

Code of Federal Regulations

▼ Sec. 91.319

Part 91 GENERAL OPERATING AND FLIGHT RULES

Subpart D--Special Flight Operations

Sec. 91.319

Aircraft having experimental certificates: Operating limitations.

- (a) No person may operate an aircraft that has an experimental certificate--
 - (1) For other than the purpose for which the certificate was issued; or
 - (2) Carrying persons or property for compensation or hire.
- (b) No person may operate an aircraft that has an experimental certificate outside of an area assigned by the Administrator until it is shown that--
 - (1) The aircraft is controllable throughout its normal range of speeds and throughout all the maneuvers to be executed; and
 - (2) The aircraft has no hazardous operating characteristics or design features.
- (c) Unless otherwise authorized by the Administrator in special operating limitations, no person may operate an aircraft that has an experimental certificate over a densely populated area or in a congested airway. The Administrator may issue special operating limitations for particular aircraft to permit takeoffs and landings to be conducted over a densely populated area or in a congested airway, in accordance with terms and conditions specified in the authorization in the interest of safety in air commerce.
- (d) Each person operating an aircraft that has an experimental certificate shall--
 - (1) Advise each person carried of the experimental nature of the aircraft;
 - (2) Operate under VFR, day only, unless otherwise specifically authorized by the Administrator; and
 - (3) Notify the control tower of the experimental nature of the aircraft when operating the aircraft into or out of airports with operating control towers.
- [(e) No person may operate an aircraft that is issued an experimental certificate under §21.191 (i) of this chapter for compensation or hire, except a person may operate an aircraft issued an experimental certificate under §21.191 (i)(1) for compensation or hire to--
 - (1) Tow a glider that is a light-sport aircraft or unpowered ultralight vehicle in accordance with §91.309; or
 - (2) Conduct flight training in an aircraft which that person provides prior to January 31, 2010.
- (f) No person may lease an aircraft that is issued an experimental certificate under §21.191 (i) of this chapter, except in accordance with paragraph (e)(1) of this section.
- (g) No person may operate an aircraft issued an experimental certificate under §21.191 (i)(1) of this chapter to tow a glider that is a light-sport aircraft or unpowered ultralight vehicle for compensation or hire or to conduct flight training for compensation or hire in an aircraft which that persons provides unless within the preceding 100 hours of time in service the aircraft has--
 - (1) Been inspected by a certificated repairman (light-sport aircraft) with a maintenance rating, an appropriately rated mechanic, or an appropriately rated repair station in accordance with inspection procedures developed by the aircraft manufacturer or a person acceptable to the

FAA; or

(2) Received an inspection for the issuance of an airworthiness certificate in accordance with part 21 of this chapter.

(h) The FAA may issue deviation authority providing relief from the provisions of paragraph (a) of this section for the purpose of conducting flight training. The FAA will issue this deviation authority as a letter of deviation authority.

(1) The FAA may cancel or amend a letter of deviation authority at any time.

(2) An applicant must submit a request for deviation authority to the FAA at least 60 days before the date of intended operations. A request for deviation authority must contain a complete description of the proposed operation and justification that establishes a level of safety equivalent to that provided under the regulations for the deviation requested.

(i) The Administrator may prescribe additional limitations that the Administrator considers necessary, including limitations on the persons that may be carried in the aircraft.]

Amdt. 91-282, Eff. 9/1/2004

► **Comments**

▼ **Document History**

Notice of Proposed Rulemaking Actions:

Notice of Proposed Rulemaking. Notice No. 02-03; Published in the Federal Register on February 5, 2002.

Notice of Proposed Rulemaking. Notice No. 02-07; Published in the Federal Register on March 19, 2002.

Final Rule Actions:

Final Rule. Docket No. FAA-2001-11133; Published in the Federal Register on July 27, 2004.

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