Section 6. Reporting Altitude-Keeping Errors

Each operator shall report to the Administrator each event in which the operator’s aircraft has exhibited the following altitude-keeping performance:

(a) Total vertical error of 300 feet or more;
(b) Altimetry system error of 245 feet or more; or
(c) Assigned altitude deviation of 300 feet or more.

Section 7. Removal or Amendment of Authority

The Administrator may amend operations specifications or management specifications issued under subpart K of this part to revoke or restrict an RVSM authorization, or may revoke or restrict an RVSM letter of authorization, if the Administrator determines that the operator is not complying, or is unable to comply, with this appendix or subpart H of this part. Examples of reasons for amendment, revocation, or restriction include, but are not limited to, an operator’s:

(a) Committing one or more altitude-keeping errors in RVSM airspace;
(b) Failing to make an effective and timely response to identify and correct an altitude-keeping error; or
(c) Failing to report an altitude-keeping error.

Section 8. Airspace Designation

(a) RVSM in the North Atlantic. (1) RVSM may be applied in the NAT in the following ICAO Flight Information Regions (FIRs): New York Oceanic, Gander Oceanic, Sondrestrom FIR, Reykjavik Oceanic, Shanwick Oceanic, and Santa Maria Oceanic.

(2) RVSM may be effective in the Minimum Navigation Performance Specification (MNPS) airspace within the NAT. The MNPS airspace within the NAT is defined by the volume of airspace between FL 285 and FL 420 (inclusive) extending between latitude 27 degrees north and the North Pole, bounded in the east by the eastern boundaries of control areas Santa Maria Oceanic, Shanwick Oceanic, and Reykjavik Oceanic and by the west by the western boundaries of control areas Reykjavik Oceanic, Gander Oceanic, and New York Oceanic, excluding the areas west of 60 degrees west and south of 38 degrees 30 minutes north.

(b) RVSM in the Pacific. (1) RVSM may be applied in the Pacific in the following ICAO Flight Information Regions (FIRs): Anchorage Arctic, Anchorage Continental, Anchorage Oceanic, Auckland Oceanic, Brisbane, Edmonton, Honiara, Los Angeles, Melbourne, Nadi, Naha, Nauru, New Zealand, Oakland, Oakland Oceanic, Port Moresby, Seattle, Tokyo, Ujung Pandang and Vancouver.

(c) RVSM in the West Atlantic Route System (WATRS). RVSM may be applied in the New York FIR portion of the West Atlantic Route System (WATRS). The area is defined as beginning at a point 38°30’N 60°00’W direct to 38°30’N 69°15’W direct to 38°20’N 69°37’W direct to 37°31’N 71°41’W direct to 37°13’N 72°40’W direct to 36°05’N 72°40’W direct to 34°54’N 72°57’W direct to 34°29’N 73°34’W direct to 34°33’N 73°41’W direct to 34°19’N 74°02’W direct to 34°14’N 75°57’W direct to 32°12’N 76°49’W direct to 32°26’N 77°00’W direct to 28°08’N 77°00’W direct to 27°50’N 78°32’W direct to 27°56’N 79°59’W direct to 25°00’N 80°25’W direct to 25°00’N 80°00’W to the point of beginning.

(d) RVSM in the United States. RVSM may be applied in the airspace of the 48 contiguous states, District of Columbia, and Alaska, including that airspace overlying the waters within 12 nautical miles of the coast.

(e) RVSM in the Gulf of Mexico. RVSM may be applied in the Gulf of Mexico in the following areas: Gulf of Mexico High Offshore Airspace, Houston Oceanic ICAO FIR and Miami Oceanic ICAO FIR.

(f) RVSM in Atlantic High Offshore Airspace and the San Juan FIR. RVSM may be applied in Atlantic High Offshore Airspace and in the San Juan ICAO FIR.


PART 93—SPECIAL AIR TRAFFIC RULES

SPECIAL FEDERAL AVIATION REGULATION NO. 60 [NOTES]

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Subparts B–C [Reserved]

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93.69 Special requirements, Lake Campbell and Sixmile Lake Airports.
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AUTHORITY: 49 U.S.C. 106(g), 40103, 40106,
40109, 40113, 44502, 44514, 44701, 44719, 46301.

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

Subpart A—General

§ 93.1 Applicability.

This part prescribes special air traffic rules for operating aircraft in cer-
tain areas described in this part, unless
otherwise authorized by air traffic con-

[Doc. No. FAA–2002–13235, 68 FR 9795, Feb. 28,
2003]

Subparts B–C [Reserved]

Subpart D—Anchorage, Alaska,
Terminal Area

SOURCE: Docket No. 29029, 64 FR 14976, Mar.
29, 1999, unless otherwise noted.

§ 93.51 Applicability.

This subpart prescribes special air traffic rules for aircraft operating in
the Anchorage, Alaska, Terminal Area.

[Doc. No. FAA–2002–13235, 68 FR 9795, Feb. 28,
2003]

§ 93.53 Description of area.

