall allow a vehicle to follow or tailgate their vehicle into or out of Airport Security Areas without each entering/exiting vehicle independently gaining access with

their own MAC-Issued Identification Badge. This provision does not apply to vehicles under Escort.

2.8 Adherence to Airport Security Directions.

All Persons shall obey the lawful orders or directions of Airport Police Officers, authorized representatives of the Airport Police Department, Screening Personnel, or other Persons responsible for enforcement of this Ordinance.

2.9 Tampering.

- a. Tampering with a Security Device. No Person shall Tamper with or in any way hamper the effective operation of Security Devices.
- b. Tampering with Aircraft or Airline Equipment. No Person shall enter, climb upon, damage or Tamper with any aircraft or airline equipment without authorization.
- c. Tampering with Operation of an Aircraft. No Person shall commit any act which would endanger or hinder the effective operation of an aircraft.
- d. Tampering with Critical Infrastructure. No Person shall Tamper with, alter or adjust Critical Infrastructure at the MSP Airport.

2.10 Clear Zone Maintained.

No Person shall loiter, park, store or place an item within six (6) feet of either side of a Security Barrier. For this section only, the term "loiter" shall mean to remain within six (6) feet of the Security Barrier with no authorized purpose for being in that zone.

2.11 Concourse Pass.

- a. In their sole discretion, the Airport Security Coordinator may issue a Concourse Pass to Person(s) needing access to the Passenger Area. Such Concourse Pass shall only be valid for the date of issue. A Person(s) needing a Concourse Pass shall state the reason for requesting access.
- b. Person(s) applying for a Concourse Pass must present a valid government-issued photo identification and shall be subject to a computerized background check comparable to passenger identification screening required by the TSA before issuance of a Concourse Pass.
- c. Person(s) accessing the Passenger Area with a Concourse Pass must not be in portions of the Sterile Area other than the Passenger Area unless under proper Escort.
- d. Use of the Concourse Pass for reasons outside of that for which access was requested may be grounds for denial or revocation of a Concourse Pass or future

Concourse Passes.

- e. Person(s) issued a Concourse Pass must maintain the Concourse Pass in their possession at all times while within the Sterile Area.
- f. Person(s) with a revoked, suspended, lost/stolen, or terminated (but unreturned) MAC-Issued Identification Badge are not eligible for a Concourse Pass. In addition, person(s) who were denied a MAC-Issued Identification Badge due to a disqualifying crime may not receive a Concourse Pass.
- g. Concourse Passes may not be copied and must be destroyed following use.

**SECTION 3 - IDENTIFICATION BADGES.**

3.1 Displaying Identification Badge.

Authorized Persons shall display their valid MAC-Issued or MAC-Approved Identification Badge whenever they are within the Secured Area SIDA and AOA SIDA Security Areas (collectively known as Security Identification Display Areas) by displaying the Identification Badge on the Person's outermost garment above the waist with the photograph side showing for public view.

3.2 Altering of Badge.

No Person shall falsify, forge, counterfeit, alter, Tamper, deface or conceal any portion of the front of an MAC-Issued or MAC-Approved Identification Badge.

3.3 Notification of Lost/Stolen Badge.

Badge holders must notify the Airport Badging Office (or MSP Airport Police Dispatch if outside of business hours) if their MSP-Issued Identification Badge is lost or stolen within 24 hours of knowing or having reason to know their MSP-Issued Identification Badge is lost or stolen.

3.4 Using the Badge of Another.

No Person shall use or attempt to use another's Identification Badge.

3.5 Allowing Another to Use Badge.

No Person shall allow or permit another Person to use or attempt to use their Identification Badge.

3.6 Expired Badge.

No Person shall use or attempt to use an expired Identification Badge.

3.7 Performance of Job Duties.

MAC-Issued or MAC-Approved Identification Badges shall be used only in direct performance of an Authorized Person's official job duties.

3.8 Use of Designated Employee Screening When Traveling.

When traveling on an aircraft, Persons may not use their MAC-Issued Identification Badge in a designated Employee Screening Lane. All MAC-Issued Identification Badge holders must go through a TSA-Passenger Screening Lane when traveling.

3.9 Notify of Changes.

Each Person with a MAC-Issued Identification Badge shall notify the MAC Badging Office within ten (10) days of a change in the Person's name, home address and/or phone number.

