

APPENDIX F TO PART 91—HELICOPTER FLIGHT RECORDER SPECIFICATIONS—Continued

Parameters	Range	Installed system ¹ minimum accuracy (to recovered data)	Sampling interval (per second)	Resolution ³ read out
Controllable Stabilator Position.	Full range	±3%	2	1% ² .

¹When data sources are aircraft instruments (except altimeters) of acceptable quality to fly the aircraft the recording system excluding these sensors (but including all other characteristics of the recording system) shall contribute no more than half of the values in this column.

²Per cent of full range.

³This column applies to aircraft manufactured after October 11, 1991.

[Doc. No. 18334, 54 FR 34328, Aug. 18, 1989; 54 FR 41211, Oct. 5, 1989; 54 FR 53036, Dec. 26, 1989]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

SPECIAL FEDERAL AVIATION REGULATION
SFAR No. 60 [NOTE]

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APPENDIX A TO PART 93—ANCHORAGE AIRPORT TRAFFIC AREA: TRAFFIC PATTERNS

AUTHORITY: 49 U.S.C. 106(g), 40103, 40106, 40109, 40113, 44502, 44514, 44701, 44719, 46301.

SFAR No. 60

EDITORIAL NOTE: For the text of SFAR No. 60, see part 91 of this chapter.

Subpart A—General

§93.1 Applicability.

(a) This part prescribes special airport traffic patterns and airport traffic areas. It also prescribes special air traffic rules for operating aircraft in those traffic patterns and traffic areas and in the vicinity of airports described in this part.

(b) Unless otherwise authorized by ATC, each person operating an aircraft shall do so in accordance with the special air traffic rules in this part in addition to other applicable rules in part 91 of this chapter.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93-10, 33 FR 4096, Mar. 2, 1968; Amdt. 93-15, 34 FR 2603, Feb. 26, 1969; Amdt. 93-33, 41 FR 14879, Apr. 8, 1976; Amdt. 93-64, 56 FR 65662, Dec. 17, 1991]

Subparts B–C—[Reserved]

Subpart D—Anchorage, Alaska, Terminal Area

SOURCE: Docket No. 1580, 28 FR 6715, June 29, 1963, unless otherwise noted.

§93.51 Applicability.

This subpart prescribes the Anchorage, Alaska, Airport traffic area and special traffic patterns for that airport and other airports in the vicinity of Anchorage. It prescribes special air traffic rules for that area and those patterns. In addition, it prescribes rules governing the operation of aircraft in the vicinity of the airports described herein.

§93.53 Description of area.

The Anchorage Airport traffic area is designated as that airspace extending upward from the surface to, but not including, 3,000 feet MSL. It is bounded by a line beginning at Point MacKenzie extending westerly along the bank of Knik Arm to a point intersecting an arc of five-statute-mile radius circle centered on the geographical center of Anchorage International Airport; thence counterclockwise along that arc to its intersection with the new Seward Highway; thence northerly along the new Seward Highway to its intersection with Tudor Road; thence easterly along Tudor Road to its intersection with Muldoon Road; thence northerly along Muldoon Road to a point one-half statute mile south of Glenn Highway; thence northeasterly along a line one-half statute mile east of and parallel to Glenn Highway to its intersection with a line one-half statute mile east of and parallel to Bryant Airport runway 16/34; thence northeastward along this line to its intersection with a point which is lat. 61°17'15" N., long. 149°37'10" W.; thence west to lat. 61°17'15" N., long. 149°42'25" W.; thence northwest to lat. 61°19'12" N., long. 149°46'36" W.; thence via an arc of a five-statute-mile radius circle centered on the geographical center of Elmendorf Air Force Base; thence counterclockwise along this arc to its intersection with the west bank of Knik Arm; thence southerly along the west bank of Knik Arm to the point of beginning. However, it does not include the following:

(a) That airspace at and below 600 feet MSL, north of a line beginning at the intersection of Farrell Road and the northeast boundary of the airport traffic area extending westerly along Farrell Road to the east end of Sixmile Lake; thence along a line bearing on the middle of Lake Lorraine to the boundary of the airport traffic area.

(b) That airspace at and below 600 feet MSL, south of a line beginning at the intersection of the new Seward Highway and Dimond Boulevard extending westerly along Dimond Boulevard to Sand Lake Road thence due west to the boundary of the airport traffic area.

(c) [Reserved]

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(d) That airspace described as the “Bryant segment” in §93.55(e), when the Bryant control tower is not in operation.

[Doc. No. 12425, 39 FR 32551, Sept. 9, 1974, as amended by Amdt. 93–51, 51 FR 18312, May 19, 1986]

§93.55 Subdivision of area.

The Anchorage Airport traffic area is subdivided as follows:

(a) *International segment.* That area lying within a line beginning at the International Airport control tower extending northwesterly on a direct line toward the substation to the airport traffic area boundary; thence counterclockwise along the airport traffic area boundary to its intersection with International Airport Road; thence westerly along International Airport Road to the point of beginning.

(b) *Merrill segment.* That area lying within a line beginning at Point MacKenzie extending directly to the mouth of Fish Creek; thence along Fish Creek to Northern Lights Boulevard; thence direct to the intersection of Tudor Road and the new Seward Highway; thence east and north along the airport traffic area boundary to a point directly east of the intersection of Glenn Highway and Boniface Parkway; thence due west on a direct line through that intersection to Ship Creek; thence along Ship Creek to its mouth; thence on a direct line toward the center of Lake Lorraine to the airport traffic area boundary; thence counterclockwise along the airport traffic area boundary to the point of beginning.

(c) *Lake Hood segment.* That area lying between the International segment and the Merrill segment.

(d) *Elmendorf segment.* That area lying within a line beginning at the intersection of the airport traffic area boundary with Loop Road, extending southerly along Loop Road to Davis Highway; thence due south to the north boundary of the Merrill segment; thence westward along the north boundary of the Merrill segment to the airport traffic area boundary; thence clockwise along the airport traffic area boundary to the point of beginning.

(e) *Bryant segment.* That area lying east of the Elmendorf segment.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93–29, 39 FR 32552, Sept. 9, 1974; Amdt. 93–51, 51 FR 18312, May 19, 1986]

§93.57 General rules: All segments.

(a) Each person piloting an aircraft to, from or on an airport within the airport traffic area shall operate it according to the rules set forth in this section and §93.59, §93.61, §93.63, §93.65, or §93.67, as applicable, unless otherwise authorized or required by ATC.

(b) Each person piloting an airplane shall conform to the flow of traffic shown on the appropriate diagram in appendix A.

(c) Each person piloting a helicopter shall operate it in a manner avoiding the flow of airplanes.

(d) Except as provided in §93.65 (d) and (e), each person piloting an aircraft in the airport traffic area shall operate it only within the designated segment containing the airport of landing or takeoff.

(e) Except as provided in §93.63(d), each person piloting an aircraft shall maintain two-way radio communications with the control tower serving the segment containing the airport of landing or takeoff.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93–8, 30 FR 8568, July 7, 1965; Amdt. 93–29, 39 FR 32552, Sept. 9, 1974]

§93.59 General rules: International segment.

(a) No person may pilot an aircraft at an altitude between 1,200 feet MSL and 2,000 feet MSL in that part of the segment lying north of the midchannel of Knik Arm.

(b) Each person piloting an airplane at a speed of more than 105 knots within the segment (except that part described in paragraph (a) of this section) shall operate it at an altitude of at least 1,600 feet MSL until maneuvering for a safe landing requires further descent.

(c) Each person piloting an airplane at a speed of 105 knots or less within the segment (except that part described in paragraph (a) of this section) shall operate it at an altitude of at least 900 feet MSL until maneuvering

for a safe landing requires further descent.

§ 93.61 General rules: Lake Hood segment.

(a) No person may pilot an aircraft at an altitude between 1,200 feet MSL and 2,000 feet MSL in that part of the segment lying north of the midchannel of Knik Arm.

(b) Each person piloting an airplane within the segment (except that part described in paragraph (a) of this section) shall operate it at an altitude of at least 600 feet MSL until maneuvering for a safe landing requires further descent.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93-51, 51 FR 18312, May 19, 1986]

§ 93.63 General rules: Merrill segment.

(a) No person may pilot an aircraft at an altitude between 600 feet MSL and 2,000 feet MSL in that part of the segment lying north of the midchannel of Knik Arm.

(b) Each person piloting an airplane at a speed of more than 105 knots within the segment (except that part described in paragraph (a) of this section) shall operate it at an altitude of at least 1,200 feet MSL until maneuvering for a safe landing requires further descent.

(c) Each person piloting an airplane at a speed of 105 knots or less within the segment (except that part described in paragraph (a) of this section) shall operate it at an altitude of at least 900 feet MSL until maneuvering for a safe landing requires further descent.

(d) Whenever the Merrill control tower is not operating, each person piloting an aircraft within the segment shall maintain two-way radio communication with the Anchorage Flight Service Station.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93-6, 29 FR 15949, Dec. 1, 1964; Amdt. 93-29, 39 FR 32552, Sept. 9, 1974]

§ 93.65 General rules: Elmendorf segment.

(a) Each person piloting a turbine-powered airplane within the segment shall operate it at an altitude of at least 1,700 feet MSL until maneuvering

for a safe landing requires further descent.

(b) Each person piloting an airplane (other than turbine powered) at a speed of more than 105 knots within the segment shall operate it at an altitude of at least 1,200 feet MSL until maneuvering for a safe landing requires further descent.

(c) Each person piloting an airplane (other than turbine powered) at a speed of 105 knots or less within the segment shall operate it at an altitude of at least 700 feet MSL until maneuvering for a safe landing requires further descent.

