Gleim[®] AVIATION UPDATES

Current Through: 10/05/23



The Gleim *FAR/AIM* is published annually. Gleim keeps you up-to-date with FAA changes via online and email updates. Changes to the Federal Aviation Regulations (FAR or 14 CFR) can be released by the FAA at any time during the year. The *AIM* is updated by the FAA twice a year.

The Gleim updates are listed by the FAA release date. The effective date, which is sometimes the same as the release date, is provided as well.

October 5, 2023

<u>Aeronautical Information Manual</u> Basic

Effective October 5, 2023

EXPLANATION OF CHANGES

1-1-9. INSTRUMENT LANDING SYSTEM (ILS) -

This change reflects the FAA Order JO 7110.65 guidance that allows a preceding arrival or departure in or over the ILS critical area when the weather is above 200' ceiling and 2000 RVR. The new guidance warns pilots of signal disturbances that may be encountered in any weather at or above standard CAT I minima.

1-1-20. PRECISION APPROACH SYSTEMS OTHER THAN ILS AND GPS;

APPENDIX 3. ABBREVIATIONS/ACRONYMS -

This change removes references to SCAT-I DGPS.

3-5-2. MILITARY TRAINING ROUTES -

These changes clarify the Department of Defense Flight Information Publications (DoD FLIP) description. It also describes the FAA's responsibility for providing information about IR/VR routes on IFR and VFR routes. Additionally, a note was added for users who require copies of the FLIP.

3-5-8. WASHINGTON DC SPECIAL FLIGHT RULES AREA (SFRA) INCLUDING THE FLIGHT RESTRICTED ZONE (FRZ) –

This change adds new paragraph 3-5-8 to better inform pilots and reduce violations related to the requirements of 14 CFR Part 93.339 and Part 91.161, and 14 CFR 99.7 Special Security Instruction NOTAMs. The current paragraphs 3-5-8 and 3-5-9 are renumbered 3-5-9 and 3-5-10, respectively.

4-1-21. AIRPORT RESERVATION OPERATIONS AND SPECIAL TRAFFIC MANAGEMENT PROGRAMS -

Dual-tone multi-frequency (telephone touch-tone signaling) interfaces are no longer available for use to receive an Electronic Special Traffic Management Program or Enhanced Computer Voice Reservation System reservation. Procedures for coordination processing are updated and some content has been revised for clarification.

7-3-5. COLD TEMPERATURE AIRPORT PROCEDURES -

This change adds an additional segment to FIG 7-3-1, Example Cold Temperature Restricted Airport List – Required Segments, along with guidance on how to apply a temperature correction to this segment. The change also rearranges the section for better flow, swapping the positions of updated subparagraphs e and f.

EDITORIAL CHANGES -

Editorial changes include updated and corrected references and typos; rewording subparagraph 8-1-2d to eliminate confusion between high altitude of aircraft vs. low cabin altitude pressure; a hyperlink fix and hyperlink update for Helicopter Association International in subparagraph 10-2-1a; and clarifying language in subparagraph 11-2-2c2 to say that UAS that are flown exclusively for recreational purposes must be registered if they weigh more than 0.55 pounds (250 grams).

ENTIRE PUBLICATION -

Additional editorial/format changes were made where necessary.

Chapter 1. AIR NAVIGATION

1-1-9. INSTRUMENT LANDING SYSTEM (ILS): On pages 491-492, revise subparagraph k. as follows:

k. ILS Course Distortion

1. All pilots should be aware that ILS installations are subject to signal interference by surface vehicles and aircraft (either on the ground or airborne). ILS CRITICAL AREAS are established near each localizer and glide slope antenna. Pilots should be aware of the level of critical area protection they can expect in various weather conditions and understand that signal disturbances may occur as a result of normal airport operations irrespective of the official weather observation.

2. ATC is not always required to issue control instructions to avoid interfering operations within ILS critical areas at controlled airports during the hours the Airport Traffic Control Tower (ATCT) is in operation. ATC responsibilities vary depending on the official weather observation and are described as follows:

(a) <u>Weather Conditions.</u> Official weather observation indicates a ceiling of 800 feet or higher and visibility 2 miles or greater, no localizer or glideslope critical area protection is provided by ATC unless specifically requested by the flight crew.

(b) <u>Weather Conditions.</u> Official weather observation indicates a ceiling of less than 800 feet or visibility less than 2 miles.

(1) <u>Holding.</u> Aircraft holding below 5,000 feet between the outer marker and the airport may cause localizer signal variations for aircraft conducting the ILS approach. Accordingly, such holding will not be authorized.

(2) <u>Localizer Critical Area.</u> When an arriving aircraft is inside the outer marker (OM) or the fix used in lieu of the OM, vehicles and aircraft will not be authorized in or over the precision approach critical area except:

[a] A preceding arriving aircraft on the same or another runway may pass over or through the localizer critical area, and;

[b] A preceding departing aircraft or missed approach on the same or another runway may pass through or over the localizer critical area.

(3) <u>Glide Slope Critical Area.</u> ATC will not authorize vehicles or aircraft operations in or over the glideslope critical area when an arriving aircraft is inside the outer marker (OM), or the fix used in lieu of the OM, unless the arriving aircraft has reported the runway in sight and is circling or side-stepping to land on another runway.

(c) <u>Weather Conditions.</u> Official weather observation indicates a ceiling less than 200 feet or runway visual range (RVR) less than 2000 feet.

(1) <u>Localizer Critical Area.</u> In addition to the critical area protection described in 1-1-9k2(b) above, when an arriving aircraft is inside the middle marker (MM), or in the absence of a MM, 1/2 mile final, ATC will not authorize:

[a] A preceding arriving aircraft on the same or another runway to pass over or through the localizer critical area, or;

[b] A preceding departing aircraft or missed approach on the same or another runway to pass through or over the localizer critical area.

3. In order to ensure that pilot and controller expectations match with respect to critical area protection for a given approach and landing operation, a flight crew should advise the tower any time it intends to conduct any autoland operation or use an SA CAT I, any CAT II, or any CAT III line of minima anytime the official weather observation is at or above a ceiling of 800 feet and 2 miles visibility. If ATC is unable to protect the critical area, they will advise the flight crew.

EXAMPLE-

Denver Tower, United 1153, Request Autoland (runway) ATC replies with:

United 1153, Denver Tower, Roger, Critical Areas not protected.

4. Pilots are cautioned that even when the critical areas are considered to be protected, unless the official weather observation including controller observations indicates a ceiling less than 200 feet or RVR less than 2000 feet, ATC may still authorize a preceding arriving, departing, or missed approach aircraft to pass through or over the localizer critical area and that this may cause signal disturbances that could result in an undesired aircraft state during the final stages of the approach, landing, and rollout.

5. Pilots are cautioned that vehicular traffic not subject to ATC may cause momentary deviation to ILS course or glide slope signals. Also, critical areas are not protected at uncontrolled airports or at airports with an operating control tower when weather or visibility conditions are above those requiring protective measures. Aircraft conducting coupled or autoland operations should be especially alert in monitoring automatic flight control systems and be prepared to intervene as necessary. (See FIG 1-1-8.)