3.10 Disqualifying Crime.

- a. Persons convicted of a Disqualifying Crime shall be ineligible to have or retain, a MAC-Issued Identification Badge for a period of time consistent with the length of any prohibitions on unescorted access rights to an MSP Airport area as prescribed by federal regulation.
- b. Persons with a conviction of a Disqualifying Crime shall be ineligible to apply for a MAC-Issued Identification Badge for at least twelve (12) months from the date of release from imprisonment for a Disqualifying Crime.
- c. Persons with a MAC-Issued Identification Badge shall notify the badging office within twenty-four (24) hours of being charged with or convicted of a Disqualifying Crime.
- d. The Airport Security Coordinator or designee may deny issuance of a MAC-Issued Identification Badge based on an applicant's conviction for a non-disqualifying crime if the offense occurred on MSP Airport property and the offense interfered with or threatened the property, safety, comfort, efficiency or security of Passengers, employees, tenants or MSP Airport operations. A Person denied a MAC-Issued Identification Badge under this provision shall have the right to a hearing under the procedures of Section 7.6.

The maximum period of denial under this provision shall be:

- (1) for a misdemeanor conviction, one year from the date of conviction;
  - (2) for a gross misdemeanor conviction, three years from the date of conviction; or,
  - (3) for a felony conviction, ten years from the date of conviction.
- e. Any Person applying for a MAC-Issued Identification Badge who is charged with a Disqualifying Crime and awaiting a final judicial disposition will be denied issuance of a

MAC-Issued Identification Badge until a final judicial disposition is made.

- f. Any Person already possessing a MAC-Issued Identification Badge who is charged with a Disqualifying Crime and awaiting a final judicial disposition is subject to potential Suspension or Revocation provisions under this Ordinance.
- g. The Airport Security Coordinator or designee is authorized to conduct a computerized criminal history record check of a Person when the Person is applying for their MAC-Issued Identification Badge. Following the initial criminal history record check, the Airport Police Department will receive ongoing status notifications of any criminal history record information for all MAC-Issued Identification Badge Holders. The criminal history record check shall include data maintained by the Bureau of Criminal Apprehension including the computerized criminal history data. After receiving the Person's authorization to perform the criminal history record check, the Airport Security Coordinator or designee shall review the criminal history data to determine if that Person does not have a conviction for a Disqualifying Crime; a conviction for a non-disqualifying crime as indicated in the section d. above; or, has been charged with a Disqualifying Crime and is awaiting judicial disposition. If the Person is going to be denied a MAC-Issued Identification Badge as a result of the record check, the Airport Security Coordinator will provide written notification of the reason for denial and any applicable grievance procedure.
- h. The Airport Security Coordinator or designee is authorized to review aviation security violations from other U.S. airports that have resulted in a revocation of an airport-issued identification badge in determining whether or not to issue a MAC-Issued Identification Badge. If the security violation would have resulted in a revocation had the conduct occurred at the MSP Airport, then a MAC-Issued Identification may not be issued.

### 3.11 Badge Deactivation Notifications.

Authorized Signers are required to notify the Airport Badging Office (or MSP Airport Police Dispatch outside of Badging Office business hours) immediately (or as soon as reasonably practicable) upon a company's termination of a badged employee.

### 3.12 Badge Return Required.

MAC-Issued Identification Badges are the property of the Commission. The badge must be returned to the MAC Badging Office within ten (10) days of Revocation, Suspension, expiration, termination of employment, or upon demand of the Commission. Every Person with a MAC-Issued Identification Badge and their employer is responsible for ensuring a timely return of the badge to the MAC Badging Office.

Employers shall also be responsible for returning MAC-Issued Identification Badges of their employees, and the Airport Security Coordinator may assess the employer with a fee if its employee fails to return a MAC-Issued Identification Badge.

3.13 False Information.

No Person shall provide false information or false documentation to the Commission in an attempt to obtain, or in applying for, a MAC-Issued Identification Badge.

3.14 Signature on Badge Application.

An Authorized Signer shall not sign a badge application form without verifying the identity and eligibility of the applicant to the best of their knowledge. An Authorized Signer shall not sign a badge application that is incomplete as to any sections to be filled out by the badge applicant.