(d) A person landing or taking off an aircraft from Elmendorf Airport may operate it at an altitude between 1,500 feet MSL and 1,700 feet MSL within those parts of the International and Lake Hood segments lying north of the midchannel of Knik Arm.

(e) A person landing or taking off an aircraft from Elmendorf Airport may operate it at an altitude between 900 feet MSL and 1,700 feet MSL within that part of the Merrill segment lying north of the midchannel of Knik Arm.

§ 93.67 General rules: Bryant segment.

(a) Each person piloting an airplane within the segment shall operate it at an altitude of at least 1,000 feet MSL until maneuvering for a safe landing requires further descent.

(b) Whenever Bryant control tower is not operating, each person piloting an aircraft to or from the Bryant Airport shall conform to the flow of traffic shown on the appropriate diagram in appendix A of this part, and, while in the traffic pattern, shall operate at an altitude of at least 1,000 feet m.s.l. until maneuvering for a safe landing requires further descent.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93-8, 30 FR 8568, July 7, 1965]

§ 93.69 Special requirements, Lake Campbell and Sixmile Lake Airports.

Each person piloting an aircraft to or from Lake Campbell or Sixmile Lake Airport shall conform to the flow of traffic for the Lake operations that are

shown on the appropriate diagram in appendix A.

[Doc. No. 1580, 28 FR 6715, June 29, 1963, as amended by Amdt. 93–8, 30 FR 8568, July 7, 1965]

Subpart E—[Reserved]

Subpart F—Valparaiso, Florida, Terminal Area

§ 93.81 Applicability and description of area.

(a) This subpart prescribes the Valparaiso, Florida Terminal Area, and the special air traffic rules for operating aircraft within that Area.

(b) The Valparaiso, Florida Terminal Area is designated as follows:

(1) North-South Corridor. The North-South Corridor includes the airspace extending upward from the surface up to, but not including, 18,000 feet MSL, bounded by a line beginning at:

Latitude 30°42'51" N., Longitude 86°38'02" W.;
to
Latitude 30°43'18" N., Longitude 86°27'37" W.;
to
Latitude 30°37'01" N., Longitude 86°27'37" W.;
to
Latitude 30°37'01" N., Longitude 86°25'30" W.;
to
Latitude 30°33'01" N., Longitude 86°25'30" W.;
to
Latitude 30°33'01" N., Longitude 86°25'00" W.;
to
Latitude 30°25'01" N., Longitude 86°25'00" W.;
to
Latitude 30°25'01" N., Longitude 86°38'12" W.;
to
Latitude 30°29'02" N., Longitude 86°38'02" W.;
to point of beginning.

(2) East-West Corridor—The East-West Corridor is divided into three sections to accommodate the different altitudes as portions of the corridor underlie restricted areas R-2915C, R-2919B, and R-2914B.

(i) The west section would include that airspace extending upward from the surface to but not including 8,500 feet MSL, bounded by a line beginning at: Latitude 30°22'47" N., Longitude 86°51'30" W.; then along the shoreline to Latitude 30°23'46" N., Longitude 86°38'15" W.; to Latitude 30°20'51" N., Longitude 86°38'50" W.; then 3 NM from and parallel to the shoreline to Latitude 30°19'31" N., Longitude 86°51'30" W.; to the beginning.

(ii) The center section would include that airspace extending upward from the surface to but not including 18,000 feet MSL, bounded by a line beginning at:

Latitude 30°25'01" N., Longitude 86°38'12" W.;
to
Latitude 30°25'01" N., Longitude 86°25'00" W.;
to
Latitude 30°25'01" N., Longitude 86°22'26" W.;
to
Latitude 30°19'46" N., Longitude 86°23'45" W.;
then 3 NM from and parallel to the shoreline to Latitude 30°20'51" N., Longitude 86°38'50" W.; to Latitude 30°23'46" N., Longitude 86°38'15" W.; to the beginning.

(iii) The east section would include that airspace extending upward from the surface to but not including 8,500 feet MSL, bounded by a line beginning at:

Latitude 30°25'01" N., Longitude 86°22'26" W.;
to
Latitude 30°22'01" N., Longitude 86°08'00" W.;
to
Latitude 30°19'16" N., Longitude 85°56'00" W.;
to
Latitude 30°11'01" N., Longitude 85°56'00" W.;
then 3 NM from and parallel to the shoreline to Latitude 30°19'46" N., Longitude 86°23'45" W.; to the beginning.

[Amdt. 93–70, 59 FR 46154, Sept. 6, 1994]

§ 93.83 Aircraft operations.

(a) *North-South Corridor.* Unless otherwise authorized by ATC (including the Eglin Radar Control Facility), no person may operate an aircraft in flight within the North-South Corridor designated in § 93.81(b)(1) unless—

(1) Before operating within the corridor, that person obtains a clearance from the Eglin Radar Control Facility or an appropriate FAA ATC facility; and

(2) That person maintains two-way radio communication with the Eglin Radar Control Facility or an appropriate FAA ATC facility while within the corridor.

(b) *East-West Corridor.* Unless otherwise authorized by ATC (including the Eglin Radar Control Facility), no person may operate an aircraft in flight within the East-West Corridor designated in § 93.81(b)(2) unless—

(1) Before operating within the corridor, that person establishes two-way radio communications with Eglin

Radar Control Facility or an appropriate FAA ATC facility and receives an ATC advisory concerning operations being conducted therein; and

(2) That person maintains two-way radio communications with the Eglin Radar Control Facility or an appropriate FAA ATC facility while within the corridor.

[Amdt. 93-70, 59 FR 46155, Sept. 6, 1994]

Subparts G—I [Reserved]

Subpart J—Lorain County Regional Airport Traffic Rule

§ 93.117 Applicability.

This subpart prescribes a special air traffic rule for the Lorain County Regional Airport, Lorain County, OH.

[Doc. No. 8669, 33 FR 11749, Aug. 20, 1968]

§ 93.119 Aircraft operations.

Each person piloting an airplane landing at the Lorain County Regional Airport shall enter the traffic pattern north of the airport and shall execute a right traffic pattern for a landing to the southwest or a left traffic pattern for a landing to the northeast. Each person taking off from the airport shall execute a departure turn to the north as soon as practicable after takeoff.

[Doc. No. 8669, 33 FR 11749, Aug. 20, 1968]

Subpart K—High Density Traffic Airports

§ 93.121 Applicability.

This subpart designates high density traffic airports and prescribes air traffic rules for operating aircraft, other than helicopters, to or from those airports.

[Doc. No. 9974, 35 FR 16592, Oct. 24, 1970, as amended by Amdt. 93-27, 38 FR 29464, Oct. 25, 1973]

§ 93.123 High density traffic airports.

(a) Each of the following airports is designated as a high density traffic airport and, except as provided in § 93.129 and paragraph (b) of this section, or unless otherwise authorized by ATC, is limited to the hourly number of allocated IFR operations (takeoffs and landings) that may be reserved for the

specified classes of users for that airport:

IFR OPERATIONS PER HOUR

AIRPORT				
Class of user	LaGuardia ⁴	Newark	O'Hare ^{2,3}	Washington National ¹
Air carriers	48	40	120	37
Commuters	14	10	25	11
Other	6	10	10	12

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	Air carriers	Commuters	Other
1500	69	15	2
1600	74	12	2
1700	80	13	0
1800	75	10	2
1900	63	12	2

¹Washington National Airport operations are subject to modifications per Section 93.124.

²The hour period in effect at O'Hare begins at 6:45 a.m. and continues in 30-minute increments until 9:15 p.m.

³Operations at O'Hare International Airport shall not—

(a) Except as provided in paragraph (c) of the note, exceed 62 for air carriers and 13 for commuters and 5 for "other" during any 30-minute period beginning at 6:45 a.m. and continuing every 30 minutes thereafter.

(b) Except as provided in paragraph (c) of the note, exceed more than 120 for air carriers, 25 for commuters, and 10 for "other" in any two consecutive 30-minute periods.

(c) For the hours beginning at 6:45 a.m., 7:45 a.m., 11:45 a.m., 7:45 p.m. and 8:45 p.m., the hourly limitations shall be 105 for air carriers, 40 for commuters and 10 for "other," and the 30-minute limitations shall be 55 for air carriers, 20 for commuters and 5 for "other." For the hour beginning at 3:45 p.m., the hourly limitations shall be 115 for air carriers, 30 for commuters and 10 for "others", and the 30-minute limitations shall be 60 for air carriers, 15 for commuters and 5 for "other."

⁴Operations at LaGuardia Airport shall not—

(a) Exceed 26 for air carriers, 7 for commuters and 3 for "other" during any 30-minute period.

(b) Exceed 48 for air carriers, 14 for commuters, and 6 for "other" in any two consecutive 30-minute periods.

(b) The following exceptions apply to the allocations of reservations prescribed in paragraph (a) Of this section.

(1) The allocations of reservations among the several classes of users do not apply from 12 midnight to 6 a.m. local time, but the totala hourly limitation remains applicable.

(2) [Reserved]

(3) The allocation of 37 IFR reservations per hour for air carriers except commuters at Washington National Airport does not include charter flights, or other nonscheduled flights of scheduled or supplemental air carriers. These flights may be conducted without regard to the limitation of 37 IFR reservations per hour.

(4) The allocation of IFR reservations for air carriers except commuters at LaGuardia, Newark, O'Hare, and Washington National Airports does not include extra sections of scheduled flights. The allocation of IFR reservations for scheduled commuters at Washington National Airport does not include extra sections of scheduled flights. These flights may be conducted without regard to the limitation upon the hourly IFR reservations at those airports.

(5) Any reservation allocated to, but not taken by, air carrier operations (except commuters) is available for a scheduled commuter operation.

(6) Any reservation allocated to, but not taken by, air carrier operations (except commuters) or scheduled commuter operations is available for other operations.