NOTE-

Unless otherwise coordinated through Flight Standards, ILS signals to Category I runways are not flight inspected below the point that is 100 feet less than the decision altitude (DA). Guidance signal anomalies may be encountered below this altitude.

1-1-20. PRECISION APPROACH SYSTEMS OTHER THAN ILS AND GLS: On page 507, delete subparagraph d. but leave in the REFERENCE.

Chapter 3. AIRSPACE

3-5-2. MILITARY TRAINING ROUTES: On page 547, revise subparagraph e. as follows:

e. DoD FLIP - Department of Defense Flight Information Publications describe IR/VR routes through charts and narratives, and the FAA provides information regarding these routes to all users via IFR and VFR charts.

NOTE-

DoD users that require copies of FLIP should contact:

Defense Logistics Agency for Aviation Mapping Customer Operations (DLA AVN/QAM) 8000 Jefferson Davis Highway Richmond, VA 23297-5339 Toll free phone: 1-800-826-0342 Commercial: 804-279-6500

* * * * *

On page 552, new paragraph 3-5-8 was added. Subsequent paragraphs were renumbered accordingly. The new paragraph is as follows:

3-5-8. WASHINGTON, DC, SPECIAL FLIGHT RULES AREA (SFRA) INCLUDING THE FLIGHT RESTRICTED ZONE (FRZ)

A pilot conducting any type of flight operation in the Washington, DC, SFRA/FRZ must comply with the requirements in:

a. 14 CFR Section 93.339, Washington, DC, Metropolitan Area Special Flight Rules Area including the FRZ.

b. 14 CFR Section 91.161, Special Awareness Training for the DC SFRA/FRZ, also located on the FAA website at https://www.faasafety.gov/.

c. Any 14 CFR Section 99.7 special security instructions for the DC SFRA/FRZ published via NOTAM by FAA in the interest of national security.

Chapter 4. AIR TRAFFIC CONTROL

4-1-21. AIRPORT RESERVATION OPERATIONS AND SPECIAL TRAFFIC MANAGEMENT PROGRAMS: On page 565, revise the paragraph as follows:

a. Slot Controlled Airports:

1. The FAA may adopt rules to require advance reservations for unscheduled operations at certain airports. In addition to the information in the rules adopted by the FAA, a listing of the airports and relevant information will be maintained on the FAA website www.fly.faa.gov/ecvrs.

2. * * * Refer to the website for the current listing of slot controlled airports, limitations, and reservation procedures.

3. For more detailed information on operations * * *

b. Special Traffic Management Programs (STMP):

1. Special programs may be established when a location requires special traffic handling to accommodate above normal traffic demand (for example, EAA AirVenture Oshkosh, SUN 'n FUN Aerospace Expo) or reduced airport capacity (for example, airport runway/taxiway closures for airport construction). The special programs may remain in effect until the problem has been resolved or until local traffic management procedures can handle the volume and a need for special handling no longer exists.

2. If an STMP is used to accommodate a special event, a domestic notice will be issued relaying the website address: www.fly.faa.gov/estmp. Domestic notice information includes: what airports are included in the STMP, the dates and times reservations are required, the time limits for reservation requests, the point of contact for reservations, and any other instructions.

c. Making Reservations. Detailed information and User Instruction Guides for using the Web reservation systems are available on the websites for the slot controlled airports (e-CVRS), www.fly.faa.gov/ecvrs; and STMPs (e-STMP), www.fly.faa.gov/estmp.

NOTE-

Users may contact the ARO at (540) 422-4246 if they have a problem with their reservation.

Chapter 5. AIR TRAFFIC PROCEDURES

5-1-1. PREFLIGHT PREPARATION: On page 643, revise the REFERENCE items under subparagraph i. as follows:

* * * *

REFERENCE-

AIM, Paragraph 4-2-4, Aircraft Call Signs. FAA Order JO 7110.65, Para 2-3-5, Aircraft Identity, Subpara a. FAA Order JO 7110.10, Appendix B, FAA Form 7233-1, Flight Plan.

Chapter 7. SAFETY OF FLIGHT

7-3-5. COLD TEMPERATURE AIRPORT PROCEDURES: On pages 807-809, switch the order of subparagraphs e.-f. and revise them as follows:

* * * * *

e. Acceptable use of the table for manual CTA altitude correction (See TBL 7-3-1): Pilots may calculate a correction with a visual interpolation of the chart when using reported temperature and height above airport. This calculated altitude correction may then be rounded to the nearest whole hundred or rounded up. For example, a correction of 130 ft from the chart may be rounded to 100 ft or 200 ft. A correction of 280 ft will be rounded up to 300 ft. This rounded correction will be added to the appropriate altitudes for the "Individual" or "All" segment method. The correction calculated from the table for the MDA or DA may be used as is or rounded up, but never rounded down. This number will be added to the MDA, DA, and all step-down fix altitudes inside of the FAF/PFAF.

1. No extrapolation above the 5000 ft column is required. Pilots may use the 5000 ft "height above airport in feet" column for calculating corrections when the calculated altitude is greater than 5000 ft above reporting station elevation. Pilots must add the correction(s) from the table to the affected segment altitude(s) and fly at the new corrected altitude. Do not round down when using the 5000 ft column for calculated height above airport values greater than 5000 ft. Pilots may extrapolate above the 5000 ft column to apply a correction if desired.

2. These techniques have been adopted to minimize * * *

NOTE-

Pilots may use Real Time Mesoscale Analysis (RTMA): Alternate Report of Surface Temperature, for computing altitude corrections, when airport temperatures are not available via normal reporting. **f.** How to apply Cold Temperature Altitude Corrections on an Approach.

1. All Segments Method: Pilots may correct all segment altitudes from the IAF altitude to the MA final holding altitude. Pilots familiar with the information in this section and the procedures for accomplishing the all segments method, only need to use the published "snowflake" icon, **EG** /CTA temperature limit on the approach chart for making corrections. Pilots are not required to reference the CTA list. The altitude correction is calculated as follows:

(a) Manual correction: Pilots will make a manual correction when the aircraft is not equipped with a temperature compensating system or when a compensating system is not used to make the correction. Use TBL 7-3-1, ICAO Cold Temperature Error Table, to calculate the correction needed for the approach segment(s).

(1) Correct all altitudes from the FAF/PFAF up to and including the IAF altitude: Calculate the correction by taking the FAF/PFAF altitude and subtracting the airport elevation. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Round this number as applicable and then add to all altitudes from the FAF altitude through the IAF altitude.

(2) Correct all altitudes in the final segment: Calculate the correction by taking the MDA or DA for the approach being flown and subtract the airport elevation. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Use this number or round up to next nearest 100 ft. Add this number to MDA or DA, and any step-down fixes in the final segment.

(3) Correct final holding altitude in the MA Segment: Calculate the correction by taking the MA holding altitude and subtract the airport elevation. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Round this number as applicable and then add to the final MA altitude only.