**SECTION 4 - DUTIES OF AUTHORIZED PERSONS.**

4.1 Custody of Badges, Keys or Other Means of Access.

Authorized Persons shall maintain custody of Identification Badges and all keys assigned to them. Authorized Persons who have custody of, access to or use of keys or other means of control used to access, lock and secure Airport Security Areas shall not duplicate or turn over keys or other means used for access to Airport Security Areas to anyone without approval from the Airport Security Coordinator.

4.2 Prohibited Disclosure of Security Codes.

No Person shall disclose security codes or combinations which allow access to Airport Security Areas to non-Authorized Persons.

4.3 Challenge and Reporting of non-Authorized Persons.

Authorized Persons must challenge or report Persons not displaying an appropriate Identification Badge inside the Security Identification Display Areas. For purposes of this section only, challenge means to (a) ask the Persons to show their Identification Badge or (b) to immediately notify the Airport Police Department with a description of the Persons not displaying an Identification Badge. Persons who are challenged are required to submit to, and give sufficient time for, identification verification.

4.4 Security of Access Points.

- a. No Person shall leave open, propped or unsecured any door, gate or access point leading to or allowing access to Airport Security Areas unless the Person personally attends to such door, gate, or access point to ensure no access by non-Authorized Persons.
- b. No Person shall hold, prop, or cause a door, gate or access point to be open beyond the period of time allowed by a Security Device unless an Authorized Person attends the door. When an Authorized Person is attending a security door, the Person must be physically present at the door the entire time and must use the Person's MAC-Issued Identification Badge to activate additional time for the door to be open.

4.5 Report Violations.

Authorized Persons shall promptly report to the Airport Police Department any violation of this Ordinance that they observe or of which they have knowledge.

**SECTION 5 - RESPONSIBILITY OF AIRPORT TENANTS.**

5.1 Adherence to the Security Ordinance.

Airport Tenants with access leading to Airport Security Areas shall follow this Ordinance by posting signs approved by the Commission, which notifies Persons about restricted access leading into Airport Security Areas.

5.2 Preventing Unauthorized Access to Airport Security Areas.

Airport Tenants with access to Airport Security Areas shall at all times keep the access secured or staffed in a manner that prevents non-Authorized Persons from accessing Airport Security Areas. MSP Airport Tenants shall retain keys or other means of access to Airport Security Areas under their control and issue such access only to Authorized Persons.

5.3 Aircraft Security.

- a. Airline Personnel, Fixed Base Operators (FBO), FBO's sub-tenant personnel and aircraft owner/operators shall be responsible for the safety and security of aircraft per FAA and TSA regulations.
- b. Airline Personnel shall not allow non-Authorized Persons onboard an aircraft or access to a jetway bridge connected to an aircraft.
- c. Airline Personnel, excluding flight crew personnel, shall be prohibited from bringing personal bags, personal backpacks or containers onto aircraft.

5.4 Securing of TSA-Prohibited Items.

Airport Tenants, and Authorized Persons working for Airport Tenants, are responsible for the security and continuous control of all TSA-prohibited items that they bring into Airport Security Areas. Only such items required for direct performance of official work duties shall be authorized and shall be subject to inspection in accordance with the Airport Security Program.

**SECTION 6– OTHER PROHIBITED ACTS.**

**6.1     Bypassing Security Screening Area.**

- a.       No Person who is required to undergo screening at a Security Screening Area shall bypass such Security Screening Area and gain access to an Airport Security Area. Armed federal and local law enforcement officers in performance of official duties at the MSP Airport and others exempted by both the TSA and the Airport Security Coordinator (or designee) do not have to undergo screening at a Security Screening Area, provided they follow TSA regulations.
- b.       No Person shall board or attempt to board an aircraft as a Passenger without first having themselves, their belongings, and any other items that they are carrying onto the aircraft screened by TSA personnel.
- c.       All baggage and belongings that will be traveling on aircraft must be screened by TSA through TSA-passenger screening methods.

**6.2     Statements or Conduct Against Aviation Safety or Security.**

No Person shall make a statement to another or engage in conduct so as to indicate that the Person or another may have or had possession of a weapon or object that could be used as a weapon while at the MSP Airport.

**6.3     Interference with Flight Operations.**

No Person shall intimidate, threaten, hinder, interfere with or obstruct Airline Personnel in the performance of their official job duties or lessen the ability of such Airline Personnel to perform their duties.