(c) For purposes of this subpart—

(1) The number of operations allocated to *air carriers except commuters*, as used in paragraph (a) of this section refers to the number of operations conducted by air carriers with turboprop and reciprocating engine aircraft having a certificated maximum passenger seating capacity of 75 or more or with turbojet powered aircraft having a certificated maximum passenger seating capacity of 56 or more, or, if used for cargo service in air transportation, with any aircraft having a maximum payload capacity of 18,000 pounds or more.

(2) The number of operations allocated to *scheduled commuters*, as used in paragraph (a) of this section, refers to the number of operations conducted by air carriers with turboprop and reciprocating engine aircraft having a certificated maximum passenger seating capacity of less than 75 or by turbojet aircraft having a certificated maximum passenger seating capacity of less than 56, or, if used for cargo service in air transportation, with any aircraft having a maximum payload capacity of less than 18,000 pounds.

(3) Notwithstanding the provisions of paragraph (c)(2) of this section, a limited number of operations allocated for "scheduled commuters" under paragraph (a) of this section may be conducted with aircraft described in

§ 93.221(e) of this part pursuant to the requirements of § 93.221(e).

[Doc. No. 9113, 34 FR 2603, Feb. 26, 1969, as amended by Amdt. 93-37, 45 FR 62408, Sept. 18, 1980; Amdt. 93-44, 46 FR 58048, Nov. 27, 1981; Amdt. 93-46, 49 FR 8244, Mar. 6, 1984; Amdt. 93-57, 54 FR 34906, Aug. 22, 1989; 54 FR 37303, Sept. 8, 1989; Amdt. 93-59, 54 FR 39843, Sept. 28, 1989; Amdt. 93-62, 56 FR 41207, Aug. 19, 1991]

§ 93.125 Arrival or departure reservation.

Except between 12 Midnight and 6 a.m. local time, no person may operate an aircraft to or from an airport designated as a high density traffic airport unless he has received, for that operation, an arrival or departure reservation from ATC.

[Doc. No. 9974, 37 FR 22794, Oct. 25, 1972]

§ 93.129 Additional operations.

(a) *IFR*. The operator of an aircraft may take off or land the aircraft under IFR at a designated high density traffic airport without regard to the maximum number of operations allocated for that airport if the operation is not a scheduled operation to or from a high density airport and he obtains a departure or arrival reservation, as appropriate, from ATC. The reservation is granted by ATC whenever the aircraft may be accommodated without significant additional delay to the operations allocated for the airport for which the reservations is requested.

(b) *VFR*. The operator of an aircraft may take off and land the aircraft under VFR at a designated high density traffic airport without regard to the maximum number of operations allocated for that airport if the operation is not a scheduled operation to or from a high density airport and he obtains a departure or arrival reservation, as appropriate, from ATC. The reservation is granted by ATC whenever the aircraft may be accommodated without significant additional delay to the operations allocated for the airport for which the reservation is requested and the ceiling reported at the airport is at least 1,000 feet and the ground visibility reported at the airport is at least 3 miles.

(c) For the purpose of this section a *scheduled operation to or from the high*

density airport is any operation regularly conducted by an air carrier or commuter between a high density airport and another point regularly served by that operator unless the service is conducted pursuant to irregular charter or hiring of aircraft or is a nonpassenger flight.

(d) An aircraft operator must obtain an IFR reservation in accordance with procedures established by the Administrator. For IFR flights to or from a high density airport, reservations for takeoff and arrival shall be obtained prior to takeoff.

[Doc. No. 9113, 34 FR 2603, Feb. 26, 1969, as amended by Amdt. 93-25, 37 FR 22794, Oct. 25, 1972; Amdt. 93-44, 46 FR 58049, Nov. 27, 1981; Amdt. 93-46, 49 FR 8244, Mar. 6, 1984]

§ 93.130 Suspension of allocations.

The Administrator may suspend the effectiveness of any allocation prescribed in § 93.123 and the reservation requirements prescribed in § 93.125 if he finds such action to be consistent with the efficient use of the airspace. Such suspension may be terminated whenever the Administrator determines that such action is necessary for the efficient use of the airspace.

[Doc. No. 9974, 35 FR 16592, Oct. 24, 1970, as amended by Amdt. 93-21, 35 FR 16636, Oct. 27, 1970; Amdt. 93-27, 38 FR 29464, Oct. 25, 1973]

§ 93.133 Exceptions.

Except as provided in § 93.130, the provisions of §§ 93.123 and 93.125 do not apply to—

- (a) The Newark Airport, Newark, NJ;
- (b) The Kennedy International Airport, New York, NY, except during the hours from 3 p.m. through 7:59 p.m., local time; and
- (c) O'Hare International Airport from 9:15 p.m. to 6:44 a.m., local time.

[Doc. No. 24471, Amdt. 93-46, 49 FR 8244, Mar. 6, 1984]

Subpart L—[Reserved]

Subpart M—Ketchikan International Airport Traffic Rule

SOURCE: Docket No. 14687, 41 FR 14879, Apr. 8, 1976, unless otherwise noted.

§ 93.151 Applicability.

This subpart prescribes special air traffic rules and communications requirements for persons operating aircraft, under VFR—

(a) To, from, or in the vicinity of the Ketchikan International Airport or Ketchikan Harbor.

(b) Within that airspace below 3,000 feet MSL within the lateral boundary of the surface area of the Ketchikan Class E airspace regardless of whether that airspace is in effect.

[Doc. No. 26653, 56 FR 48094, Sept. 23, 1991, as amended by Amdt. 93-64, 58 FR 32839, June 14, 1993]

§ 93.153 Communications.

(a) When the Ketchikan Flight Service Station is in operation, no person may operate an aircraft within the airspace specified in § 93.151, or taxi onto the runway at Ketchikan International Airport, unless that person has established two-way radio communications with the Ketchikan Flight Service Station for the purpose of receiving traffic advisories and continues to monitor the advisory frequency at all times while operating within the specified airspace.

(b) When the Ketchikan Flight Service Station is not in operation, no person may operate an aircraft within the airspace specified in § 93.151, or taxi onto the runway at Ketchikan International Airport, unless that person continuously monitors and communicates, as appropriate, on the designated common traffic advisory frequency as follows:

(1) *For inbound flights.* Announces position and intentions when no less than 10 miles from Ketchikan International Airport, and monitors the designated frequency until clear of the movement area on the airport or Ketchikan Harbor.

(2) *For departing flights.* Announces position and intentions prior to taxiing onto the active runway on the airport or onto the movement area of Ketchikan Harbor and monitors the designated frequency until outside the airspace described in § 93.151 and announces position and intentions upon departing that airspace.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, if two-way radio communications failure occurs in flight, a person may operate an aircraft within the airspace specified in § 93.151, and land, if weather conditions are at or above basic VFR weather minimums.

[Doc. No. 26653, 56 FR 48094, Sept. 23, 1991]

§ 93.155 Aircraft operations.

(a) When an advisory is received from the Ketchikan Flight Service Station stating that an aircraft is on final approach to the Ketchikan International Airport, no person may taxi onto the runway of that airport until the approaching aircraft has landed and has cleared the runway.

(b) Unless otherwise authorized by ATC, each person operating a large airplane or a turbine engine powered airplane shall—

(1) When approaching to land at the Ketchikan International Airport, maintain an altitude of at least 900 feet MSL until within three miles of the airport; and

(2) After takeoff from the Ketchikan International Airport, maintain runway heading until reaching an altitude of 900 feet MSL.

Subparts N–R—[Reserved]

Subpart S—Allocation of Commuter and Air Carrier IFR Operations at High Density Traffic Airports

SOURCE: Docket No. 24105, 50 FR 52195, Dec. 20, 1985, unless otherwise noted.

§ 93.211 Applicability.

(a) This subpart prescribes rules applicable to the allocation and withdrawal of IFR operational authority (takeoffs and landings) to individual air carriers and commuter operators at the High Density Traffic Airports identified in subpart K of this part except for Newark Airport.

(b) This subpart also prescribes rules concerning the transfer of allocated IFR operational authority and the use of that authority once allocated.

§ 93.213 Definitions and general provisions.

(a) For purposes of this subpart—

(1) *New entrant carrier* means a commuter operator or air carrier which does not hold a slot at a particular airport and has never sold or given up a slot at that airport after December 16, 1985.

(2) *Slot* means the operational authority to conduct one IFR landing or take-off operation each day during a specific hour or 30 minute period at one of the High Density Traffic Airports, as specified in subpart K of this part.

(3) *Summer season* means the period of time from the first Sunday in April until the last Sunday in October.

(4) *Winter season* means the period of time from the last Sunday in October until the first Sunday in April.

(5) *Limited incumbent carrier* means an air carrier or commuter operator that holds or operates fewer than 12 air carrier or commuter slots, in any combination, at a particular airport, not including international slots, Essential Air Service Program slots, or slots between the hours of 2200 and 0659 at Washington National Airport or LaGuardia Airport. However, for the purposes of this paragraph (a)(5), the carrier is considered to hold the number of slots at that airport that the carrier has, since December 16, 1985:

(i) Returned to the FAA;

(ii) Had recalled by the FAA under § 93.227(a); or

(iii) Transferred to another party other than by trade for one or more slots at the same airport.

(b) The definitions specified in subpart K of this part also apply to this subpart.

(c) For purposes of this subpart, if an air carrier, commuter operator, or other person has more than a 50-percent ownership or control of one or more other air carriers, commuter operators, or other persons, they shall be considered to be a single air carrier, commuter operator, or person. In addition, if a single company has more than a 50-percent ownership or control of two or more air carriers and/or commuter operators or any combination thereof, those air carriers and/or commuter operators shall be considered to be a single operator. A single operator

may be considered to be both an air carrier and commuter operator for purposes of this subpart.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21717, June 13, 1986; Amdt. 93-57, 54 FR 34906, Aug. 22, 1989; 54 FR 37303, Sept. 8, 1989; Amdt. 93-65, 57 FR 37314, Aug. 18, 1992]

§ 93.215 Initial allocation of slots.