(b) Aircraft with temperature compensating systems: * * *

(1) Pilots that have a system that is able to * * *

(2) Pilots that have a system unable to * * *

NOTE-

Some systems apply temperature compensation only to those altitudes associated with an instrument approach procedure loaded into the active flight plan, while other systems apply temperature compensation to all procedure altitudes or user entered altitudes in the active flight plan, including altitudes associated with a Standard Terminal Arrival (STAR). For those systems that apply temperature compensation to all altitudes in the active flight plan, delay activating temperature compensation until the aircraft has passed the last altitude constraint associated with the active STAR.

Example Cold Temperature Restricted Airport List - Required Segments

Identifier	Airport Name	Temperature	Initial	Intermediate	Final	Missed
<u>Montana</u>						
КВТМ	Bert Mooney	-25C	Х	Х	Х	
KBZN	Bozeman Yellowstone Intl	-31C		Х		
KEKS	Ennis Big Sky	-25C			Х	
KGPI	Glacier Park Intl	-15C		Х		
KHLN	Helena Rgnl	-17C	Х	Х	Х	

FIG 7-3-1

FAR/AIM 2024 Updates

2. Individual Segment(s) Method: Pilots are allowed to correct only the marked segment(s) indicated in the CTA list (https://www.faa.gov/air_traffic/flight_info/aeronav/digital_product s/dtpp/search/). Pilots using the Individual Segment(s) Method will reference the CTA list to determine which segment(s) need a correction. (See FIG 7-3-1.)

(a) Manual Correction: * * *

(1) Initial Segment: All altitudes from the intermediate fix (IF) altitude up to and including the IAF altitude. The correction may be accomplished by using the IF altitude or by using the All Segments Method (a) Manual correction (1). To correct the initial segment by using the IF altitude, subtract the airport elevation from the IF altitude. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Round this number as applicable and then add to the IF, IAF, and any step-down fix altitudes.

(2) Intermediate Segment: All altitudes from the FAF/PFAF up to but not including the IF altitude. Calculate the correction by taking FAF/PFAF altitude and subtracting the airport elevation. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Round this number as applicable and then add to FAF altitude and all step-down fix altitudes within the intermediate segment (inside of the waypoint labeled "IF").

(3) Final segment: Calculate the correction by taking the MDA or DA for the approach flown and subtract the airport elevation. Use this number to enter the height above airport column in TBL 7-3-1 until reaching the reported temperature from the "Reported Temperature" row. Use this number or round up to next nearest 100 ft. Add this number to MDA or DA and any applicable step-down fix altitudes in the final segment.

(4) Missed Approach Segment: * * *

(b) Aircraft with temperature compensating system: * * *

- * * * *
- 7-3-6. EXAMPLES FOR CALCULATING ALTITUDE CORRECTIONS ON CTAS: On page 809, revise formatting

within subparagraph a.1.(a)(12) as follows:

(12) TBL 7-3-1: 8794 ft at -12°C. Enter table at -12°C and

intersect the 5000 ft height above airport column. The approximate value is 500 ft.

* * * * *

Chapter 8. MEDICAL FACTS FOR PILOTS

8-1-2. EFFECTS OF ALTITUDE: On page 831, revise subparagraph d. as follows:

d. Decompression Sickness After Scuba Diving.

1. A pilot or passenger who intends to fly after scuba diving should allow the body sufficient time to rid itself of excess nitrogen absorbed during diving. If not, altitude decompression sickness due to evolved nitrogen gas can occur during exposure to reduced barometric pressure (i.e., low cabin pressure) associated with increased altitude and may lead to a serious inflight emergency.

2. The recommended wait time before going to flight altitudes of up to 8,000 feet is at least 12 hours after diving that did not require a controlled ascent (i.e., non-decompression stop diving), and at least 24 hours after diving that required a controlled ascent (i.e., decompression stop diving). The recommended wait time before going to flight altitudes above 8,000 feet is at least 24 hours after any SCUBA dive. These recommended altitudes are actual flight altitudes above mean sea level (AMSL) and not pressurized cabin altitudes. This takes into consideration the risk of aircraft decompression during flight.

Chapter 10. HELICOPTER OPERATIONS

10-2-1. OFFSHORE HELICOPTER OPERATIONS: On

pages 849 and 852, revise the HAI link in subparagraph a. and add to the word "to" to TBL 10-2-1 as follows:

* * * *

a. Introduction

* * * Several industry organizations have risen to the task of reducing risks in offshore operations, including the Helicopter Safety Advisory Conference (HSAC) (http://www.hsac.org), and the Offshore Committee of the Helicopter Association International (HAI) (http://www.rotor.org). * * *

j. Offshore (VFR) Operating Altitudes for Helicopters

* * *

2. Recommended Practice Example

- * * * *
 - (b) <u>En Route Operations</u>

*

* * *

(2) * * *

Magnetic Heading	Altitude
0° to 179°	750'
	1750'
	2750'
180° to 359°	1250'
	2250'

* * * * *

Chapter 11. UNMANNED AIRCRAFT SYSTEMS (UAS)

11-2-2. REGISTRATION REQUIREMENTS: On page 862, revise subparagraph c.2. to clarify the weight requirement as follows:

c. Registering UAS under 14 CFR Part 48. * * *

*

* 2. Recreational Flyers. UAS that are flown exclusively for recreational purposes must be registered if they weigh more than 0.55 pounds (250 grams). *

11-5-1. UAS PILOT CERTIFICATION AND REQUIREMENTS FOR PART 107 AND RECREATIONAL FLYERS: On page 873, revise subparagraph i. as follows:

i. Night Operations and Operations over People:

*

11-8-6. ENVIRONMENTAL BEST PRACTICES: On page 875. revise subparagraph a.2.(b) and REFERENCE to remove "JO" from FAA Order 1050.1.

Appendix 3. ABBREVIATIONS/ACRONYMS

On page 881, remove the row for "SCAT-1 DGPS,"

Appendix 4. FAA FORM 7233-4 --INTERNATIONAL FLIGHT PLAN

On pages 883 and 897, remove the NOTEs under subparagraphs b.4. and f.5.(c).

PILOT/CONTROLLER GLOSSARY

On pages 903, 912, 921-923, 929, 939, 947, 950-951, and 956, add new item c. to the introduction (subsequent items were relettered accordingly) and add or revise the following:

Purpose

* *

b. Because of the international nature of flying, * * *

*

c. Terms used in this glossary that apply to flight service station (FSS) roles are included when they differ from air traffic control functions. These terms are followed by "[FSS].'

AUTOMATED SERVICES - Services delivered via an automated system (that is, without human interaction). For example, flight plans, Notices to Air Missions (NOTAM), interactive maps, computer-generated text-to-speech messages, short message service, or email.

*

- ENHANCED SPECIAL REPORTING SERVICE (eSRS) An automated service used to enhance search and rescue operations that provides flight service specialists in Alaska direct information from the aircraft's registered tracking device.
- * * *

eSRS - (See ENHANCED SPECIAL REPORTING SERVICE.)