The Anchorage, Alaska, Terminal Area is designated as that airspace ex-
tending upward from the surface to the
upper limit of each of the segments de-
scribed in § 93.55. It is bounded by a line
beginning at Point MacKenzie, extend-
ing westerly along the bank of Knik
Arm to a point intersecting the 350°
bearing from the Anchorage Inter-
national ATCT; thence north to intercept
the 5.2-mile arc centered on the
geographical center of Anchorage,
Alaska, ATCT; thence coun-
terclockwise along that arc to its in-
tersection with a line bearing 180°
from

[Doc. No. FAA–2002–13235, 68 FR 9795, Feb. 28,
2003]

§ 93.55 Subdivision of Terminal Area.

The Anchorage, Alaska, Terminal Area is subdivided as follows:
(a) International segment. That area
from the surface to and including 4,100
feet MSL, within a 5.2-mile radius of
the Anchorage International ATCT; excluding that airspace east of the 350° bearing from the Anchorage International ATCT and north of the 090° bearing from the Anchorage International ATCT and east of a line bearing 180° and 360° from the intersection of the new Seward Highway and International Airport Road and the airspace extending upward from the surface to but not including 600 feet MSL, south of lat. 61°08′28″N.

(b) Merrill segment. That area from the surface to and including 2,500 feet MSL, within a line beginning at Point Noname; thence direct to the mouth of Ship Creek; thence direct to the point of beginning.

(c) Lake Hood segment. That area from the surface to and including 2,500 feet MSL, within a line beginning at Point Noname; thence direct to the mouth of Ship Creek; thence direct to the point of beginning.

(d) Merrill segment. That area from the surface to and including 2,500 feet MSL, within a line beginning at Point Noname; thence direct to the mouth of Ship Creek; thence direct to the point of beginning.

(e) Bryant segment. That area from the surface to and including 2,000 feet MSL, within a line beginning at lat. 61°17′13″N., long. 149°37′33″W.; thence west along lat. 61°17′13″N., to long. 149°43′08″W.; thence south along long. 149°43′08″W. to the Glenn Highway; thence north and east along the Glenn Highway to Ski Bowl Road; thence southeast along the Ski Bowl Road to a point one-half mile south of the Glenn Highway; thence north-east along a line one-half mile east of and parallel to the Bryant Airport Runway 16/34 extended centerline; thence north-east along a line one-half mile east of and parallel to Bryant Airport runway 16/34 extended centerline to the point of beginning.

(f) Seward Highway segment. That area from the surface to and including 4,100 feet MSL, within a line beginning at the intersection of a line bearing 180° from the intersection of the new Seward Highway and International Airport Road, and O’Malley Road; thence east along O’Malley Road to its intersection with Lake Otis Park Way, lat. 61°07′23″N., long. 149°50′03″W.; thence northerly along Lake Otis Park Way to its intersection with Abbott Road, lat. 61°08′14″N., long. 149°50′03″W.; thence east along Abbott Road to its intersection with Abbott Loop Road, lat. 61°08′14″N., long. 149°48′16″W.; thence due north to intersect with Tudor Road, lat. 61°10′51″N., long. 149°48′16″W.; thence west along Tudor Road to its intersection with the new Seward Highway, lat. 61°10′51″N., long. 149°51′38″W.; thence south along the new Seward Highway to its intersection with a line bearing 180° and 360° from the intersection of the new Seward Highway and International Airport Road; thence south to the point of beginning.

§ 93.57 General rules: All segments.

(a) Each person operating an aircraft to, from, or on an airport within the Anchorage, Alaska, Terminal Area shall operate that aircraft according to
§ 93.59 General rules: International segment.

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

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

§ 93.61 General rules: Lake Hood segment.

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

(b) Each person operating an airplane within the Anchorage, Alaska Terminal Area shall conform to the flow of traffic depicted on the appropriate aeronautical charts.

(c) Each person operating a helicopter shall operate it in a manner so as to avoid the flow of airplanes.

(d) Except as provided in §93.65 (d) and (e), and §93.67(b), each person operating an airplane in the Anchorage, Alaska, Terminal Area shall operate that aircraft only within the designated segment containing the arrival or departure airport.

(e) Except as provided in §§93.63(d) and 93.67(b), each person operating an aircraft in the Anchorage, Alaska, Terminal Area shall maintain two-way radio communications with the ATCT serving the segment containing the arrival or departure airport.

§ 93.65 General rules: Elmendorf segment.

(a) Each person operating a turbine-powered aircraft within this segment shall operate that aircraft at an altitude of at least 1,700 feet MSL until maneuvering for a safe landing requires further descent.

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

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

(d) Whenever the Merrill ATCT is not operating, each person operating an aircraft either in that portion of the Merrill segment north of midchannel of Knik Arm, or in the Seward Highway segment at or below 1200 feet MSL, shall contact Anchorage Approach Control for wake turbulence and other advisories. Aircraft operating within the remainder of the segment should self-announce intentions on the Merrill Field CTAF.

§ 93.66 General rules: Merrill segment.

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

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

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

(d) Whenever the Merrill ATCT is not operating, each person operating an aircraft either in that portion of the Merrill segment north of midchannel of Knik Arm, or in the Seward Highway segment at or below 1200 feet MSL, shall contact Anchorage Approach Control for wake turbulence and other advisories. Aircraft operating within the remainder of the segment should self-announce intentions on the Merrill Field CTAF.
Federal Aviation Administration, DOT § 93.71

(c) Each person operating an airplane (other than turbine-powered aircraft) at a speed of 105 knots or less within the segment shall operate that airplane at an altitude of at least 800 feet MSL until maneuvering for a safe landing requires further descent.