(a) Each air carrier and commuter operator holding a permanent slot on December 16, 1985, as evidenced by the records of the air carrier and commuter operator scheduling committees, shall be allocated those slots subject to withdrawal under the provisions of this subpart. The Chief Counsel of the FAA shall be the final decisionmaker for initial allocation determinations.

(b) Any permanent slot whose use on December 16, 1985 is divided among different operators, by day of the week, or otherwise, as evidenced by records of the scheduling committees, shall be allocated in conformity with those records. The Chief Counsel of the FAA shall be the final decisionmaker for these determinations.

(c) A carrier may permanently designate a slot it holds at Kennedy International Airport as a seasonal slot, to be held by the carrier only during the corresponding season in future years, if it notifies the FAA (at the address specified in § 93.225(e)), in writing, the preceding winter seasons or by October 15 of the preceding year for summer seasons.

(d) Within 30 days after December 16, 1985, each U.S. air carrier and commuter operator must notify the office specified in § 93.221(a)(1), in writing, of those slots used for operations described in § 93.217(a)(1) on December 16, 1985.

(e) Any slot not held by an operator on December 16, 1985 shall be allocated in accordance with the provisions of § 93.217, 93.219 or 93.225 of this subpart.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21717, June 13, 1986]

§ 93.217 Allocation of slots for international operations and applicable limitations.

(a) Any air carrier or commuter operator having the authority to conduct

international operations shall be provided slots for those operations subject to the following conditions and the other provisions of this section:

(1) The slot may be used only for a flight segment in which either the takeoff or landing is at a foreign point or, for foreign operators, the flight segment is a continuation of a flight that begins or ends at a foreign point. Slots may be obtained and used under this section only for operations at Kennedy and O'Hare airports unless otherwise required by bilateral agreement and only for scheduled service unless the requesting carrier qualifies for the slot on the basis of historic seasonal operations, under § 93.217(a)(5).

(2) Slots used for an operation described in paragraph (a)(1) of this section may not be bought, sold, leased, or otherwise transferred, except that such a slot may be traded to another slot-holder on a one-for-one basis for a slot at the same airport in a different hour or half-hour period if the trade is for the purpose of conducting such an operation in a different hour or half-hour period.

(3) Slots used for operations described in paragraph (a)(1) of this section must be returned to the FAA if the slot will not be used for such operations for more than a 2-week period.

(4) Each air carrier or commuter operator having a slot that is used for operations described in paragraph (a)(1) of this section but is not used every day of the week shall notify the office specified in § 93.221(a)(1) in writing of those days on which the slots will not be used.

(5) Except as provided in paragraph (a)(10) of this section, at Kennedy and O'Hare Airports, a slot shall be allocated, upon request, for seasonal international operations, including charter operations, if the Chief Counsel of the FAA determines that the slot had been permanently allocated to and used by the requesting carrier in the same hour and for the same time period during the corresponding season of the preceding year. Requests for such slots must be submitted to the office specified in § 93.221(a)(1) by May 15 for operations to be conducted during the following winter season and by October 15 for the

following summer season. For operations during the 1986 summer season, requests under this paragraph must have been submitted to the FAA on or before February 1, 1986. Each carrier requesting a slot under this paragraph must submit its entire international schedule at the relevant airport for the particular season, noting which requests are in addition to or changes from the previous year.

(6) Except as provided in paragraph (a)(10) of this section, additional slots shall be allocated at O'Hare Airport for international scheduled air carrier and commuter operations (beyond those slots allocated under § 93.215 and § 93.217(a)(5)) if a request is submitted to the office specified in § 93.221(a)(1) by May 15 for operations to commence during the following winter season and by October 15 for operations to commence during the following summer season. These slots will be allocated at the time requested unless a slot is available within one hour of the requested time, in which case the unallocated slot will be used to satisfy the request.

(7) If required by bilateral agreement, additional slots shall be allocated at LaGuardia Airport for international scheduled passenger operations within the hour requested.

(8) To the extent vacant slots are available, additional slots during the high-density hours shall be allocated at Kennedy Airport for new international scheduled air carrier and commuter operations (beyond those operations for which slots have been allocated under §§ 93.215 and 93.217(a)(5)), if a request is submitted to the office specified in § 93.221(a)(1) by May 15 for operations to commence during the following winter season and by October 15 for operations to commence during the following summer season. In addition, slots may be withdrawn from domestic operations for operations at Kennedy Airport under this paragraph if required by international obligations.

(9) In determining the hour in which a slot request under §§ 93.217(a)(6) and 93.217(a)(8) will be granted, the following will be taken into consideration, among other things:

(i) The availability of vacant slot times;

(ii) International obligations;

(iii) Airport terminal capacity, including facilities and personnel of the U.S. Customs Service and the U.S. Immigration and Naturalization Service;

(iv) The extent and regularity of intended use of a slot; and

(v) Schedule constraints of carriers requesting slots.

(10) At O'Hare Airport, a slot will not be allocated under this section to a carrier holding or operating 100 or more permanent slots on the previous May 15 for a winter season or October 15 for a summer season unless:

(i) Allocation of the slot does not result in a total allocation to that carrier under this section that exceeds the number of slots allocated to and scheduled by that carrier under this section on February 23, 1990, and does not exceed by more than 2 the number of slots allocated to and scheduled by that carrier during any half hour of that day, or

(ii) Notwithstanding the number of slots allocated under paragraph (a)(10)(i) of this section, a slot is available for allocation without withdrawal of a permanent slot from any carrier.

(b) If a slot allocated under § 93.215 was scheduled for an operation described in paragraph (a)(1) of this section on December 16, 1985, its use shall be subject to the requirements of paragraphs (a)(1) through (a)(4) of this section. The requirements also apply to slots used for international operations at LaGuardia Airport.

(c) If a slot is offered to a carrier in other than the hour requested, the carrier shall have 14 days after the date of the offer to accept the newly offered slot. Acceptance must be in writing and sent to the office specified in § 93.221(a)(1) and must repeat the certified statements required by paragraph (e) of this section.

(d) The Office of the Secretary of Transportation reserves the right not to apply the provisions of this section, concerning the allocation of slots, to any foreign air carrier or commuter operator of a country that provides slots to U.S. air carriers and commuter operators on a basis more restrictive than provided by this subpart. Decisions not to apply the provisions of this section

will be made by the Office of the Secretary of Transportation.

(e) Each request for slots under this section shall state the airport, days of the week and time of the day of the desired slots and the period of time the slots are to be used. Each request shall identify whether the slot is requested under paragraph (a)(5), (6), or (8) and identify any changes from the previous year if requested under both paragraphs. The request must be accompanied by a certified statement signed by an officer of the operator indicating that the operator has or has contracted for aircraft capable of being utilized in using the slots requested and that the operator has bona fide plans to use the requested slots for operations described in paragraph (a).

[Doc. No. 24105, 51 FR 21717, June 13, 1986, as amended by Amdt. 93-61, 55 FR 53243, Dec. 27, 1990; 56 FR 1059, Jan. 10, 1991]

§ 93.219 Allocation of slots for essential air service operations and applicable limitations.

Whenever the Office of the Secretary of Transportation determines that slots are needed for operations to or from a High Density Traffic Airport under the Department of Transportation's Essential Air Service (EAS) Program, those slots shall be provided to the designated air carrier or commuter operator subject to the following limitations:

(a) Slots obtained under this section may not be bought, sold, leased or otherwise transferred, except that such slots may be traded for other slots on a one-for-one basis at the same airport.

(b) Any slot obtained under this section must be returned to the FAA if it will not be used for EAS purposes for more than a 2-week period. A slot returned under this paragraph may be reallocated to the operator which returned it upon request to the FAA office specified in § 93.221(a)(1) if that slot has not been reallocated to an operator to provide substitute essential air service.

(c) Slots shall be allocated for EAS purposes in a time period within 90 minutes of the time period requested.

(d) The Department will not honor requests for slots for EAS purposes to a point if the requesting carrier has pre-

viously traded away or sold slots it had used or obtained for use in providing essential air service to that point.

(e) Slots obtained under Civil Aeronautics Board Order No. 84-11-40 shall be considered to have been obtained under this section.

§ 93.221 Transfer of slots.

(a) Except as otherwise provided in this subpart, effective April 1, 1986, slots may be bought, sold or leased for any consideration and any time period and they may be traded in any combination for slots at the same airport or any other high density traffic airport. Transfers, including leases, shall comply with the following conditions:

(1) Requests for confirmation must be submitted in writing to Slot Administration Office, AGC-230, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, in a format to be prescribed by the Administrator. Requests will provide the names of the transferor and recipient; business address and telephone number of the persons representing the transferor and recipient; whether the slot is to be used for an arrival or departure; the date the slot was acquired by the transferor; the section of this subpart under which the slot was allocated to the transferor; whether the slot has been used by the transferor for international or essential air service operations; and whether the slot will be used by the recipient for international or essential air service operations. After withdrawal priorities have been established under § 93.223 of this part, the requests must include the slot designations of the transferred slots as described in § 93.223(b)(5).

(2) The slot transferred must come from the transferor's then-current FAA-approved base.

(3) Written evidence of each transferor's consent to the transfer must be provided to the FAA.

(4) The recipient of a transferred slot may not use the slot until written confirmation has been received from the FAA.