- FLIGHT DATA [FSS] The primary task of the FSS flight data position is information management. Flight data services include the development, translation, processing, and coordination of aeronautical, meteorological, and aviation information.
- INFLIGHT SERVICES [FSS] Services provided to or affecting aircraft inflight or otherwise operating on the airport surface. This includes services to airborne aircraft, such as the delivery of ATC clearances, advisories or requests, issuance of military flight advisory messages, NOTAM delivery, search and rescue communications searches, flight plan handling, transcribed or live broadcasts, weather observations, PIREPs, and pilot briefings.
- PILOT BRIEFING The gathering, translation, interpretation, and summarization of weather and aeronautical information into a form usable by the pilot or flight supervisory personnel to assist in flight planning and decision-making for the safe and efficient operation of aircraft. These briefings may include, but are not limited to, weather observations, forecasts, and aeronautical information (for example, NOTAMs, military activities, flow control information, and temporary flight restrictions [TFR]).

SE SAR - (See SURVEILLANCE ENHANCED SEARCH AND RES-CUE.)

- SPECIALIST-PROVIDED SERVICES Services delivered directly by a flight service specialist via ground/ground communication, air/ground communication, in-person, or technology (for example, speech-to-text, email, or short message service).
- SURVEILLANCE ENHANCED SEARCH AND RESCUE (SE SAR) -An automated service used to enhance search and rescue operations that provides federal contract flight service specialists direct information from the aircraft's registered tracking device.

* * * * TRAFFIC PATTERN - * * *

*

*

*

*

- a. Upwind Leg. * * *
- b. Crosswind Leg. * * *
- c. Downwind Leg. * * *
 d. Base Leg. * * *
- Note: ATC may instruct a pilot to report a "2-mile left base" to Runway 22. This instruction means that the pilot is expected to maneuver their aircraft into a left base leg that will intercept a straight-in final 2 miles from the approach end of Runway 22 and advise ATC.
- Reference: Pilot's Handbook of Aeronautical Knowledge, FAA-H-8083-25, Chapter 14, Airport Operations, Traffic Patterns.

e. Final Approach. * * *

- Note: ATC may instruct a pilot to report "5-mile final" to Runway 22. This instruction means that the pilot should maneuver their aircraft onto a straight-in final and advise ATC when they are five miles from the approach end of Runway 22.
- Reference: Pilot's Handbook of Aeronautical Knowledge, FAA-H-8083-25, Chapter 14, Airport Operations, Traffic Patterns.

September 22, 2023

Effective September 22, 2023

PART 91—GENERAL OPERATING AND FLIGHT RULES

Sec. 91.1611 Special Federal Aviation Regulation No. 115--Prohibition Against Certain Flights in the Specified Areas of the Sanaa Flight Information Region (FIR) (OYSC). On page 219, revise paragraphs (b)-(c) as follows:

* * * * *

(b) Flight prohibition. Except as provided in paragraphs (c) and (d) of this section, no person described in paragraph (a) of this section may conduct flight operations in the portion of the Sanaa Flight Information Region (FIR) (OYSC) that is west of a line drawn direct from KAPET (163322N 0530614E) to NODMA (152603N 053359E), northwest of a line drawn direct from NODMA to IMPAG (140638N 0503924E) then from IMPAG to TIMAD (115500N 0463500E), north of a line drawn direct from TIMAD to PARIM (123200N 0432720E), and east of a line drawn direct from PARIM to RIBOK (154700N 0415230E). Use of jet route UN303 is not authorized.

(c) Permitted operations. This section does not prohibit persons described in paragraph (a) of this section from conducting flight operations in the Sanaa FIR (OYSC) under the following circumstances:

(1) Permitted operations that do not require an approval or exemption from the FAA. Flight operations may be conducted in the Sanaa FIR (OYSC) in that airspace east of a line drawn direct from KAPET (163322N 0530614E) to NODMA (152603N 0533359E), southeast of a line drawn direct from NODMA to IMPAG (140638N 0503924E) then from IMPAG to TIMAD (115500N 0463500E), south of a line drawn direct from TIMAD to PARIM (123200N 0432720E), and west of a line drawn direct from PARIM to RIBOK (154700N 0415230E). Use of jet routes UT702 and M999 are authorized. All flight operations conducted under this subparagraph must be conducted subject to the approval of, and in accordance with the conditions established by, the appropriate authorities of Yemen.

(2) Operations permitted under an approval or exemption issued by the FAA. Flight operations may be conducted in the Sanaa FIR (OYSC) in that airspace west of a line drawn direct from KAPET (163322N 0530614E) to NODMA (152603N 0533359E), northwest of a line drawn direct from NODMA to IMPAG (140638N 0503924E) then from IMPAG to TIMAD (115500N 0463500E), north of a line drawn direct from TIMAD to PARIM (123200N 0432720E), and east of a line drawn direct from PARIM to RIBOK (154700N 0415230E) if such flight operations are conducted under a contract, grant, or cooperative agreement with a department, agency, or instrumentality of the U.S. Government (or under a subcontract between the prime contractor of the U.S. Government department, agency, or instrumentality and the person subject to paragraph (a)), with the approval of the FAA, or under an exemption issued by the FAA. The FAA will consider requests for approval or exemption in a timely manner, with the order of preference being: First, for those operations in support of U.S. Government-sponsored activities; second, for those operations in support of government-sponsored activities of a foreign country with the support of a U.S. government department, agency, or instrumentality; and third, for all other operations.

* * * * *

September 15, 2023

Effective September 15, 2023

PART 91—GENERAL OPERATING AND FLIGHT RULES

Sec. 91.1615 Special Federal Aviation Regulation No. 79--Prohibition Against Certain Flights in the Pyongyang Flight Information Region (FIR) (ZKKP). On page 221, revise paragraph (e) as follows:

* * * * *

(e) *Expiration.* This SFAR will remain in effect until September 18, 2028. The FAA may amend, rescind, or extend this SFAR, as necessary.

August 25, 2023

Effective September 15, 2023 through September 15, 2024

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

Sec. 71.1 Applicability. On page 129, revise date, policy, and contact references as follows:

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order JO 7400.11H is effective September 15, 2023, through September 15, 2024. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the Federal Register, unless there is good cause to forego notice and comment. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the Federal Register. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. This incorporation by reference (IBR) material is available for inspection at the Federal Aviation Administration (FAA) and at the National Archives and Records Administration (NARA). Contact the FAA at: Rules and Regulations Group, Federal Áviation Administration, 800 Independence Avenue SW, Washington, DC 20591, (202) 267-8783. An electronic version of FAA Order JO 7400.11H is available on the FAA website at *www.faa.gov/air_traffic/publications*. Copies of FAA Order JO 7400.11H may be inspected in Docket No. FAA-2023-1785; Amendment No. 71-55, on *www.regulations.gov*. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/CFR/IBR-locations.html or email fr.inspection@nara.gov.

Secs. 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, 71.901. On pages 129-130, replace the words "FAA Order 7400.11G" with "FAA Order JO 7400.11H."