**6.4     Unattended Baggage.**

No Person shall leave any bag, luggage, box, container, or item unattended in any area of the MSP Airport accessible by the public.

**6.5     Presenting a Prohibited Item at a Security Screening Area.**

- a.       No Person shall enter or attempt to enter an Airport Security Area through a Security Screening Area with a firearm, ammunition, explosive device, incendiary device, realistic replica or other TSA-prohibited item without first declaring the item to the Screening Personnel at the point of inspection prior to commencement of the screening process. Commencement of screening begins at the earliest of: (i) the Screening Personnel's initiation of screening the person's body for TSA-prohibited items; (ii) the initial physical interaction with the Screening Personnel or Security Devices or, (iii) upon entering a door that leads into an Airport Security Area where a Security Screening Area is located, whichever occurs first.

- b. No Person shall place, or cause to be placed, a firearm, ammunition, explosive device, incendiary device, realistic replica or other TSA prohibited item onto inspection equipment at a Security Screening Area, without first declaring such item to the Screening Personnel prior to commencement of the screening process. Commencement of screening begins at the earliest of: (i) the Screening Personnel's initiation of screening the person's body for TSA-prohibited items; (ii) the initial physical interaction with the person's belongings or items by Screening Personnel or Security Devices; (iii) placing their belongings into a screening divestiture bin or onto an x-ray screening device conveyor belt/roller; or, (iv) upon entering a door that leads into an Airport Security Area where a Security Screening Area is located, whichever occurs first.
- c. No Person shall enter or attempt to enter through a Security Screening Area in a vehicle with a firearm, ammunition, explosive device, incendiary device, realistic replica or other TSA-prohibited item without first declaring the item to the Screening Personnel at the vehicle entrance point.
- d. To comply with federal regulations regarding prohibited items in the Sterile Area; to make screening operations more efficient and transient; and, to further promote the public safety and welfare of the MSP Airport and its travelers, the provisions of 6.5 are to be a strict liability offense. This provision is violated whether or not the Person had intent or knowledge that the item placed on the inspection equipment contained a firearm, explosive device, knife or other TSA-prohibited item or had knowledge of their own possession of the TSA-prohibited item before entering a Security Screening Area. It is the responsibility of the Person being screened at a Security Screening Area to have knowledge of their belongings and items before entering a Security Screening Area.
- e. For this provision only, firearm means any item that discharges a shot or a projectile by means of an explosive, a gas, or compressed air, also but not limited to, starter pistols, compressed air guns, BB guns, cap guns, and flare pistols, or similar items, regardless of status of operability.

6.6 Unlawful Entry of Hangars or Other Buildings.

No Person shall enter any hangar or portion of any building occupied by an Airport Tenant or licensee of the Commission without consent of such Airport Tenant or licensee.

6.7 False Identification.

No Person shall present false information, false identification, or false documentation for purposes of gaining access to an Airport Security Area.

6.8 Parking or Unattended Vehicles in the Runway Safety Zone.

No Person shall park a vehicle or leave a vehicle unattended within 1000 feet of the end of a runway unless authorized to do so. This includes vehicles left abandoned on the side of the highway. Commission representatives shall have authority to remove all unauthorized vehicles.

6.9 Harassment, Intimidation, Assault, or Interference with Screening Personnel.

No Person shall harass, intimidate, assault, or interfere with Screening Personnel in the performance of their duties.

6.10 Testing a Security Screening Area.

Only those Persons designated by the TSA or by the Airport Security Coordinator shall test a Security Screening Area.

6.11 TSA-Prohibited Items.

No TSA-Prohibited items shall be permitted in Airport Security Areas except as “tools of the trade,” which are used for direct performance of an employee’s or contractor’s job within the Airport Security Area.

6.12 Filming/Photographing at Airport Security Screening Areas.

Filming or photographing the security screening process at a Security Screening Area is prohibited except for hard-wired vehicle equipped cameras, Screening Personnel or as authorized by the Airport Security Coordinator.

**SECTION 7 – ADMINISTRATIVE PENALTIES.**

7.1 Administrative Penalties.

a. Application.

This section shall be applicable to all Persons holding a MAC-Issued Identification Badge.

b. Conduct.

When the Airport Security Coordinator or designated representative has reasonable grounds to believe that a Person has violated or is not in compliance with this Ordinance, administrative sanctions, Suspension or Revocation may be issued to such Person.