(5)(i) Until a slot obtained by a new entrant or limited incumbent carrier in a lottery held under § 93.225 after June 1, 1991, has been used by the carrier

that obtained it for a continuous 24-month period after the lottery in accordance with § 93.227(a), that slot may be transferred only by trade for one or more slots at the same airport or to other new entrant or limited incumbent carriers under § 93.221(a)(5)(iii). This transfer restriction shall apply to the same extent to any slot or slots acquired by trading the slot obtained in a lottery. To remove the transfer restriction, documentation of 24 months' continuous use must be submitted to the FAA Office of the Chief Counsel.

(ii) Failure to use a slot acquired by trading a slot obtained in a lottery for a continuous 24-month period after the lottery, shall void all trades involving the lottery slot, which shall be returned to the FAA. All use of the lottery slot shall be counted toward fulfilling the minimum use requirements under § 93.227(a) applicable to the slot or slots for which the lottery slot was traded, including subsequent trades.

(iii) Slots obtained by new entrant or limited incumbent carriers in a lottery may be sold, leased, or otherwise transferred to another entrant or limited incumbent carrier after a minimum of 60 days of use by the obtaining carrier. The transfer restrictions of § 93.221(a)(5)(i) shall continue to apply to the slot until documentation of 24 months' continuous use has been submitted and the transfer restriction removed.

(6) The Office of the Secretary of Transportation must determine that the transfer will not be injurious to the essential air service program.

(b) A record of each slot transfer shall be kept on file by the office specified in paragraph (a)(1) of this section and will be made available to the public upon request.

(c) Any person may buy or sell slots and any air carrier or commuter may use them. Notwithstanding § 93.123, air carrier slots may be used with aircraft of the kind described in § 93.123 (c)(1) or (c)(2) but commuter slots may only be used with aircraft of the kind described in § 93.0123(c)(2).

(d) Air carriers and commuter operators considered to be a single operator under the provisions of § 93.213(c) of this subpart but operating under separate names shall report transfers of slots between them.

(e) Notwithstanding § 93.123(c)(2) of this part, a commuter slot at O'Hare International Airport may be used with an aircraft described in § 93.123(c)(1) of this part on the following conditions:

(1) Air carrier aircraft that may be operated under this paragraph are limited to aircraft:

(i) Having an actual seating configuration of 110 or fewer passengers; and

(ii) Having a maximum certificated takeoff weight of less than 126,000 pounds.

(2) No more than 50 percent of the total number of commuter slots held by a slot holder at O'Hare International Airport may be used with aircraft described in paragraph (e)(1) of this section.

(3) An air carrier or commuter operator planning to operate an aircraft described in paragraph (e)(1) of this section in a commuter slot shall notify ATC at least 75 days in advance of the planned start date of such operation. The notice shall include the slot number, proposed time of operation, aircraft type, aircraft series, actual aircraft seating configuration, and planned start date. ATC will approve or disapprove the proposed operation no later than 45 days prior to the planned start date. If an operator does not initiate operation of a commuter slot under this section within 30 days of the planned start date first submitted to the FAA, the ATC approval for that operation will expire. That operator may file a new or revised notice for the same half-hour slot time.

(4) An operation may not be conducted under paragraph (e)(1) of this section unless a gate is available for that operation without planned waiting time.

(5) For the purposes of this paragraph (e), notice to ATC shall be submitted in writing to: Director, Air Traffic System Management, ATM-1, Federal

Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21717, June 13, 1986; Amdt. 93-58, 54 FR 39293, Sept. 25, 1989; Amdt. 93-62, 56 FR 41208, Aug. 19, 1991; Amdt. 93-65, 57 FR 37314, Aug. 18, 1992; Amdt. 93-68, 58 FR 39616, July 23, 1993]

§93.223 Slot withdrawal.

(a) Slots do not represent a property right but represent an operating privilege subject to absolute FAA control. Slots may be withdrawn at any time to fulfill the Department's operational needs, such as providing slots for international or essential air service operations or eliminating slots. Before withdrawing any slots under this section to provide them for international operations, essential air services or other operational needs, those slots returned under §93.224 of this part and those recalled by the agency under §93.227 will be allocated.

(b) Separate slot pools shall be established for air carriers and commuter operators at each airport. The FAA shall assign, by random lottery, withdrawal priority numbers for the recall priority of slots at each airport. Each additional permanent slot, if any, will be assigned the next higher number for air carrier or commuter slots, as appropriate, at each airport. Each slot shall be assigned a designation consisting of the applicable withdrawal priority number; the airport code; a code indicating whether the slot is an air carrier or commuter operator slot; and the time period of the slot. The designation shall also indicate, as appropriate, if the slot is daily or for certain days of the week only; is limited to arrivals or departures; is allocated for international operations or for EAS purposes; and, at Kennedy International Airport, is a summer or winter slot.

(c) Whenever slots must be withdrawn, they will be withdrawn in accordance with the priority list established under paragraph (b) of this section, except:

(1) Slots obtained in a lottery held pursuant to §93.225 of this part shall be subject to withdrawal pursuant to paragraph (i) of that section, and

(2) Slots necessary for international and essential air service operations shall be exempt from withdrawal for use for other international or essential air service operations.

(3) Except as provided in §93.227(a), the FAA shall not withdraw slots held at an airport by an air carrier or commuter operator holding and operating 12 or fewer slots at that airport (excluding slots used for operations described in §93.212(a)(1)), if withdrawal would reduce the number of slots held below the number of slots operated.

(d) The following withdrawal priority rule shall be used to permit application of the one-for-one trade provisions for international and essential air service slots and the slot withdrawal provisions where the slots are needed for other than international or essential air service operations. If an operator has more than one slot in a specific time period in which it also has a slot being used for international or essential air service operations, the international and essential air service slots will be considered to be those with the lowest withdrawal priority.

(e) The operator(s) using each slot to be withdrawn shall be notified by the FAA of the withdrawal and shall cease operations using that slot on the date indicated in the notice. Generally, the FAA will provide at least 30 days after notification for the operator to cease operations unless exigencies require a shorter time period.

(f) For 24 months following a lottery held after June 1, 1991, a slot acquired in that lottery shall be withdrawn by the FAA upon the sale, merger, or acquisition of more than 50 percent ownership or control of the carrier using that slot or one acquired by trade of that slot, if the resulting total of slots held or operated at the airport by the surviving entity would exceed 12 slots.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21718, June 13, 1986; Amdt. 93-57, 54 FR 34906, Aug. 22, 1989; Amdt. 93-65, 57 FR 37314, Aug. 18, 1992]

§93.224 Return of slots.

(a) Whenever a slot is required to be returned under this subpart, the holder must notify the office specified in §93.221(a)(1) in writing of the date after which the slot will not be used.

(b) Slots may be voluntarily returned for use by other operators by notifying the office specified in §93.221(a)(1) in writing.

§93.225 Lottery of available slots.

(a) Whenever the FAA determines that sufficient slots have become available for distribution for purposes other than international or essential air service operations, but generally not more than twice a year, they shall be allocated in accordance with the provisions of this section.

(b) A random lottery shall be held to determine the order of slot selection.

(c) Slot allocation lotteries shall be held on an airport-by-airport basis with separate lotteries for air carrier and commuter operator slots. The slots to be allocated in each lottery will be each unallocated slot not necessary for international or Essential Air Service Program operations, including any slot created by an increase in the operating limits set forth in §93.123(a).

(d) The FAA shall publish a notice in the FEDERAL REGISTER announcing any lottery dates. The notice may include special procedures to be in effect for the lotteries.

(e) Participation in a lottery is open to each U.S. air carrier or commuter operator operating at the airport and providing scheduled passenger service at the airport. Any U.S. carrier that is not operating scheduled service at the airport and has not failed to operate slots obtained in the previous lottery, or slots traded for those obtained by lottery, but wishes to initiate scheduled passenger service at the airport, shall be included in the lottery if that operator notifies, in writing, the Slot Administration Office, AGC-230, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591. The notification must be received 15 days prior to the lottery date and state whether there is any common ownership or control of, by, or with any other air carrier or commuter operator as defined in §93.213(c). New entrant and limited incumbent carriers will be permitted to complete their selections before participation by other incumbent carriers is initiated.

(f) At the lottery, each operator must make its selection within 5 minutes after being called or it shall lose its turn. If capacity still remains after each operator has had an opportunity to select slots, the allocation sequence will be repeated in the same order. An operator may select any two slots available at the airport during each sequence, except that new entrant carriers may select four slots, if available, in the first sequence.

(g) To select slots during a slot lottery session, a carrier must have appropriate economic authority for scheduled passenger service under Title IV of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1371 et seq.), and must hold FAA operating authority under part 121 or part 135 of this chapter as appropriate for the slots the operator seeks to select.

(h) During the first selection sequence, 25 percent of the slots available but no less than two slots shall be reserved for selection by new entrant carriers. If new entrant carriers do not select all of the slots set aside for new entrant carriers, limited incumbent carriers may select the remaining slots. If every participating new entrant carrier and limited incumbent carrier has ceased selection of available slots or has obtained 12 slots at that airport, other incumbent carriers may participate in selecting the remaining slots; however, slots selected by non-limited incumbent carriers will be allocated only until the date of the next lottery.

(i) Slots obtained under this section shall retain their withdrawal priority as established under §93.223. If the slot is newly created, a withdrawal priority shall be assigned. That priority number shall be higher than any other slot assigned a withdrawal number previously.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21718, June 13, 1986; Amdt. 93-58, 54 FR 39293, Sept. 25, 1989; Amdt. 93-65, 57 FR 37314, Aug. 18, 1992; 57 FR 47993, Oct. 21, 1992]

§93.226 Allocation of slots in low-demand periods.

(a) If there are available slots in the following time periods and there are no pending requests for international or

EAS operations at these times, FAA will allocate slots upon request on a first-come, first-served basis, as set forth in this section:

(1) Any period for which a slot is available less than 5 days per week.