<u>July 26, 2023</u>

Effective July 25, 2023

14 CFR PART 91—GENERAL OPERATING AND FLIGHT RULES

Sec. 91.146 Passenger-carrying flights for the benefit of a charitable, nonprofit, or community event. On pages 155-156, revise paragraph (b) as follows:

(b) Passenger-carrying flights in airplanes, powered-lift, or rotorcraft for the benefit of a charitable, nonprofit, or community event identified in paragraph (c) of this section are not subject to the certification requirements of part 119 of this chapter or the drug and alcohol testing requirements in part 120 of this chapter, provided the following conditions are satisfied and the limitations in paragraphs (c) and (d) are not exceeded:

(2) The flight is conducted from a public airport that is adequate for the aircraft used, or from another location the FAA approves for the operation;

(3) The aircraft has a maximum of 30 seats, excluding each crewmember seat, and a maximum payload capacity of 7,500 pounds;

(5) Each aircraft holds a standard airworthiness certificate, is airworthy, and is operated in compliance with the applicable requirements of subpart E of this part;

(7) Reimbursement of the operator of the aircraft is limited to that portion of the passenger payment for the flight that does not exceed the pro rata cost of owning, operating, and maintaining the aircraft for that flight, which may include fuel, oil, airport expenditures, and rental fees;

Sec. 91.147 Passenger-carrying flights for compensation or hire. On page 156, revise paragraph (a) as follows:

* * * * * * * (a) For the purposes of this section and for drug and alcohol testing, *Operator* means any person conducting nonstop passengercarrying flights in an airplane, powered-lift, or rotorcraft for compensation or hire in accordance with Secs. 119.1(e)(2), 135.1(a)(5), or 121.1(d) of this chapter that begin and end at the same airport and are conducted within a 25-statute mile radius of that airport.

* * * * *

*

*

Sec. 91.1015 Management specifications. On page 196, revise paragraph (a) as follows:

(a) * * * * * * * * *

(9) Any authorized deviation and exemption that applies to the person conducting operations under this subpart; and

14 CFR PART 110—GENERAL REQUIREMENTS

Sec. 110.2 Definitions. On pages 259-260, revise definitions as follows:

* * * * *

Commercial air tour means a flight conducted for compensation or hire in an airplane, powered-lift, or rotorcraft where a purpose of the flight is sightseeing. The FAA may consider the following factors in determining whether a flight is a commercial air tour:

* * * *

Commuter operation means any scheduled operation conducted by any person operating one of the following types of aircraft with a frequency of operations of at least five round trips per week on at least one route between two or more points according to the published flight schedules:

(1) Rotorcraft; or

(2) Airplanes or powered-lift that:

(i) Are not turbojet-powered;

(ii) Have a maximum passenger-seat configuration of 9 seats or less, excluding each crewmember seat; and

(iii) Have a maximum payload capacity of 7,500 pounds or less.

Domestic operation means any scheduled operation conducted by any person operating any aircraft described in paragraph (1) of this definition at locations described in paragraph (2) of this definition:

(1) Airplanes or powered-lift that:

(i) Are not turbojet-powered;

(ii) Have a passenger-seat configuration of more than 9 passenger seats, excluding each crewmember seat; or

(iii) Have a payload capacity of more than 7,500 pounds. (2) Locations:

(i) Between any points within the 48 contiguous States of the United States or the District of Columbia; or

(ii) Operations solely within the 48 contiguous States of the United States or the District of Columbia; or

(iii) Operations entirely within any State, territory, or possession of the United States; or

(iv) When specifically authorized by the Administrator, operations between any point within the 48 contiguous States of the United States or the District of Columbia and any specifically authorized point located outside the 48 contiguous States of the United States or the District of Columbia.

Flag operation means any scheduled operation conducted by any person operating any aircraft described in paragraph (1) of this definition at locations described in paragraph (2) of this definition:

(1) Airplanes or powered-lift that:

(i) Are turbojet-powered;

(ii) Have a passenger-seat configuration of more than 9 passenger seats, excluding each crewmember seat; or

(iii) Have a payload capacity of more than 7,500 pounds.(2) Locations:

(i) Between any point within the State of Alaska or the State of Hawaii or any territory or possession of the United States and any point outside the State of Alaska or the State of Hawaii or any territory or possession of the United States, respectively; or

(ii) Between any point within the 48 contiguous States of the United States or the District of Columbia and any point outside the 48 contiguous States of the United States and the District of Columbia.

(iii) Between any point outside the U.S. and another point outside the U.S.

* * * * *

On-demand operation means any operation for compensation or hire that is one of the following:

(1) Passenger-carrying operations conducted as a public charter under part 380 of this chapter or any operations in which the departure time, departure location, and arrival location are specifically negotiated with the customer or the customer's representative that are any of the following types of operations:

(i) Common carriage operations conducted with airplanes or powered-lift, including any that are turbojet-powered, having a passenger-seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less. The operations described in this paragraph do not include operations using a specific airplane or powered-lift that is also used in domestic or flag operations and that is so listed in the operations specifications as required by Sec. 119.49(a)(4) of this chapter for those operations are considered supplemental operations;

(ii) Noncommon or private carriage operations conducted with airplanes or powered-lift having a passenger-seat configuration of less than 20 seats, excluding each crewmember seat, and a payload capacity of less than 6,000 pounds; or

(iii) Any rotorcraft operation.

(2) Scheduled passenger-carrying operations conducted with one of the following types of aircraft, other than turbojet-powered aircraft, with a frequency of operations of less than five round trips per week on at least one route between two or more points according to the published flight schedules:

(i) Airplanes or powered-lift having a maximum passengerseat configuration of 9 seats or less, excluding each crewmember seat, and a maximum payload capacity of 7,500 pounds or less; or

(ii) Rotorcraft.

(3) All-cargo operations conducted with airplanes or poweredlift having a payload capacity of 7,500 pounds or less, or with rotorcraft.

Supplemental operation means any common carriage operation for compensation or hire conducted with any aircraft described in paragraph (1) of this definition that is a type of oper-

ation described in paragraph (2) of this definition:

(1) Airplanes or powered-lift that:

(i) Have a passenger-seat configuration of more than 30 seats, excluding each crewmember seat.

(ii) Have a payload capacity of more than 7,500 pounds.

(iii) Are propeller-powered and:

(A) Have a passenger-seat configuration of more than 9 seats and less than 31 seats, excluding each crewmember seat; and

(B) Are used in domestic or flag operations but are so listed in the operations specifications as required by Sec. 119.49(a)(4) of this chapter for such operations.

(iv) Are turbojet-powered and:

(A) Have a passenger seat configuration of 1 or more but less than 31 seats, excluding each crewmember seat; and

(B) Are used in domestic or flag operations and are so listed in the operations specifications as required by Sec. 119.49(a)(4) of this chapter for such operations.

(2) Types of operation:

(i) Operations for which the departure time, departure location, and arrival location are specifically negotiated with the customer or the customer's representative.

(ii) All-cargo operations.

(iii) Passenger-carrying public charter operations conducted under part 380 of this chapter.