(d) A person landing or departing from Elmendorf AFB, may operate that aircraft at an altitude between 1,500 feet MSL and 1,700 feet MSL within that portion of the International and Lake Hood segments lying north of the midchannel of Knik Arm.

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

(f) A person operating in VFR conditions, at or below 600 feet MSL, north of a line beginning at the intersection of Farrell Road and the long.

§ 93.71 General operating procedures.

(a) Flight restrictions are in effect below 3,500 feet MSL in the airspace above Niagara Falls, New York, west of a line from latitude 43°06'33" N., longitude 79°03'30" W. (the Whirlpool Rapids Bridge) to latitude 43°04'47" N., longitude 79°02'44" W. (the Niagara River Inlet) to latitude 43°04'29" N., longitude 79°03'30" W. (the International Control Dam) to the United States/Canadian Border and thence along the border to the point of origin.

(b) No flight is authorized below 3,500 feet MSL in the area described in paragraph (a) of this section, except for aircraft operations conducted directly to or from an airport/heliport within the area, aircraft operating on an ATC-approved IFR flight plan, aircraft operating the Scenic Falls Route pursuant to approval of Transport Canada, aircraft carrying law enforcement officials, or aircraft carrying properly accredited news representatives for which a flight plan has been filed with Buffalo NY (BUF) Automated Flight Service Station (AFSS).

(c) Check with Transport Canada for flight restrictions in Canadian airspace. Commercial air tour operations.

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

Each person operating an aircraft to or from Lake Campbell or Sixmile Lake Airport shall conform to the flow of traffic for the Lake operations that are depicted on the appropriate aeronautical charts.

Subpart E—Flight Restrictions in the Vicinity of Niagara Falls, New York

§ 93.71 General operating procedures.

(a) Flight restrictions are in effect below 3,500 feet MSL in the airspace above Niagara Falls, New York, west of a line from latitude 43°06'33" N., longitude 79°03'30" W. (the Whirlpool Rapids Bridge) to latitude 43°04'47" N., longitude 79°02'44" W. (the Niagara River Inlet) to latitude 43°04'29" N., longitude 79°03'30" W. (the International Control Dam) to the United States/Canadian Border and thence along the border to the point of origin.

(b) No flight is authorized below 3,500 feet MSL in the area described in paragraph (a) of this section, except for aircraft operations conducted directly to or from an airport/heliport within the area, aircraft operating on an ATC-approved IFR flight plan, aircraft operating the Scenic Falls Route pursuant to approval of Transport Canada, aircraft carrying law enforcement officials, or aircraft carrying properly accredited news representatives for which a flight plan has been filed with Buffalo NY (BUF) Automated Flight Service Station (AFSS).

(c) Check with Transport Canada for flight restrictions in Canadian airspace. Commercial air tour operations.
§ 93.80  Applicability.

This subpart prescribes special air traffic rules for aircraft operating in the Valparaiso, Florida, Terminal Area.


Subpart F—Valparaiso, Florida, Terminal Area

§ 93.81  Applicability and description of area.

The Valparaiso, Florida Terminal Area is designated as follows:

(a) 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′31″ 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°25′00″ 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.

(b) 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.

(1) 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.

(2) 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
Federal Aviation Administration, DOT

§93.95 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.

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

Subpart G—Special Flight Rules in the Vicinity of Los Angeles International Airport


§93.91 Applicability.

This subpart prescribes special air traffic rules for aircraft conducting VFR operations in the Los Angeles, California Special Flight Rules Area.

§93.93 Description of area.

The Los Angeles Special Flight Rules Area is designated as that part of Area A of the Los Angeles Class B airspace area at 3,500 feet above mean sea level (MSL) and at 4,500 feet MSL, beginning at Ballona Creek/Pacific Ocean (lat. 33°57′26″ N., long. 118°26′05″ W.), then westbound along Imperial Highway to the intersection of Imperial Highway/Freeway (lat. 33°55′31″ N., long. 118°22′06″ W.), then northbound along the shoreline to the point of beginning.

§93.95 General operating procedures.

Unless otherwise authorized by the Administrator, no person may operate an aircraft in the airspace described in §93.93 unless the operation is conducted in accordance with the following procedures:

(a) The flight must be conducted under VFR and only when operation may be conducted in compliance with §91.155(a) of this chapter.

(b) The aircraft must be equipped as specified in §91.215(b) of this chapter replying on code 1201 prior to entering and while operating in this area.

(c) The pilot shall have a current Los Angeles Terminal Area Chart in the aircraft.

(d) The pilot shall operate on the Santa Monica very high frequency
§ 93.97 Operations in the SFRA.

Notwithstanding the provisions of §91.131(a) of this chapter, an air traffic control authorization is not required in the Los Angeles Special Flight Rules Area for operations in compliance with §93.95. All other provisions of §91.131 of this chapter apply to operations in the Los Angeles Special Flight Rules Area.

Subparts H–I (Reserved)

Subpart J—Lorain County Regional Airport Traffic Rule

§ 93.117 Applicability.

This subpart prescribes a special air traffic rule for aircraft operating at the Lorain County Regional Airport, Lorain County, Ohio.


§ 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]
Federal Aviation Administration, DOT

§ 93.129

(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.