(2) Any time period for which a slot is available for less than a full season.

(3) For LaGuardia and Washington National Airports:

(i) 6:00 a.m.-6:59 a.m.

(ii) 10:00 p.m.-midnight.

(b) Slots will be allocated only to operators with the economic and operating authority and aircraft required to use the slots.

(c) Requests for allocations under this section shall be submitted in writing to the address listed in §93.221(a)(1) and shall identify the request as made under this section.

(d) The FAA may deny requests made under this section after a determination that all remaining slots in a particular category should be distributed by lottery.

(e) Slots may be allocated on a seasonal or temporary basis under this provision.

[Doc. No. 24105, 51 FR 21718, June 13, 1986]

§93.227 Slot use and loss.

(a) Except as provided in paragraphs (b), (c), (d), (g), and (l) of this section, any slot not utilized 80 percent of the time over a 2-month period shall be recalled by the FAA.

(b) Paragraph (a) of this section does not apply to slots obtained under §93.225 of this part during:

(1) The first 90 days after they are allocated to a new entrant carrier; or

(2) The first 60 days after they are allocated to a limited incumbent or other incumbent carrier.

(c) Paragraph (a) of this section does not apply to slots of an operator forced by a strike to cease operations using those slots.

(d) In the case of a carrier that files for protection under the Federal bankruptcy laws and has not received a Notice of Withdrawal from the FAA for the subject slot or slots, paragraph (a) of this section does not apply:

(1) During a period after the initial petition in bankruptcy, to any slot held or operated by that carrier, for:

(i) 60 days after the carrier files the initial petition in bankruptcy; and

(ii) 30 days after the carrier, in anticipation of transferring slots, submits information to a Federal government agency in connection with a statutory antitrust, economic impact, or similar review of the transfer, provided that the information is submitted more than 30 days after filing the initial petition in bankruptcy, and provided further that any slot to be transferred has not become subject to withdrawal under any other provision of this §93.227; and

(2) During a period after a carrier ceases operations at an airport, to any slot held or operated by that carrier at that airport, for:

(i) 30 days after the carrier ceases operations at that airport, provided that the slot has not become subject to withdrawal under any other provision of this §93.227; and

(ii) 30 days after the parties to a proposed transfer of any such slot comply with requests for additional information by a Federal government agency in connection with an antitrust, economic impact, or similar investigation of the transfer, provided that—

(A) The original notice of the transfer is filed with the Federal agency within 30 days after the carrier ceases operation at the airport;

(B) The request for additional information is made within 10 days of the filing of the notice by the carrier;

(C) The carrier submits the additional information to the Federal agency within 15 days of the request by such agency; and

(D) Any slot to be transferred has not become subject to withdrawal under any other provision of this §93.227.

(e) Persons having slots withdrawn pursuant to paragraph (a) of this section must cease all use of those slots upon receipt of notice from the FAA.

(f) Persons holding slots but not using them pursuant to the provisions of paragraphs (b), (c) and (d) may lease those slots for use by others. A slot obtained in a lottery may not be leased after the expiration of the applicable time period specified in paragraph (b) of this section unless it has been operated for a 2-month period at least 65

percent of the time by the operator which obtained it in the lottery.

(g) This section does not apply to slots used for the operations described in §93.217(a)(1) except that a U.S. air carrier or commuter operator required to file a report under paragraph (i) of this section shall include all slots operated at the airport, including slots described in §93.217(a)(1).

(h) Within 30 days after an operator files for protection under the Federal bankruptcy laws, the FAA shall recall any slots of that operator, if—(1) the slots were formerly used for essential air service and (2) the Office of the Secretary of Transportation determines those slots are required to provide substitute essential air service to or from the same points.

(i) Every air carrier and commuter operator or other person holding a slot at a high density airport shall, within 14 days after the last day of the 2-month period beginning January 1, 1986, and every 2 months thereafter, forward, in writing, to the address identified in §93.221(a)(1), a list of all slots held by the air carrier, commuter operator or other person along with a listing of which air carrier or commuter operator actually operated the slot for each day of the 2-month period. The report shall identify the flight number for which the slot was used and the equipment used, and shall identify the flight as an arrival or departure. The report shall identify any common ownership or control of, by, or with any other carrier as defined in §93.213(c) of this subpart. The report shall be signed by a senior official of the air carrier or commuter operator. If the slot is held by an "other person," the report must be signed by an official representative.

(j) The Chief Counsel of the FAA may waive the requirements of paragraph (a) of this section in the event of a highly unusual and unpredictable condition which is beyond the control of the slot-holder and which exists for a period of 9 or more days. Examples of conditions which could justify waiver under this paragraph are weather conditions which result in the restricted operation of an airport for an extended period of time or the grounding of an aircraft type.

(k) The Chief Counsel of the FAA may, upon request, grant a waiver from the requirements of paragraph (a) of this section for a slot used for the domestic segment of an intercontinental all-cargo flight. To qualify for a waiver, a carrier must operate the slot a substantial percentage of the time and must return the slot to the FAA in advance for the time periods it will not be used.

(l) The FAA will treat as used any slot held by a carrier at a High Density Traffic Airport on Thanksgiving Day, the Friday following Thanksgiving Day, and the period from December 24 through the first Saturday in January.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21718, June 13, 1986; Amdt. 93-65, 57 FR 37315, Aug. 18, 1992; Amdt. 93-71, 59 FR 58771, Nov. 15, 1994]

Subpart T—Washington National Airport Traffic Rules

SOURCE: Docket No. 25143, 51 FR 43587, Dec. 3, 1986, unless otherwise noted.

§93.251 Applicability.

This subpart prescribes rules applicable to the operation of aircraft to or from Washington National Airport.

§93.253 Nonstop operations.

No person may operate an aircraft nonstop in air transportation between Washington National Airport and another airport that is more than 1,250 miles away from Washington National Airport.

Subpart U—Special Flight Rules in the Vicinity of Grand Canyon National Park, AZ

SOURCE: Doc. No. 28537, 61 FR 69330, Dec. 31, 1996, unless otherwise noted.

EFFECTIVE DATE NOTE: By Doc. No. 28537, 61 FR 69330, Dec. 31, 1996, Subpart U, consisting of §§93.301–93.317, was added to Part 93, effective May 1, 1997.

§93.301 Applicability.

This subpart prescribes special operating rules for all persons operating aircraft in the following airspace, designated as the Grand Canyon National Park Special Flight Rules Area: That airspace extending from the surface up

to but not including 18,000 feet MSL within an area bounded by a line beginning at Lat. 35°55'12" N., Long. 112°04'05" W.; east to Lat. 35°55'38" N., Long. 111°42'12" W.; north to Lat. 36°16'47" N., Long. 111°42'17" W.; to Lat. 36°24'49" N., Long. 111°47'45" W.; to Lat. 36°52'23" N., Long. 111°33'10" W.; west-northwest to Lat. 36°53'37" N., Long. 111°38'29" W.; southwest to Lat. 36°35'02" N., Long. 111°53'28" W.; to Lat. 36°21'30" N., Long. 112°00'03" W.; west-northwest to Lat. 36°30'30" N., Long. 112°35'59" W.; southwest to Lat. 36°24'46" N., Long. 112°51'10" W.; thence west along the boundary of Grand Canyon National Park (GCNP) to Lat. 36°14'08" N., Long. 113°10'07" W.; west-southwest to Lat. 36°09'50" N., Long. 114°01'53" W.; southeast to Lat. 36°06'24" N., Long. 113°58'46" W.; thence south along the boundary of GCNP to Lat. 36°00'23" N., Long. 113°54'11" W.; northeast to Lat. 36°02'14" N., Long. 113°50'16" W.; to Lat. 36°02'16" N., Long. 113°48'08" W.; thence southeast along the boundary of GCNP to Lat. 35°58'09" N., Long. 113°45'04" W.; southwest to Lat. 35°54'48" N., Long. 113°50'24" W.; southeast to Lat. 35°41'01" N., Long. 113°35'27" W.; thence clockwise via the 4.2-nautical mile radius of the Peach Springs VORTAC to Lat. 35°28'53" N., Long. 113°27'49" W.; northeast to Lat. 35°42'58" N., Long. 113°10'57" W.; north to Lat. 35°57'51" N., Long. 113°11'06" W.; east to Lat. 35°57'44" N., Long. 112°14'04" W.; thence clockwise via the 4.3-nautical mile radius of the Grand Canyon National Park Airport reference point (Lat. 35°57'08" N., Long. 112°08'49" W.) to the point of origin.

§93.303 Definitions.

For the purposes of this subpart:

(a) *Flight Standards District Office* means the FAA Flight Standards District Office with jurisdiction for the geographical area containing the Grand Canyon.

(b) *Park* means Grand Canyon National Park.

(c) *Special Flight Rules Area* means the Grand Canyon National Park Special Flight Rules Area.

§93.305 Flight-free zones and flight corridors.

Except in an emergency or if otherwise necessary for safety of flight, or

unless otherwise authorized by the Flight Standards District Office for a purpose listed in 93.309, no person may operate an aircraft in the Special Flight Rules Area within the following flight-free zones:

(a) *Desert View Flight-free Zone*. That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 35°59'58" N., Long. 111°52'47" W.; thence east and north along the GCNP boundary to Lat. 36°14'05" N., Long. 111°48'34" W.; southwest to Lat. 36°12'06" N., Long. 111°51'14" W.; to the point of origin; but not including the airspace at and above 10,500 feet MSL within 1 nautical mile of the western boundary of the zone. The corridor to the west, between the Desert View and Bright Angel Flight-free Zones, is designated the "Zuni Point Corridor." This corridor is 2 nautical miles wide for commercial sightseeing flights and 4 nautical miles wide for transient and general aviation operations.