* * * * *

14 CFR PART 119—CERTIFICATION: AIR CARRIERS AND COMMERCIAL OPERATORS

Sec. 119.1 Applicability. On pages 269-270, revise paragraph (a)(2); add paragraph (a)(3); and revise paragraphs (e) introductory text, (e)(2), (e)(4)(v), (e)(5), (e)(7) introductory text, and (e)(7)(i), (iii), and (vii) as follows:

, (a) * * * * *

(2) When common carriage is not involved, in operations of any U.S.-registered civil airplane or powered-lift with a seat configuration of 20 or more passengers, or a maximum payload capacity of 6,000 pounds or more; or

(3) When noncommon carriage is involved, except as provided in Sec. 91.501(b) of this chapter, or in private carriage for compensation or hire, in operations of any U.S.-registered civil airplane or powered-lift with a passenger-seat configuration of less than 20 seats and a payload capacity of less than 6,000 pounds.

(e) Except for operations when common carriage is not involved conducted with any airplane or powered-lift having a passengerseat configuration of 20 seats or more, excluding any required crewmember seat, or a payload capacity of 6,000 pounds or more, this part does not apply to--

(2) Nonstop Commercial Air Tours that occur in an airplane, powered-lift, or rotorcraft having a standard airworthiness certificate and passenger-seat configuration of 30 seats or fewer and a maximum payload capacity of 7,500 pounds or less that begin and end at the same airport, and are conducted within a 25-statute mile radius of that airport, in compliance with the Letter of Authorization issued under Sec. 91.147 of this chapter. For non-stop Commercial Air Tours conducted in accordance with part 136, subpart B, of this chapter, National Parks Air Tour Management, the requirements of this part apply unless excepted in Sec. 136.37(g)(2). For Nonstop Commercial Air Tours conducted in the vicinity of the Grand Canyon National Park, Arizona, the requirements of SFAR 50-2, part 93, subpart U, of the chapter and this part, as applicable, apply.

(4) Aerial work operations, including--

* * * *

(v) Powered-lift or rotorcraft operations in construction or repair work (but part 119 of this chapter does apply to transportation to and from the site of operations); and

* * *

(5) Sightseeing flights conducted in hot air balloons or gliders;

(7) Powered-lift or rotorcraft flights conducted within a 25 statute mile radius of the airport of takeoff if--

(i) Not more than two passengers are carried in the aircraft in addition to the required flightcrew;

(iii) The aircraft used is certificated in the standard category and complies with the 100-hour inspection requirements of part 91 of this chapter;

* * * *

(vii) Cargo is not carried in or on the aircraft;

* * * *

Sec. 119.5 Certifications, authorizations, and prohibitions. On page 270, revise paragraphs (b) and (c) as follows:

(b) A person not authorized to conduct direct air carrier operations, but authorized by the Administrator to conduct operations as a U.S. commercial operator, will be issued an Operating Certificate.

(c) A person not authorized to conduct direct air carrier operations, but authorized by the Administrator to conduct operations when common carriage is not involved as an operator of any U.S.-registered civil airplane or powered-lift with a seat configuration of 20 or more passengers, or a maximum payload capacity of 6,000 pounds or more, will be issued an Operating Certificate.

Sec. 119.21 Commercial operators engaged in intrastate common carriage and direct air carriers. On page 271, revise paragraph (a) as follows:

(a) Each person who conducts airplane or powered-lift operations as a commercial operator engaged in intrastate common carriage of persons or property for compensation or hire in air commerce, or as a direct air carrier, shall comply with the certification and operations specifications requirements in subpart C of this part, and shall conduct its:

* * *

On page 271, revise Sec. 119.23 heading and paragraphs (a) and (b) as follows:

Sec. 119.23 Operators engaged in passenger-carrying operations, cargo operations, or both with airplanes or powered-lift when common carriage is not involved.

(a) Each person who conducts operations when common carriage is not involved with any airplane or powered-lift having a passenger-seat configuration of 20 seats or more, excluding each crewmember seat, or a payload capacity of 6,000 pounds or more, must, unless deviation authority is issued ---*

(2) Conduct its operations in accordance with the requirements of part 125 of this chapter; and

*

(b) Each person who conducts noncommon carriage (except as provided in Sec. 91.501(b) of this chapter) or private carriage operations for compensation or hire with any airplane or poweredlift having a passenger-seat configuration of less than 20 seats, excluding each crewmember seat, and a payload capacity of less than 6,000 pounds, must--

* * *

Sec. 119.49 Contents of operations specifications. On page 274, revise paragraphs (a)(12), (b)(12), and (c)(11) as follows:

(a) * * * * *

(12) Any authorized deviation or exemption from any requirement of this chapter that applies to the certificate holder.

* * (b) * * *

*

(12) Any authorized deviation or exemption from any requirement of this chapter that applies to the certificate holder.

* * (c) * * *

(11) Any authorized deviation or exemption from any requirement of this chapter that applies to the certificate holder. * *

Sec. 119.65 Management personnel required for operations conducted under part 121 of this chapter. On page 277, revise paragraphs (a)(3) and (b)(2) as follows:

(a) * * *

(3) Chief Pilot for each category of aircraft the certificate holder uses, as listed in Sec. 61.5(b)(1) of this chapter.

* * (b) * * * * (2) The number and type of aircraft used; and

Sec. 119.67 Management personnel: Qualifications for operations conducted under part 121 of this chapter. On pages 277-278, revise section as follows:

(a) Director of Operations. To serve as Director of Operations under Sec. 119.65(a), a person must hold an airline transport pilot certificate and --

(1) If the certificate holder uses large aircraft, at least 3 years of supervisory or managerial experience within the last 6 years in large aircraft, in a position that exercised operational control over any operations conducted under part 121 or 135 of this chapter.

(2) If the certificate holder uses large aircraft, at least 3 years of experience as pilot in command under part 121 or 135 of this chapter in large aircraft in at least one of the categories of aircraft the certificate holder uses, as listed in Sec. 61.5(b)(1) of this chapter. In the case of a person becoming Director of Operations for the first time, he or she must have accumulated this experience as pilot in command within the past 6 years.

(3) If the certificate holder uses only small aircraft in its operations, the experience required in paragraphs (a)(1) and (2) of this section may be obtained in either large or small aircraft.

(b) Chief Pilot. To serve as Chief Pilot under Sec. 119.65(a), a person must:

(1) Hold an airline transport pilot certificate with appropriate ratings in the category of aircraft that the certificate holder uses in its operations under part 121 of this chapter and over which the Chief Pilot exercises responsibility; and

(2) Have at least 3 years of experience as pilot in command in the same category of aircraft that the certificate holder uses, as listed in Sec. $61.5(\acute{b})$ of this chapter. The experience as pilot in command described in this paragraph (b)(2) must:

(i) Have occurred within the past 6 years, in the case of a person becoming a Chief Pilot for the first time.

(ii) Have occurred in large aircraft operated under part 121 or 135 of this chapter. If the certificate holder uses only small aircraft in its operation, this experience may be obtained in either large or small aircraft.

(iii) Be in the same category of aircraft over which the Chief Pilot exercises responsibility.