Pursuant to bilateral agreement, 14 slots at LaGuardia and 24 slots at O'Hare are allocated to the Canadian carriers. These slots are excluded from the hourly quotas set forth in §93.123 above.

(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 total 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 aircraft having a certificated maximum passenger seating capacity of less than 75, 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. For purposes of aircraft operations at Ronald Reagan Washington National Airport, the term "commuters" means aircraft operations using aircraft having a certificated maximum seating capacity of 76 or less.
(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).

§ 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.

§ 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
§ 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.


§ 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, 49 FR 8244, Mar. 6, 1984]
§ 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 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 prior to taxing onto the active runway on the airport or onto the movement area of Ketchikan Harbor and monitors the designated frequency until the aircraft is on final approach to the Ketchikan International Airport, unless that person continuously monitors and communicates, as appropriate, on the designated common traffic advisory frequency until the aircraft is on final approach to the Ketchikan International Airport, no person may taxi onto the movement area of Ketchikan Harbor.

(2) For departing 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.

(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]

§ 93.176 Description of area.

The Luke Air Force Base, Arizona Terminal Area is designated during official daylight hours Monday through Friday while Luke pilot flight training is underway, as broadcast on the local Automatic Terminal Information Service (ATIS), and other times by Notice to Airmen (NOTAM), as follows:

(a) East Sector:

(1) South section includes airspace extending from 3,000 feet MSL to the base of the overlaying Phoenix Class B airspace bounded by a line beginning at: Lat. 33°28′30″ N; Long. 112°28′41″ W; to Lat. 33°23′56″ N; Long. 112°28′37″ W; to Lat. 33°22′32″ N; Long. 112°37′14″ W; to Lat. 33°25′39″ N; Long. 112°37′29″ W; to Lat. 33°31′55″ N; Long. 112°30′32″ W; to Lat. 33°28′00″ N; Long. 112°28′41″ W; to point of beginning.

(2) South section lower includes airspace extending from 2,100 feet MSL to the base of the overlaying Phoenix Class B airspace, excluding the Luke Class D airspace area bounded by a line beginning at: Lat. 33°23′56″ N; Long. 112°28′41″ W; to Lat. 33°23′56″ N; Long. 112°28′37″ W; to Lat. 33°27′53″ N; Long. 112°24′12″ W; to point of beginning.

(3) Center section includes airspace extending from surface to the base of the overlaying Phoenix Class B airspace, excluding the Luke Class D airspace area bounded by a line beginning at: Lat. 33°42′22″ N; Long. 112°19′16″ W; to Lat. 33°38′40″ N; Long. 112°14′03″ W; to Lat. 33°27′53″ N; Long. 112°24′12″ W; to Lat. 33°28′00″ N; Long. 112°28′41″ W; to Lat. 33°31′35″ N; Long. 112°30′32″ W; to point of beginning.
§ 93.177 Operations in the Special Air Traffic Rule Area.

(a) Unless otherwise authorized by Air Traffic Control (ATC), no person may operate an aircraft in flight within the Luke Terminal Area designated in §93.176 unless—

(1) Before operating within the Luke Terminal area, that person establishes radio contact with the Luke RAPCON; and

(2) That person maintains two-way radio communication with the Luke RAPCON or an appropriate ATC facility while within the designated area.

(b) Requests for deviation from the provisions of this section apply only to aircraft not equipped with an operational radio. The request must be submitted at least 24 hours before the proposed operation to Luke RAPCON.

Subparts P–R [Reserved]
§ 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.

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

(a) Any air carrier of commuter operator having the authority to conduct international operations shall be provided slots for those operations, excluding transborder service solely between HDR airports and Canada, 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 slotholder 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 the deadline published in a Federal Register notice for each 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 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 the deadline published in a Federal Register notice for each season. In addition, slots may be withdrawn from domestic operations for operations at Kennedy Airport under this paragraph if required by international obligations.

(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 the deadline published in a Federal Register notice for each 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 as reduced by the number of slots reclassified under §93.218, 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.
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(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).


§ 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 previously 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

for the Summer season, and 32 slots at O'Hare in the Winter season.

(c) Any modification to the slot base by the Government of Canada or the Canadian carriers that results in a decrease of the guaranteed base in paragraph (b) of this section shall permanently modify the base number of slots.

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 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, the slot may only be traded 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 part 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.


§ 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.

(4) No slot comprising the guaranteed base of slots, as defined in section 93.318(b), shall be withdrawn for use for international operations or for new entrants.

(d) The following withdrawal priority rule shall be used to permit application
§ 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, as well as where provided for by bilateral agreement. Any U.S. carrier, or foreign air carrier where provided for by bilateral agreement, 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.
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(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.


§ 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:
   1. 6:00 a.m.–6:59 a.m.
   2. 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:
   1. 60 days after the carrier files the initial petition in bankruptcy; and
   2. 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
§ 93.227

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
§ 93.303 Definitions.

For the purposes of this subpart:

Allocation means authorization to conduct a commercial air tour in the Grand Canyon National Park (GCNP) Special Flight Rules Area (SFRA). Lat. 35°57′08″ N., Long. 112°08′49″ W.) to the point of origin.

Commercial air tour means any flight conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing. If the operator of a flight asserts that the flight is not a commercial air tour, factors that can be considered by the Administrator in making a determination of whether the flight is a commercial air tour include, but are not limited to—

(1) Whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

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

SOURCE: Doc. No. 28337, 61 FR 69330, Dec. 31, 1996, unless otherwise noted.