(b) *Bright Angel Flight-free Zone*. That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 35°58'39" N., Long. 111°55'43" W.; north to Lat. 36°12'41" N., Long. 111°53'54" W.; northwest to Lat. 36°18'18" N., Long. 111°58'15" W.; thence west along the GCNP boundary to Lat. 36°20'11" N., Long. 112°06'25" W.; south-southwest to Lat. 36°09'31" N., Long. 112°11'15" W.; to Lat. 36°04'16" N., Long. 112°17'20" W.; thence southeast along the GCNP boundary to Lat. 36°01'54" N., Long. 112°11'24" W.; thence clockwise via the 4.3-nautical mile radius of the Grand Canyon National Park Airport reference point (Lat. 35°57'08" N., Long. 112°08'49" W.) to Lat. 35°59'37" N., Long. 112°04'29" W.; thence east along the GCNP boundary to the point of origin; but not including the airspace at and above 10,500 feet MSL within 1 nautical mile of the eastern boundary or the airspace at and above 10,500 feet MSL within 2 nautical miles of the northwestern boundary. The corridor to the east, between this flight-free zone and the Desert View Flight-free Zone, is designated the "Zuni Point Corridor." The corridor to the west, between the Bright Angel and Toroweap/Shinumo Flight-free Zones, is designated the

“Dragon Corridor.” This corridor is 2 nautical miles wide for commercial sightseeing flights and 4 nautical miles wide for transient and general aviation operations.

(c) *Toroweap/Shinumo Flight-free Zone.* That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 36°05'44" N., Long. 112°19'27" W.; north-northeast to Lat. 36°10'49" N., Long. 112°13'19" W.; to Lat. 36°21'02" N., Long. 112°08'47" W.; thence west and south along the GCNP boundary to Lat. 36°10'58" N., Long. 113°08'35" W.; south to Lat. 36°10'12" N., Long. 113°08'34" W.; thence northeast along the park boundary to Lat. 36°11'51" N., Long. 113°04'44" W.; thence counterclockwise via the 1.5-nautical mile radius of the Toroweap Overlook (Lat. 36°12'55" N., Long. 113°03'25" W.) to Lat. 36°13'46" N., Long. 113°01'54" W.; thence in an easterly direction along the park boundary to the point of origin; but not including the following airspace designated as the “Tuckup Corridor”: at or above 10,500 feet MSL within 2 nautical miles either side of a line extending between Lat. 36°24'42" N., Long. 112°48'47" W. and Lat. 36°14'17" N., Long. 112°48'31" W.

(d) *Sanup Flight-free Zone.* That airspace extending from the surface up to but not including 8,000 feet MSL within an area bounded by a line beginning at Lat. 36°02'38" N., Long. 113°21'11" W.; west to Lat. 36°06'20" N., Long. 113°51'40" W.; southeast to Lat. 36°00'07" N., Long. 113°42'58" W.; southeast to Lat. 35°59'37" N., Long. 113°42'47" W.; to Lat. 35°59'20" N., Long. 113°43'00" W.; to Lat. 35°58'40" N., Long. 113°43'58" W.; southeast to Lat. 35°50'16" N., Long. 113°37'13" W.; thence along the park boundary to the point of origin.

§ 93.307 Minimum flight altitudes.

Except in an emergency, or if otherwise necessary for safety of flight, or unless otherwise authorized by the Flight Standards District Office for a purpose listed in 93.309, no person may operate an aircraft in the Special Flight Rules Area at an altitude lower than the following:

(a) *Minimum sector altitudes—(1) Commercial sightseeing flights—(i) Marble*

Canyon Sector. Lees Ferry to Boundary Ridge: 6,000 feet MSL.

(ii) *Supai Sector.* Boundary Ridge to Supai Point: 7,500 feet MSL.

(iii) *Diamond Creek Sector.* Supai Point to Diamond Creek: 6,500 feet MSL.

(iv) *Pearce Ferry Sector.* Diamond Creek to the Grand Wash Cliffs: 5,000 feet MSL.

(2) *Transient and general aviation operations—(i) Marble Canyon Sector.* Lees Ferry to Boundary Ridge: 8,000 feet MSL.

(ii) *Supai Sector.* Boundary Ridge to Supai Point: 10,000 feet MSL.

(iii) *Diamond Creek Sector.* Supai Point to Diamond Creek: 9,000 feet MSL.

(iv) *Pearce Ferry Sector.* Diamond Creek to the Grand Wash Cliffs: 8,000 feet MSL.

(b) *Minimum corridor altitudes—(1) Commercial sightseeing flights—(i) Zuni Point Corridors.* 7,500 feet MSL.

(ii) *Dragon Corridor.* 7,500 feet MSL.

(2) *Transient and general aviation operations—(i) Zuni Point Corridor.* 10,500 feet MSL.

(ii) *Dragon Corridor.* 10,500 feet MSL.

(iii) *Tuckup Corridor.* 10,500 feet MSL.

§ 93.309 General operating procedures.

Except in an emergency, no person may operate an aircraft in the Special Flight Rules Area unless the operation is conducted in accordance with the following procedures. (NOTE: The following procedures do not relieve the pilot from see-and-avoid responsibility or compliance with the minimum safe altitude requirements specified in § 91.119 of this chapter.):

(a) Unless necessary to maintain a safe distance from other aircraft or terrain remain clear of the flight-free zones described in § 93.305;

(b) Unless necessary to maintain a safe distance from other aircraft or terrain, proceed through the Zuni Point, Dragon, and Tuckup Flight Corridors described in § 93.305 at the following altitudes unless otherwise authorized in writing by the Flight Standards District Office:

(1) *Northbound.* 11,500 or 13,500 feet MSL.

(2) *Southbound.* 10,500 or 12,500 feet MSL.

(c) For operation in the flight-free zones described in §93.305, or flight below the altitudes listed in §93.307, is authorized in writing by the Flight Standards District Office and is conducted in compliance with the conditions contained in that authorization. Normally authorization will be granted for operation in the areas described in §93.305 or below the altitudes listed in §93.307 only for operations of aircraft necessary for law enforcement, fire-fighting, emergency medical treatment/evacuation of persons in the vicinity of the Park; for support of Park maintenance or activities; or for aerial access to and maintenance of other property located within the Special Flight Rules Area. Authorization may be issued on a continuing basis;

(d) Is conducted in accordance with a specific authorization to operate in that airspace incorporated in the operator's operations specifications and approved by the Flight Standards District Office in accordance with the provisions of this subpart;

(e) Is a search and rescue mission directed by the U.S. Air Force Rescue Coordination Center;

(f) Is conducted within 3 nautical miles of Grand Canyon Bar Ten Airstrip, Pearce Ferry Airstrip, Cliff Dwellers Airstrip, or Marble Canyon Airstrip at an altitude less than 3,000 feet above airport elevation, for the purpose of landing at or taking off from that facility; or

(g) Is conducted under an instrument flight rules (IFR) clearance and the pilot is acting in accordance with ATC instructions. An IFR flight plan may not be filed on a route or at an altitude that would require operation in an area described in §93.305.

§93.311 Minimum terrain clearance.

Except in an emergency, when necessary for takeoff or landing, or unless otherwise authorized by the Flight Standards District Office for a purpose listed in §93.309(c), no person may operate an aircraft within 500 feet of any terrain or structure located between the north and south rims of the Grand Canyon.

§93.313 Communications.

Except when in contact with the Grand Canyon National Park Airport Traffic Control Tower during arrival or departure or on a search and rescue mission directed by the U.S. Air Force Rescue Coordination Center, no person may operate an aircraft in the Special Flight Rules Area unless he monitors the appropriate frequency continuously while in that airspace.

§93.315 Commercial sightseeing flight operations.

(a) Non-stop sightseeing flights that begin and end at the same airport, are conducted within a 25-statute-mile radius of that airport, and operate in or through the Special Flight Rules Area during any portion of the flight are governed by the provisions of part 119, SFAR 38-2 of parts 121 and 135 of this chapter, part 121, and part 135 of this chapter, as applicable.

(b) No person holding or required to hold an air carrier certificate or an operating certificate under SFAR No. 38-2 or part 119 of this chapter may operate an aircraft having a passenger-seat configuration of 30 or fewer seats, excluding each crewmember seat, and a payload capacity of 7,500 or less pounds, in the Special Flight Rules Area except as authorized by the applicable operations specifications.

§93.316 Commercial sightseeing limitations.

(a) Unless otherwise authorized by the Flight Standards District Office, no person shall conduct commercial sightseeing operations in the Dragon and Zuni Corridors during the following fixed flight-free periods:

(1) Summer season (May 1–September 30)—6 p.m. to 8 a.m. daily; and

(2) Winter season (October 1–April 30)—5 p.m. to 9 a.m. daily.

(b) No person may operate more commercial sightseeing aircraft in the Special Flight Rules Area than the highest number of aircraft that appeared on the certificate holder's operations specifications, and that were used for commercial sightseeing operations in the Grand Canyon Special Flight Rules Area, between July 31, 1996 and December 31, 1996.

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§ 93.317 Commercial sightseeing flight reporting requirements.