(c) Director of Maintenance. To serve as Director of Maintenance under § 119.65(a), a person must:

(1) Hold a mechanic certificate with airframe and powerplant ratings;

(2) Have 1 year of experience in a position responsible for returning aircraft to service;

(3) Have at least 1 year of experience in a supervisory capacity under either paragraph (c)(4)(i) or (ii) of this section maintaining the same category and class of aircraft as the certificate holder uses; and

(4) Have 3 years of experience within the past 6 years in one or a combination of the following--

(i) Maintaining large aircraft with 10 or more passenger seats, including, at the time of appointment as Director of Maintenance, experience in maintaining the same category and class of aircraft as the certificate holder uses; or

(ii) Repairing aircraft in a certificated airframe repair station that is rated to maintain aircraft in the same category and class of aircraft as the certificate holder uses.

(d) *Chief Inspector*. To serve as Chief Inspector under Sec. 119.65(a), a person must:

(1) Hold a mechanic certificate with both airframe and powerplant ratings, and have held these ratings for at least 3 years;

(2) Have at least 3 years of maintenance experience on different types of large aircraft with 10 or more passenger seats with an air carrier or certificated repair station, 1 year of which must have been as maintenance inspector; and

(3) Have at least 1 year of experience in a supervisory capacity maintaining the same category and class of aircraft as the certificate holder uses.

(e) Deviation. A certificate holder may request a deviation to employ a person who does not meet the appropriate airman experience, managerial experience, or supervisory experience requirements of this section if the Manager of the Air Transportation Division or the Manager of the Aircraft Maintenance Division, as appropriate, finds that the person has comparable experience and can effectively perform the functions associated with the position in accordance with the requirements of this chapter and the procedures outlined in the certificate holder's manual. Deviations under this paragraph (e) may be issued after consideration of the size and scope of the operation and the qualifications of the intended personnel. The Administrator may, at any time, terminate any grant of deviation authority issued under this paragraph (e).

14 CFR PART 136—COMMERCIAL AIR TOURS AND NATIONAL PARKS AIR TOUR MANAGEMENT

Sec. 136.1 Applicability and definitions. On page 387, revise paragraphs (a), (b) introductory text, and (c) and, in paragraph (d), revise the definition for "Commercial Air Tour" and replace the definition of "Suitable landing area for helicopters" with the definition for "Suitable landing area rotorcraft" as follows:

(a) This subpart applies to each person operating or intending to operate a commercial air tour in an airplane, powered-lift, or rotorcraft and, when applicable, to all occupants of those aircraft engaged in a commercial air tour. When any requirement of this subpart is more stringent than any other requirement of this chapter, the person operating the commercial air tour must comply with the requirement in this subpart.

(b) This subpart applies to:

* * * * *

(c) This subpart does not apply to operations conducted in balloons, gliders (powered and un-powered), parachutes (powered and un-powered), gyroplanes, or airships.

(d) * * *

Commercial air tour means a flight conducted for compensation or hire in an airplane, powered-lift, or rotorcraft where a purpose of the flight is sightseeing. The FAA may consider the following factors in determining whether a flight is a commercial air tour for purposes of this subpart:

* * * * *

Suitable landing area for rotorcraft means an area that provides the operator reasonable capability to land in an emergency without causing serious injury to persons. These suitable landing areas must be site specific, designated by the operator, and accepted by the FAA.

* * * * *

Sec. 136.3 Letters of Authorization. On page 387, revise the paragraph as follows:

Operators subject to this subpart who have Letters of Authorization may use the procedures described in Sec. 119.51 of this chapter to amend or have the FAA reconsider those Letters of Authorization.

Sec. 136.5 Additional requirements for Hawaii. On page 387, revise the paragraph as follows:

Any operator subject to this subpart who meets the criteria of Sec. 136.71 must comply with the additional requirements and restrictions in subpart D of this part.

On page 388, revise Sec. 136.9 heading and paragraphs (b)(1) through (3) as follows:

Sec. 136.9 Life preservers for operations over water.

* * * (b) * * *

(1) The aircraft is equipped with floats;

(2) The airplane is within power-off gliding distance to the shoreline for the duration of the time that the flight is over water; or

(3) The aircraft is a multiengine that can be operated with the critical engine inoperative at a weight that will allow it to climb, at least 50 feet a minute, at an altitude of 1,000 feet above the surface, as provided in the approved aircraft flight manual for that aircraft.

* * * * *

On page 388, revise Sec. 136.11 heading and paragraphs as follows:

Sec. 136.11 Rotorcraft floats for over water.

(a) A rotorcraft used in commercial air tours over water beyond the shoreline must be equipped with fixed floats or an inflatable flotation system adequate to accomplish a safe emergency ditching, if--

(1) It is a single-engine rotorcraft; or

(2) It is a multi-engine rotorcraft that cannot be operated with the critical engine inoperative at a weight that will allow it to climb, at least 50 feet a minute, at an altitude of 1,000 feet above the surface, as provided in the approved aircraft flight manual for that aircraft.

(b) Each rotorcraft that is required to be equipped with an inflatable flotation system under this section must have:

(1) The activation switch for the flotation system on one of the primary flight controls; and

(2) The flotation system armed when the rotorcraft is over water beyond the shoreline and is flying at a speed that does not exceed the maximum speed prescribed in the approved aircraft flight manual for flying with the flotation system armed.

(c) Neither fixed floats nor an inflatable flotation system is required for a rotorcraft under this section when that rotorcraft is:

(1) Over water only during the takeoff or landing portion of the flight; or

(2) Operated within power-off gliding distance to the shoreline for the duration of the flight and each occupant is wearing a life preserver from before takeoff until the aircraft is no longer over water.

On page 388, revise Sec. 136.13 heading and paragraphs as follows:

Sec. 136.13 Performance plan.

(a) Each operator that uses a rotorcraft must complete a performance plan before each commercial air tour or flight operated under Sec. 91.146 or Sec. 91.147 of this chapter. The pilot in command must review for accuracy and comply with the performance plan on the day the flight occurs. The performance plan must be based on information in the approved aircraft flight manual for that aircraft taking into consideration the maximum density altitude for which the operation is planned, in order to determine:

(1) Maximum gross weight and center of gravity (CG) limitations for hovering in ground effect;

(2) Maximum gross weight and CG limitations for hovering out of ground effect; and

(3) Maximum combination of weight, altitude, and temperature for which height/velocity information in the approved aircraft flight manual is valid.

(b) Except for the approach to and transition from a hover for the purpose of takeoff and landing, or during takeoff and landing, the pilot in command must make a reasonable plan to operate the rotorcraft outside of the caution/warning/avoid area of the limiting height/velocity diagram.

(c) Except for the approach to and transition from a hover for the purpose of takeoff and landing, during takeoff and landing, or when necessary for safety of flight, the pilot in command must operate the rotorcraft in compliance with the plan described in paragraph (b) of this section.

On page 390, remove **Appendix A to Part 136--Special Operating Rules for Air Tour Operators in the State of Hawaii.**

On page 390, add new subpart D as follows:

Subpart D--Special Operating Rules for Air Tour Operators in the State of Hawaii

Sec. 136.71 Applicability.