7.2 Administrative Sanctions.

a. Implementation.

Administrative sanctions may be imposed on MAC-Issued Identification Badges for any violations of this Ordinance. Sanctions are restrictions or removal of functions of a Person’s MAC-Issued Identification Badge which are implemented as a result of a violation of this Ordinance.

Administrative Sanctions may include, but are not limited to, security retraining, revocation of Escort privileges, limiting of MAC-Issued Identification Badge access, or changes to the Person's badge type.

b. Notification.

When an administrative sanction is issued, a letter indicating as such will be delivered to the Person and the Person's employer advising of the violation.

c. Review.

Upon written request, the Airport Security Coordinator may review or modify any administrative sanction. Any modification of a sanction is upon the sole discretion of the Airport Security Coordinator.

7.3 Suspensions.

a. Conduct.

A Person's authorization to use a MAC-Issued Identification Badge may be suspended for any one of the following reasons:

- (1) Violation of this Ordinance.
- (2) Conduct which violates any Ordinance of the Commission for which a criminal penalty may be imposed.
- (3) Conduct while on MSP Airport property which could be a violation of any law of the State of Minnesota or the United States for which a criminal penalty may be imposed.
- (4) Conduct which interferes with or threatens the property, safety, comfort, efficiency, or security of Passengers, employees, Tenants, or MSP Airport operations; or otherwise constitute just cause for Suspension.

b. Duration.

The Suspension may be for up to 120 days as determined by the Airport Security Coordinator and based on the severity of the violation. The Suspension shall begin immediately if the Airport Security Coordinator deems that the Person constitutes an immediate safety threat to the security of the MSP Airport. All other Suspensions shall begin not earlier than 7 days from the date the notice of Suspension is issued, or when a hearing is requested, the final action of the Commission sustaining the Suspension.

The period of suspension may be extended by 120 days if the Airport Security Coordinator can demonstrate that the Person has been charged in state or federal court with a Disqualifying Crime, the proceedings of such crime are ongoing in state or federal court, and removal of the suspension would interfere with or threaten the safety,

comfort, efficiency, or convenience of passengers, employees, tenants, or airport operations. Each Person shall be entitled to a hearing regarding such extension, in accordance with Section 7.5 below.

c. Notice.

The Airport Security Coordinator shall issue written notice of the Suspension, which shall state the nature and date of the violation, the length of the Suspension, the date the Suspension shall begin and the right to a hearing.

When an immediate Suspension is deemed necessary, the Airport Security Coordinator or designee shall attempt to provide oral notice to the Person at the time of the Immediate Suspension with written notice to be accomplished as soon as practical.

7.4 Revocation.

a. Conduct.

A Person's authorization to use a MAC-Issued Identification Badge may be revoked for any one of the following reasons:

- (1) Any conduct that:
  - (a) seriously endangers;
  - (b) indicates a willful or reckless disregard for; or,
  - (c) has an immediate impact on the health, safety or welfare of the public, a Person or property of another.
- (2) Any conduct that poses a serious danger to the security of the MSP Airport.
- (3) A violation warranting Suspension where the Person has had a previous Suspension for the same or a similar offense.
- (4) A pattern of incidents or misconduct for which a Person may be suspended under this ordinance.
- (5) A violation of Section 6.1 or 6.5.
- (6) Persons found in possession of explosives, firearms, or TSA-Prohibited items in Airport Security Areas without approval from the Airport Security Coordinator.
- (7) A criminal conviction for a non-Disqualifying Crime occurring on MSP Airport property as outlined in Section 3.10(d).

b. Duration.

The Revocation shall be for 2 years. Person(s) who have had their MAC-Issued Identification Badge revoked shall not be eligible to reapply during that time. The

duration of a revocation for a non-Disqualifying Crime per Section 7.3(a)(6) shall be in accordance with Section 3.10(d).

The Revocation shall begin immediately if the Airport Security Coordinator deems that the Person constitutes an immediate safety threat to the security of the MSP Airport. All other Revocations shall begin not earlier than 7 days from the date the notice of Revocation is issued, or when a hearing is requested, the final action of the Commission sustaining the Revocation.

c. Notice.