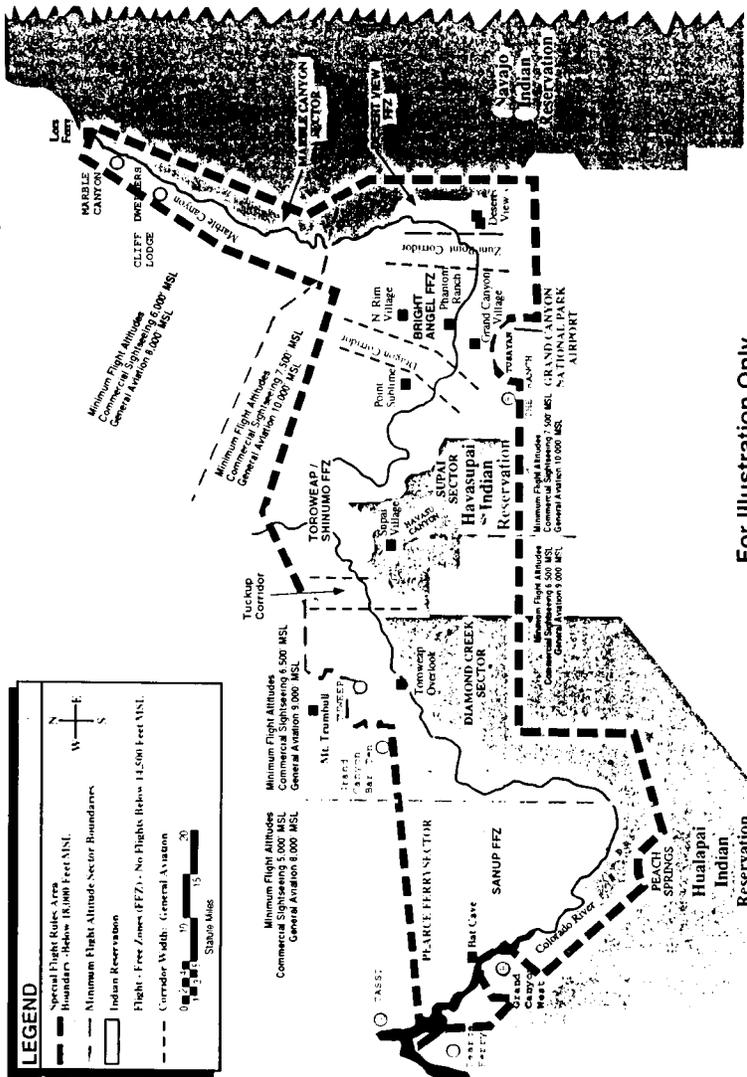
Each certificate holder conducting commercial sightseeing flights within the Special Flight Rules Area shall submit in writing, within 30 days after April 30, August 31, and December 31, of each year, to the Flight Standards District Office the following information for each operation within the Special Flight Rules Area for the prior 4-month period:

- (a) Identification number (registration number) of each aircraft;
- (b) Departure airport;
- (c) Departure date and time; and
- (d) Route(s) flown.

These reporting requirements continue through May 31, 2002.

APPENDIX TO SUBPART U—SPECIAL FLIGHT RULES IN THE VICINITY OF THE GRAND CANYON NATIONAL PARK, AZ

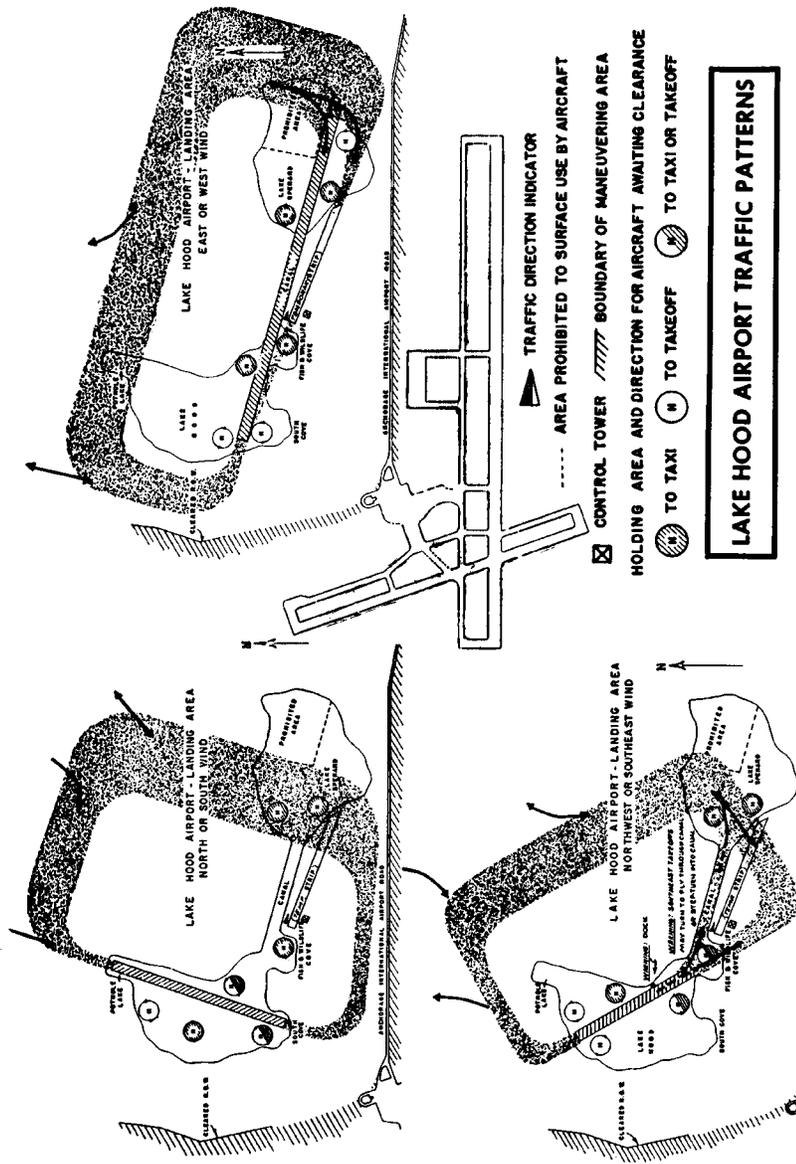
**PART 93 - SUBPART U
SPECIAL FLIGHT RULES IN THE VICINITY
OF THE GRAND CANYON NATIONAL PARK, AZ.**



LEGEND

- Special Flight Rules Area Boundary - Below 18,000 Feet MSL.
- Minimum Flight Altitude Sector Boundaries.
- Indian Reservations.
- Flight - Free Zones (FFZ) - No Flights Below 14,500 Feet MSL.
- Corridor Width: General Aviation.
- Scale: 0, 10, 20 Statute Miles.

**For Illustration Only
NOT FOR USE IN NAVIGATION**



(Sec. 6(c), Department of Transportation Act. (49 U.S.C. 1655(c)))
 IDoc. No. 1580, Amdt. 1-1, 28 FR 6717, June 29, 1963, as amended by Amdt. 93-29, 39 FR 32552, Sept. 9, 1974]

PART 95—IFR ALTITUDES**Subpart A—General**

Sec.

95.1 Applicability.

95.3 Symbols.

Subpart B—Designated Mountainous Areas

95.11 General.

95.13 Eastern United States Mountainous Area.

95.15 Western United States Mountainous Area.

95.17 Alaska Mountainous Area.

95.19 Hawaii Mountainous Area.

95.21 Puerto Rico Mountainous Area.

Subpart C—En Route IFR Altitudes Over Particular Routes and Intersections

95.31 General.

Subpart D—Changeover Points

95.8001 General.

AUTHORITY: 49 U.S.C. 106(g), 40103, 40113, and 14 CFR 11.49(b)(2).

Subpart A—General**§ 95.1 Applicability.**

(a) This part prescribes altitudes governing the operation of aircraft under IFR on Federal airways, jet routes, area navigation low or high routes, or other direct routes for which a MEA is designated in this part. In addition, it designates mountainous areas and changeover points.

(b) The MAA is the highest altitude on a Federal airway, jet route, area navigation low or high route, or other direct route for which a MEA is designated in this part at which adequate reception of navigation aid signals is assured.

(c) The MCA applies to the operation of an aircraft proceeding to a higher minimum en route altitude when crossing specified radio fixes.

(d) The MEA prescribed for a Federal airway or segment thereof, area navigation low or high route, or other direct route, applies to the entire width of the airway, segment or route between the radio fixes defining the airway, segment or route. An MEA prescribed for an off-airway route or route segment applies to the airspace five statute miles on each side of a direct

course between radio fixes defining that route or route segment.

(e) The MOCA applies to the operation of an aircraft within 25 statute miles of the VOR station concerned. The MOCA assures obstruction clearance between the fixes specified but adequate reception of navigational signals is assured only within 25 miles of the VOR station concerned.

(f) The MRA applies to the operation of an aircraft over an intersection used in the navigation of that aircraft. The MRA is the lowest altitude at which the intersection can be determined.

(g) The COP applies to operation of an aircraft along a Federal airway, jet route, area navigation low or high route, or other direct route for which a MEA is designated in this part. It is the most appropriate point for transfer of the airborne navigation reference between the facility or way point abaft the aircraft and the next appropriate facility or way point along the Federal airway, jet route, area navigation low or high route, or other direct route that provides:

(1) Continuous reception between facilities; and

(2) A common source of azimuth guidance for all aircraft operating along the same segment of the Federal airway, jet route, area navigation low or high route, or other direct route.

[Doc. No. 1580, 28 FR 6718, June 29, 1963, as amended by Amdt. 95-118, 29 FR 13166, Sept. 23, 1964; Amdt. 95-198, 35 FR 14610, Sept. 18, 1970]

§ 95.3 Symbols.

For the purposes of this part—

(a) *COP* means changeover point.

(b) *L* means compass locator;

(c) *LF/MF* means low frequency, medium frequency;

(d) *LFR* means low frequency radio range;

(e) *VOR-E* means VOR and distance measuring equipment; and

(f) *Z* means a very high frequency location marker.

[Doc. No. 1580, 28 FR 6718, June 29, 1963, as amended by Amdt. 95-118, 29 FR 13166, Sept. 23, 1964]