(a) Except as provided in paragraph (b) of this section, this subpart prescribes operating rules for air tour flights conducted in airplanes, powered-lift, or rotorcraft under visual flight rules in the State of Hawaii pursuant to parts 91, 121, and 135 of this chapter.

(b) This subpart does not apply to:

(1) Operations conducted under part 121 of this chapter in airplanes with a passenger seating configuration of more than 30 seats or a payload capacity of more than 7,500 pounds.

(2) Flights conducted in gliders or hot air balloons.

Sec. 136.73 Definitions.

For the purposes of this subpart:

Air tour means any sightseeing flight conducted under visual flight rules in an airplane, powered-lift, or rotorcraft for compensation or hire.

Air tour operator means any person who conducts an air tour.

Sec. 136.75 Equipment and requirements.

(a) *Flotation equipment*. No person may conduct an air tour in Hawaii in a rotorcraft beyond the shore of any island, regardless of whether the rotorcraft is within gliding distance of the shore, unless:

(1) The rotorcraft is amphibious or is equipped with floats adequate to accomplish a safe emergency ditching and approved flotation gear is easily accessible for each occupant; or

(2) Each person on board the rotorcraft is wearing approved flotation gear.

(b) *Performance plan*. Each operator must complete a performance plan that meets the requirements of this paragraph (b) before each air tour flight conducted in a rotorcraft.

(1) The performance plan must be based on information from the current approved aircraft flight manual for that aircraft, considering the maximum density altitude for which the operation is planned to determine the following:

(i) Maximum gross weight and center of gravity (CG) limitations for hovering in ground effect;

(ii) Maximum gross weight and CG limitations for hovering out of ground effect; and

(iii) Maximum combination of weight, altitude, and temperature for which height-velocity information from the performance data is valid.

(2) The pilot in command (PIC) must comply with the performance plan.

(c) Operating limitations. Except for approach to and transition from a hover, and except for the purpose of takeoff and landing, the PIC of a rotorcraft may only operate such aircraft at a combination of height and forward speed (including hover) that would permit a safe landing in event of engine power loss, in accordance with the height-speed envelope for that rotorcraft under current weight and aircraft altitude.

(d) *Minimum flight altitudes*. Except when necessary for takeoff and landing, or operating in compliance with an air traffic control clearance, or as otherwise authorized by the Administrator, no person may conduct an air tour in Hawaii:

(1) Below an altitude of 1,500 feet above the surface over all areas of the State of Hawaii;

(2) Closer than 1,500 feet to any person or property; or

(3) Below any altitude prescribed by Federal statute or regulation.

(e) Passenger briefing. Before takeoff, each PIC of an air tour flight of Hawaii with a flight segment beyond the ocean shore of any island shall ensure that each passenger has been briefed on the following, in addition to requirements set forth in Sec. 91.107, Sec. 121.571, or Sec. 135.117 of this chapter:

(1) Water ditching procedures;

(2) Use of required flotation equipment; and

(3) Emergency egress from the aircraft in event of a water landing.

<u>July 25, 2023</u>

Effective July 25, 2023

14 CFR PART 91—GENERAL OPERATING AND FLIGHT RULES

On page 221, add new Sec. 1619 as follows:

Sec. 91.1619 Special Federal Aviation Regulation No. 119– Prohibition Against Certain Flights in the Kabul Flight Information Region (FIR) (OAKX).

(a) *Applicability*. This Special Federal Aviation Regulation (SFAR) applies to the following persons:

(1) All U.S. air carriers and U.S. commercial operators;

(2) All persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and

(3) All operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier.

(b) *Flight prohibition.* Except as provided in paragraphs (c) and (d) of this section, no person described in paragraph (a) of this section may conduct flight operations in the Kabul Flight Information Region (FIR) (OAKX).

(c) *Permitted operations*. This section does not prohibit persons described in paragraph (a) of this section from conducting flight operations in the Kabul Flight Information Region (FIR) (OAKX) under the following circumstances:

(1) Overflights of the Kabul Flight Information Region (FIR) (OAKX) may be conducted at altitudes at and above Flight Level (FL) 320, subject to the approval of, and in accordance with the conditions established by, the appropriate authorities of Afghanistan.

(2) Flight operations may be conducted in the Kabul Flight Information Region (FIR) (OAKX) at altitudes below FL320, provided that such flight operations occur under a contract, grant, or cooperative agreement with a department, agency, or instrumentality of the U.S. Government (or under a subcontract between the prime contractor of the U.S. Government department, agency, or instrumentality and the person described in paragraph (a) of this section) with the approval of the FAA or under an exemption issued by the FAA. The FAA will consider requests for approval or exemption in a timely manner, with the order of preference being: first, for those operations in support of U.S. Government-sponsored activities; second, for those operations in support of governmentsponsored activities of a foreign country with the support of a U.S. Government department, agency, or instrumentality; and third, for all other operations.

(d) *Emergency situations*. In an emergency that requires immediate decision and action for the safety of the flight, the pilot in command of an aircraft may deviate from this section to the extent required by that emergency. Except for U.S. air carriers and commercial operators that are subject to the requirements of 14 CFR part 119, 121, 125, or 135, each person who deviates from this section must, within 10 days of the deviation, excluding Saturdays, Sundays, and Federal holidays, submit to the responsible Flight Standards Office a complete report of the operations of the aircraft involved in the deviation, including a description of the deviation and the reasons for it.

(e) *Expiration*. This SFAR will remain in effect until July 25, 2025. The FAA may amend, rescind, or extend this SFAR as necessary.

<u>May 30, 2023</u>

Effective June 29, 2023

14 CFR PART 91—GENERAL OPERATING AND FLIGHT RULES

Sec. 91.1023 Program operating manual requirements. On page 198, revise paragraphs (f)-(g), remove paragraph (h), and redesignate the subsequent paragraph accordingly as follows:

(f) The program manager must ensure the appropriate parts of the manual are accessible to flight, ground, and maintenance personnel at all times when such personnel are performing their assigned duties.

(g) The information and instructions contained in the manual must be displayed clearly and be retrievable in the English language.

* * * * *

Sec. 91.1025 Program operating manual contents. On page 198, revise the introductory text as follows:

Each program operating manual accessed in paper format must display the date of last revision on each page. Each program operating manual accessed in electronic format must display the date of last revision in a manner in which a person can immediately ascertain it. Unless otherwise authorized by the Administrator, the manual must include the following:

* * * * *

14 CFR PART 135—REQUIREMENTS: COMMUTER AND ON DEMAND OPERATIONS AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

Sec. 135.21 Manual requirements. On page 310, revise paragraphs (f)-(g) and remove paragraph (h) as follows:

(f) The certificate holder must ensure the appropriate parts of the manual are accessible to flight, ground, and maintenance personnel at all times when such personnel are performing their assigned duties.

(g) The information and instructions contained in the manual must be displayed clearly and be retrievable in the English language.

Sec. 135.23 Manual contents. On page 310, revise the introductory text as follows:

Each manual accessed in paper format must display the date of last revision on each page. Each manual accessed in electronic format must display the date of last revision in a manner in which a person can immediately ascertain it. The manual must include:

* * * * *