§ 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′30″ N., Long. 111°45′00″ W.; to Lat. 35°59′02″ N., Long. 111°36′03″ W.; north to Lat. 36°15′30″ N., Long. 111°36′06″ 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′06″ N., Long. 113°10′07″ W.; west-southwest to Lat. 36°09′30″ N., Long. 114°03′03″ W.; southeast to Lat. 36°05′11″ N., Long. 113°58′46″ W.; thence south along the boundary of GCNP to Lat. 35°58′23″ N., Long. 113°54′14″ W.; north to Lat. 36°00′10″ N., Long. 113°53′48″ W.; northeast to Lat. 36°02′14″ N., Long. 113°50′16″ W.; to Lat. 36°02′17″ N., Long. 113°49′11″ W.; southeast to Lat. 36°01′22″ N., Long. 113°48′21″ W.; to Lat. 35°59′15″ N., Long. 113°47′13″ W.; to Lat. 35°57′51″ N., Long. 113°46′01″ W.; to Lat. 35°57′45″ N., Long. 113°45′23″ 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°38′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 to Lat. 35°57′08″ N., Long. 112°08′49″ W.) to the point of origin.

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Traffic Airport on Thanksgiving Day, the Friday following Thanksgiving Day, and the period from December 24 through the first Saturday in January.


§ 93.253 Nonstop operations.

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

Subpart T—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.

§ 93.251 Applicability.

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

§ 93.253 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′30″ N., Long. 111°45′00″ W.; to Lat. 35°59′02″ N., Long. 111°36′03″ W.; north to Lat. 36°15′30″ N., Long. 111°36′06″ 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.
§ 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′56″ N., Long. 111°52′47″ W.; thence east to Lat. 36°00′00″ N., Long. 111°51′04″ W.; thence north to 36°06′24″ N., Long. 111°51′04″ W.; thence east to 36°00′24″ N., Long. 111°45′44″ W.; thence north along the GCNP boundary to Lat. 36°14′05″ N., Long. 111°48′34″ W.; thence 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 air tour 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′34″ 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.; southwest to Lat. 36°09′31″ N., Long. 112°11′35″ 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 2 nautical miles of the northwestern boundary of the zone. 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 air tour flights and 4 nautical miles wide for transient and general aviation operations. The Bright Angel Flight-free Zone does not include the following airspace designated as the Bright Angel Corridor: That airspace one-half nautical mile on either side of a line extending from Lat. 36°14’57” N., Long. 112°08’45” W. and Lat. 36°15’01” N., Long. 111°53’39” W.

(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°10’38” N., Long. 113°08’33” W.; south to Lat. 36°10’12” N., Long. 113°08’34” 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. The airspace designated as the “Fossil Canyon Corridor” is also excluded from the Toroweap/Shinumo Flight-free Zone at or above 10,500 feet MSL within 2 nautical miles either side of a line extending between Lat. 36°16’26” N., Long. 112°34’35” W. and Lat. 36°22’51” N., Long. 112°18’18” W. The Fossil Canyon Corridor is to be used for transient and general aviation operations only.

(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. 35°59’32” N., Long. 113°20’28” W.; west to Lat. 36°00’55” N., Long. 113°42’09” W.; southeast to Lat. 35°59’07” N., Long. 113°41’09” W.; to Lat. 35°59’09” N., Long. 113°40’53” W.; to Lat. 35°58’45” N., Long. 113°40’15” W.; to Lat. 35°57’52” N., Long. 113°39’34” W.; to Lat. 35°56’44” N., Long. 113°39’07” W.; to Lat. 35°56’04” N., Long. 113°39’20” W.; to Lat. 35°55’52” N., Long. 113°40’44” W.; to Lat. 35°54’59” N., Long. 113°40’51” 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 air tours—(i) Marble Canyon Sector. Lees Ferry to Boundary Ridge: 6,000 feet MSL.

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

(ii) 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.

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

(ii) 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 air tours—(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.

(iv) Fossil Canyon Corridor. 10,500 feet.

§ 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, Tuckup, and Fossil Canyon 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, firefighting, 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, Marble Canyon Airstrip, or Tuweep 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.

§ 93.319 Commercial air tour limitations.

(a) Unless excepted under paragraph (f) or (g) of this section, no certificate holder certificated in accordance with part 119 for part 121 or 135 operations may conduct more commercial air tours in the Grand Canyon National Park in any calendar year than the number of allocations specified on the certificate holder's operations specifications.

(b) The Administrator determines the number of initial allocations for each certificate holder based on the total number of commercial air tours conducted by the certificate holder and reported to the FAA during the period beginning on May 1, 1997 and ending on April 30, 1998, unless excepted under paragraph (g).

(c) Certificate holders who conducted commercial air tours during the base year and reported them to the FAA receive an initial allocation.

(d) A certificate holder must use one allocation for each flight that is a commercial air tour, unless excepted under paragraph (f) or (g) of this section.

(e) Each certificate holder's operation specifications will identify the following information, as applicable:

(1) Total SFRA allocations; and
(2) Dragon corridor and Zuni Point corridor allocations.