The Airport Security Coordinator shall issue a written notice of Revocation, which shall state the nature and date of violation, the date the Revocation shall begin, and the right to a hearing.

When an immediate Revocation is deemed necessary, the Airport Security Coordinator or designee shall attempt to provide oral notice to the Person at the time of the Immediate Suspension with written notice to be accomplished as soon as practical.

7.5 Reduction of Penalty.

During the term of a Suspension or Revocation, the Person may request in writing to the Airport Security Coordinator that the length of the penalty be reduced. The Person shall explain the conduct involved in the violation and any actions taken, such as a company policy, to correct the situation and prevent future incidents. The Airport Security Coordinator in their sole discretion may reduce the penalty.

7.6 Suspension, Revocation, and Denial Procedures.

These procedures shall apply to Persons receiving a notice of Suspension, Revocation or Denial of a MAC-Issued Identification Badge.

- a. The Airport Security Coordinator shall have the ability to review any incidents or allegations involving potential violations of this Ordinance and may conduct additional investigation into such facts as deemed necessary to determine whether there are grounds to issue a notice of Suspension, Revocation or Denial of a MAC-Issued Identification Badge.
- b. Any Person receiving a notice of Suspension, Revocation or Denial may request an appeal hearing before a Hearing Officer. The request must be submitted in writing with specific reasons for the appeal including identifying whether the appeal is on the incident or the penalty being imposed. (A sample request for appeal form is available.) Failure to identify the reasons for appeal will result in dismissal of the appeal. The request for appeal must be received by the Airport Security Coordinator within 7 days after the notice was issued.

If the Person demands an appeal hearing, a Hearing Officer of the Commission will be

arranged and the Hearing Officer shall establish a time for such hearing. The Person will receive notice of the time and place of the hearing not less than 5 days before the time set for the hearing.

- c. The hearing shall be conducted by a Hearing Officer, shall be recorded by electrical or mechanical recorder or by a qualified reporter, and shall proceed as follows:
- (1) The MAC shall present evidence which supports the facts constituting grounds for the proposed Suspension, Revocation, or Denial.
  - (2) The Person requesting the appeal hearing shall appear, may be represented by counsel, may cross-examine the MAC's witnesses who are present, and may present any relevant evidence relating to the facts constituting grounds for the proposed Suspension, Revocation, or Denial. Any witnesses providing testimony may be cross-examined by the other party.
  - (3) All testimony shall be taken under oath, but both the Airport Security Coordinator and Person requesting the appeal hearing may introduce testimony or evidence under oath in the form of sworn statements if witnesses are unavailable or refuse to appear in Person whether or not a party has the opportunity to confront or cross-examine those witnesses.
  - (4) The Hearing Officer shall hear the evidence and shall make findings concerning the facts and penalty recommended by the Airport Security Coordinator.
  - (5) The Hearing Officer shall issue a report in writing, stating the findings as soon as practical following the hearing.
  - (6) The decision of the Hearing Officer constitutes the final administrative action of the Commission.

## **SECTION 8 – ADDITIONAL PENALTIES.**

The following penalties are in addition to, and separate from, the enforcement provisions outlined in Section 7.

### **8.1 Misdemeanor Crime.**

Any Person violating any of the provisions of this Ordinance shall upon conviction be punished by a sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. § 609.03 or as amended.

### **8.2 Removal from MSP Airport Premises.**

In addition, the Executive Director/CEO, or designated representative, may order removal of anyone from the MSP Airport who knowingly and willfully violates any provisions of this

Ordinance.

8.3 Recourse under Tenant's Lease.

The Commission may take action against Tenants under their lease agreements, irrespective of any other penalties under this Ordinance.

**SECTION 9 - GENERAL PROVISIONS.**

9.1 Notice of Violations.

Notice as required by Section 7, or any other notice required by this Ordinance to be given to an individual, is sufficient if delivered in Person, sent by U.S. mail to the last address on file with the Commission, or sent by email to the last email address on file with the Commission. Time of "issuance" means when the notice is hand delivered, placed in the mail, or emailed.

9.2 Provisions Severable.

If any part of this Ordinance is declared unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

9.3 Effective Date.

This Ordinance is effective January 1, 2026.

9.4 Repealer.

On the effective date of this Ordinance, Ordinance No. 117 is revoked. This Ordinance supersedes any provisions of other Ordinances or special regulations that may be inconsistent.