(f) Certificate holders satisfying the requirements of §93.315 of this subpart are not required to use a commercial air tour allocation for each commercial air tour flight in the GCNP SFRA provided the following conditions are satisfied:

(1) The certificate holder conducts its operations in conformance with the routes and airspace authorizations as specified in its Grand Canyon National Park Special Flight Rules Area operations specifications;

(2) The certificate holder must have executed a written contract with the Hualapai Indian Nation which grants the certificate holder a trespass permit and specifies the maximum number of flights to be permitted to land at Grand Canyon West Airport and at other sites located in the vicinity of that airport and operates in compliance with that contract; and

(3) The certificate holder must have a valid operations specification that authorizes the certificate holder to conduct the operations specified in the contract with the Hualapai Indian Nation and specifically approves the number of operations that may transit the Grand Canyon National Park Special Flight Rules Area under this exception.

(g) Certificate holders conducting commercial air tours at or above 14,500 feet MSL but below 18,000 feet MSL who did not receive initial allocations in 1999 because they were not required to report during the base year may operate without an allocation when conducting air tours at those altitudes. Certificate holders conducting commercial air tours in the area affected by the eastward shift of the SFRA who did not receive initial allocations in 1999 because they were not required to report during the base year may continue to operate on the specified routes without an allocation in the area bounded by longitude line 111 degrees 42 minutes east and longitude line 111 degrees 36 minutes east. This exception does not include operation in the Zuni Point corridor.

[65 FR 17732, Apr. 4, 2000]

§ 93.321 Transfer and termination of allocations.

(a) Allocations are not a property interest; they are an operating privilege subject to absolute FAA control.

(b) Allocations are subject to the following conditions:

(1) The Administrator will re-authorize and re-distribute allocations no earlier than two years from the effective date of this rule.

(2) Allocations that are held by the FAA at the time of reallocation may be distributed among remaining certificate holders, proportionate to the size of each certificate holder's allocation.

(3) The aggregate SFRA allocations will not exceed the number of operations reported to the FAA for the base year beginning on May 1, 1997 and ending on April 30, 1998, except as adjusted to incorporate operations occurring for
§ 93.323 Flight plans.

Each certificate holder conducting a commercial SFRA operation must file a visual flight rules (VFR) flight plan in accordance with §91.153. This section does not apply to operations conducted in accordance with §93.309(g). The flight plan must be on file with a FAA Flight Service Station prior to each flight. Each VFR flight plan must identify the purpose of the flight in the “remarks” section according to one of the types set forth in the “Las Vegas Flight Standards District Office Grand Canyon National Park Special Flight Rules Area Procedures Manual” which is available from the Las Vegas Flight Standards District Office.

[65 FR 17733, Apr. 4, 2000]

§ 93.325 Quarterly reporting.

(a) Each certificate holder must submit in writing, within 30 days of the end of each calendar quarter, the total number of commercial SFRA operations conducted for that quarter. Quarterly reports must be filed with the Las Vegas Flight Standards District Office.

(b) Each quarterly report must contain the following information.

(1) Make and model of aircraft;
(2) Identification number (registration number) for each aircraft;
(3) Departure airport for each segment flown;
(4) Departure date and actual Universal Coordinated Time, as applicable for each segment flown;
(5) Type of operation; and
(6) Route(s) flown.

[65 FR 17733, Apr. 4, 2000]
APPENDIX A TO SUBPART U OF PART 93—GCNP QUIET AIRCRAFT TECHNOLOGY DESIGNATION

This appendix contains procedures for determining the GCNP quiet aircraft technology designation status for each aircraft subject to §93.301 determined during the noise certification process as prescribed under part 36 of this chapter. Where no certificated noise level is available, the Administrator may approve an alternative measurement procedure.

Aircraft Noise Limit for GCNP Quiet Aircraft Technology Designation
§ 93.331 Purpose and applicability of this subpart.

This subpart prescribes special air traffic rules for aircraft operating in the Washington, DC Metropolitan Area. Because identification and control of aircraft is required for reasons of national security, the areas described in this subpart constitute national defense airspace. The purpose of establishing this area is to facilitate the tracking of, and communication with, aircraft to deter persons who would use an aircraft as a weapon, or as a means of delivering weapons, to conduct an attack on persons, property, or buildings in the area. This subpart applies to pilots conducting any type of flight operations in the airspace designated as the Washington, DC Metropolitan Area Special Flight Rules Area (DC SFRA) (as defined in § 93.335), which includes the airspace designated as the Washington, DC Metropolitan Area Flight Restricted Zone (DC FRZ) (as defined in § 93.335).

§ 93.333 Failure to comply with this subpart.

(a) Any violation. The FAA may take civil enforcement action against a pilot for violations, whether inadvertent or intentional, including imposition of civil penalties and suspension or revocation of airmen’s certificates.

(b) Knowing or willful violations. The DC FRZ and DC SFRA were established for reasons of national security under the provisions of 49 U.S.C. 40103(b)(3). Areas established by the FAA under that authority constitute “national defense airspace” as that term is used in 49 U.S.C. 46307. In addition to being subject to the provisions of paragraph (a) of this section, persons who knowingly or willfully violate national defense airspace established pursuant to 49 U.S.C. 40103(b)(3) may be subject to criminal prosecution.

§ 93.335 Definitions.

For purposes of this subpart—
DC FRZ flight plan is a flight plan filed for the sole purpose of complying with the requirements for VFR operations into, out of, and through the DC FRZ. This flight plan is separate and distinct from a standard VFR flight plan, and does not include search and rescue services.

DC SFRA flight plan is a flight plan filed for the sole purpose of complying with the requirements for VFR operations into, out of, and through the DC SFRA. This flight plan is separate and distinct from a standard VFR flight plan, and does not include search and rescue services.

Fringe airports are the following airports located near the outer boundary of the Washington, DC Metropolitan Area Special Flight Rules Area: Barnes (MD47), Flying M Farms (MD77), Mountain Road (MD49), Robinson (MD14), and Skyview (51VA).

Washington, DC Metropolitan Area Flight Restricted Zone (DC FRZ) is an area bounded by a line beginning at the Washington VOR/DME (DCA) 311° radial at 15 nautical miles (NM) (Lat. 38°59′31″ N., Long. 077°18′30″ W.); then clockwise along the DCA 15 nautical mile arc to the DCA 002° radial at 15 NM (Lat. 39°06′28″ N., Long 077°04′32″ W.); then southeast via a line drawn to the DCA 049° radial at 14 NM (Lat. 39°02′18″ N., Long. 076°50′38″ W.); thence south via a line drawn to the DCA 064° radial at 13 NM (Lat. 38°59′01″ N., Long. 076°48′32″ W.); thence clockwise along the 13 NM arc to the DCA 276° radial at 13 NM (Lat. 38°50′33″ N., Long 077°18′48″ W.); thence north to the point of beginning, excluding the airspace within a one nautical mile radius of the Freeway Airport, W00, Mitchellville, MD from the surface up to but not including flight level (FL) 180. The DC FRZ is within and part of the Washington, DC Metropolitan Area SFRA.

Washington, DC Metropolitan Area Special Flight Rules Area (DC SFRA) is an area of airspace over the surface of the earth where the ready identification, location, and control of aircraft is required in the interests of national security. Specifically, the DC SFRA is that airspace, from the surface to, but not including, FL 180, within a 30-mile radius of Lat. 38°51′34″ N., Long. 077°02′11″ W., or the DCA VOR/DME. The DC SFRA includes the DC FRZ.

§ 93.337 Requirements for operating in the DC SFRA.

A pilot conducting any type of flight operation in the DC SFRA must comply with the restrictions listed in this subpart and all special instructions issued by the FAA in the interest of national security. Those special instructions may be issued in any manner the FAA considers appropriate, including a NOTAM. Additionally, a pilot must comply with all of the applicable requirements of this chapter.

§ 93.339 Requirements for operating in the DC SFRA, including the DC FRZ.

(a) Except as provided in paragraphs (b) and (c) of this section and in §93.345, or unless authorized by Air Traffic Control, no pilot may operate an aircraft, including an ultralight vehicle or any civil aircraft or public aircraft, in the DC SFRA, including the DC FRZ, unless—

1. The aircraft is equipped with an operable two-way radio capable of communicating with Air Traffic Control on appropriate radio frequencies;

2. Before operating an aircraft in the DC SFRA, including the DC FRZ, the pilot establishes two-way radio communications with the appropriate Air Traffic Control facility and maintains such communications while operating the aircraft in the DC SFRA, including the DC FRZ;

3. The aircraft is equipped with an operating automatic altitude reporting transponder;

4. Before operating an aircraft in the DC SFRA, including the DC FRZ, the pilot obtains and transmits a discrete transponder code from Air Traffic Control, and the aircraft’s transponder continues to transmit the assigned code while operating within the DC SFRA;

5. For VFR operations, the pilot must file and activate a DC FRZ or DC SFRA flight plan by obtaining a discrete transponder code. The flight plan is closed upon landing at an airport
§ 93.341 Aircraft operations in the DC FRZ.

(a) Except as provided in paragraph (b) of this section, no pilot may conduct any flight operation under part 91, 101, 103, 105, 125, 133, 135, or 137 of this chapter in the DC FRZ, unless the specific flight is operating under an FAA/TSA authorization.

(b) Department of Defense (DOD) operations, law enforcement operations, and lifeguard or air ambulance operations under an FAA/TSA airspace authorization are excepted from the prohibition in paragraph (a) of this section if the pilot is in contact with Air Traffic Control and operates the aircraft transponder on an Air Traffic Control-assigned discrete transponder code.

(c) When operating an aircraft in the VFR traffic pattern at an airport within the DC FRZ that does not have an airport traffic control tower, a pilot must—

(1) File a DC SFRA flight plan for traffic pattern work;

(2) Communicate traffic pattern position via the published Common Traffic Advisory Frequency (CTAF);

(3) Monitor VHF frequency 121.5 or UHF frequency 243.0, if the aircraft is suitably equipped;

(4) Obtain and transmit the Air Traffic Control-assigned discrete transponder code; and

(5) When exiting the VFR traffic pattern, comply with paragraphs (a)(1) through (a)(7) of this section.

(d) When operating an aircraft in the VFR traffic pattern at an airport within the DC FRZ that has an operating airport traffic control tower, a pilot must—

(1) Before departure or before entering the traffic pattern, request to remain in the traffic pattern;

(2) Remain in two-way radio communications with the tower. If the aircraft is suitably equipped, the pilot must also monitor VHF frequency 121.5 or UHF frequency 243.0;

(3) Continuously operate the aircraft transponder on code 1234 unless Air Traffic Control assigns a different code; and

(4) Before exiting the traffic pattern, comply with paragraphs (a)(1) through (a)(7) of this section.

(e) Pilots must transmit the assigned transponder code. No pilot may use transponder code 1200 while in the DC SFRA.
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§ 93.345 VFR outbound procedures for fringe airports.

(a) A pilot may depart from a fringe airport as defined in §93.335 without filing a flight plan or communicating with Air Traffic Control, unless requested, provided:

(1) The aircraft’s transponder transmits code 1205;

(2) The pilot exits the DC SFRA by the most direct route before proceeding on course; and

(3) The pilot monitors VHF frequency 121.5 or UHF frequency 243.0.

(b) No pilot may operate an aircraft arriving at a fringe airport or transit the DC SFRA unless that pilot complies with the DC SFRA operating procedures in this subpart.

Subpart W—New York Class B Airspace Hudson River and East River Exclusion Special Flight Rules Area

SOURCE: 74 FR 59910, Nov. 19, 2009, unless otherwise noted.
§ 93.350 Definitions.

For the purposes of this subpart only the following definitions apply:

(a) Local operation. Any aircraft within the Hudson River Exclusion that is conducting an operation other than as described in paragraph (b) of this section. Local operations include but are not limited to operations for sightseeing, electronic news gathering, and law enforcement.

(b) Transient operation. Aircraft transiting the entire length of the Hudson River Class B Exclusion, as defined in paragraph (d) of this section, from one end to the other.

(c) New York Class B airspace East River Exclusion is that airspace below 1,500 feet MSL between the east and west banks of, and overlying, the East River beginning at lat. 40°38′39″N., long. 74°02′03″W., thence north along a line drawn direct to the southwestern tip of Governors Island, thence north along a line direct to the southwest tip of Manhattan Island, thence north along the east bank of the Hudson River to the LGA VOR/DME 6-mile arc, north of LaGuardia Airport, thence counterclockwise along the 6-mile arc to lat. 40°57′54″N., long. 73°54′23″W., thence to the point of beginning.

§ 93.351 General requirements for operating in the East River and/or Hudson River Exclusions.

Pilots must adhere to the following requirements:

(a) Maintain an indicated airspeed not to exceed 140 knots.

(b) Anti-collision lights and aircraft position/navigation lights shall be on, if equipped. Use of landing lights is recommended.

(c) Self announce position on the appropriate radio frequency for the East River or Hudson River as depicted on the New York VFR Terminal Area Chart (TAC) and/or New York Helicopter Route Chart.

(d) Have a current New York TAC chart and/or New York Helicopter Route Chart in the aircraft and be familiar with the information contained therein.

§ 93.352 Hudson River Exclusion specific operating procedures.

In addition to the requirements in §93.351, the following procedures apply:

(a) Pilots must self announce, at the charted mandatory reporting points, the following information: aircraft type, current position, direction of flight, and altitude.

(b) Pilots must fly along the west shoreline of the Hudson River when southbound, and along the east shoreline of the Hudson River when northbound, while remaining within the boundaries of the Hudson River Exclusion as defined in §93.350(d).

(c) Aircraft transiting the area within the Hudson River Exclusion in accordance with §93.350(b) must transit the Hudson River Exclusion at or above an altitude of 1,000 feet MSL up to, but not including, the floor of the overlying Class B airspace.
§ 93.353 East River Exclusion specific operating procedures.

No person may operate an airplane in the East River Exclusion extending from the southwestern tip of Governors Island to the north tip of Roosevelt Island except:

(a) Seaplanes landing on or taking off from the river; or
(b) Airplanes authorized by ATC. Pilots must contact LaGuardia Airport Traffic Control Tower prior to Governors Island for authorization.

PART 95—IFR ALTITUDES

SPECIAL FEDERAL AVIATION REGULATION NO. 97 [NOTE]

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95.8001 General.

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

SPECIAL FEDERAL AVIATION REGULATION NO. 97

EDITORIAL NOTE: For the text of SFAR No. 97, see part 91 of this chapter.

Subpart A—General

§ 95.1 Applicability.

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

(b) The MAA is the highest altitude on an ATS route, or other direct route for which an MEA is designated, at which adequate reception of VOR signals is assured.

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

(d) The MEA is the minimum en route IFR altitude on an ATS route, ATS route segment, or other direct route. The MEA applies to the entire width of the ATS route, ATS route segment, or other direct route between fixes defining that route. Unless otherwise specified, an MEA prescribed for an off airway route or route segment applies to the airspace 4 nautical miles on each side of a direct course between the navigation fixes defining that route or route segment.

(e) The MOCA assures obstruction clearance on an ATS route, ATS route segment, or other direct route, and adequate reception of VOR navigation signals within 22 nautical miles of a VOR station used to define the route.

(f) The MRA applies to the operation of an aircraft over an intersection defined by ground-based navigation aids. The MRA is the lowest altitude at which the intersection can be determined using the ground-based navigation aids.

(g) The changeover point (COP) applies to operation of an aircraft along a Federal airway, jet route, or other direct route; for which an MEA is designated in this part. It is the point for transfer of the airborne navigation reference from the ground-based navigation aid behind the aircraft to the next appropriate ground-based navigation aid to ensure continuous reception of signals.


§ 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;