

# ASA's 2024 FAR-FC Update

Changes to the Federal Aviation Regulations occur via the *Federal Register*, which is published daily. The *Aeronautical Information Manual* is updated every 180 days, and Advisory Circulars are revised as the FAA deems necessary. ASA tracks all relevant changes to keep you current and informed: the ASA FAR/AIM Series is published annually, and all Updates are available at [asa2fly.com/farupdate](https://asa2fly.com/farupdate) and through a free email subscription service that notifies you of changes affecting the information printed in your books.

ASA's 2024 *FAR for Flight Crew* book is current through July 6, 2023. With this Update, information is current through **August 18, 2023**.



## TITLE 14: AERONAUTICS AND SPACE

### PART 91

#### GENERAL OPERATING AND FLIGHT RULES

- **Change Date:** July 26, 2023
- **Effective Date:** July 26, 2023
- **Source:** Amdt. 91–370, 88 FR 48087

Amend §91.1015 by revising paragraph (a)(9) to read as follows:

#### §91.1015 Management specifications.

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

### PART 110

#### GENERAL REQUIREMENTS

- **Change Date:** July 26, 2023
- **Effective Date:** July 26, 2023
- **Source:** Amdt. 110–3, 88 FR 48087

The authority citation for Part 110 is revised to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40101, 40102, 40103, 40113, 44105, 44106, 44111, 44701–44717, 44722, 44901, 44903, 44904, 44906, 44912, 44914, 44936, 44938, 46103, 46105.

Amend §110.2 by revising the introductory text of the definition of “Commercial air tour” and by revising the definitions of “Commuter operation”, “Domestic operation”, “Flag operation”, “On-demand operation”, and “Supplemental operation” to read as follows:

#### §110.2 Definitions.

\* \* \* \* \*

**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 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; or

(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 §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 passenger-seat 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 powered-lift 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 operation 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 §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 §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.

\* \* \* \* \*

## PART 119 CERTIFICATION: AIR CARRIERS AND COMMERCIAL OPERATORS

► **Change Date:** July 26, 2023

► **Effective Date:** July 26, 2023

► **Source:** Amdt. 119–20, 88 FR 48088

The authority citation for Part 119 is revised to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40101, 40102, 40103, 40113, 44105, 44106, 44111, 44701–44717, 44722, 44901, 44903, 44904, 44906, 44912, 44914, 44936, 44938, 46103, 46105; sec. 215, Pub. L. 111–216, 124 Stat. 2348.

Amend §119.1 by:

a. Revising paragraph (a)(2);

b. Adding paragraph (a)(3); and

c. Revising paragraphs (e) introductory text, (e)(2), (e)(4)(v), (e)(5), (e)(7) introductory text, and (e)(7)(i), (iii), and (vii).

The revisions and addition read as follows:

### §119.1 Applicability.

(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 §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 passenger-seat 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 §91.147 of this chapter. For nonstop 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 §136.37(g)(2). For Nonstop Commercial Air Tours conducted in the vicinity of the Grand Can-

yon National Park, Arizona, the requirements of SFAR 50-2, part 93, subpart U, of the chapter and this part, as applicable, apply.

\*\*\*\*\*

(4) \*\*\*

(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;

\*\*\*\*\*

Amend §119.5 by revising paragraphs (b) and (c) to read as follows:

#### §119.5 Certifications, authorizations, and prohibitions.

\*\*\*\*\*

(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.

\*\*\*\*\*

Amend §119.21 by revising paragraph (a) introductory text to read as follows:

#### §119.21 Commercial operators engaged in intrastate common carriage and direct air carriers.

(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:

\*\*\*\*\*

Amend §119.23 by revising the section heading, paragraphs (a) introductory text, (a)(2), and (b) introductory text to read as follows:

#### §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 §91.501(b) of this chapter) or private carriage operations for compensation or hire with any airplane 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, must—

\*\*\*\*\*

Amend §119.49 by revising paragraphs (a)(12), (b)(12), and (c)(11) to read as follows:

#### §119.49 Contents of operations specifications.

(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.

\*\*\*\*\*

Amend §119.65 by revising paragraphs (a)(3) and (b)(2) to read as follows:

#### §119.65 Management personnel required for operations conducted under part 121 of this chapter.

(a) \*\*\*

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

\*\*\*\*\*

(b) \*\*\*

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

\*\*\*\*\*

Revise §119.67 to read as follows:

#### §119.67 Management personnel: Qualifications for operations conducted under part 121 of this chapter.

(a) **Director of Operations.** To serve as Director of Operations under §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 §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 §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 §61.5(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 re-turning 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 §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).

## PART 121

### OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

► **Change Date:** July 26, 2023

► **Effective Date:** July 26, 2023

► **Source:** Amdt. 121–390, 88 FR 48090

Amend §121.1 by revising paragraphs (c) and (g) to read as follows:

#### §121.1 Applicability.

\* \* \* \* \*

**(c)** Each person who applies for provisional approval of an Advanced Qualification Program curriculum, curriculum segment, or portion of a curriculum segment under subpart Y of this part, and each person employed or used by an air carrier or commercial operator under this part to perform training, qualification, or evaluation functions under an Advanced Qualification Program under subpart Y of this part.

\* \* \* \* \*

**(g)** This part also establishes requirements for operators to take actions to support the continued airworthiness of each aircraft.

Amend §121.470 in paragraphs (a) and (b) by removing the word “airplanes” and adding in its place the word “aircraft”.

Amend §121.480 in paragraph (a) by removing the word “airplanes” and adding in its place the word “aircraft”.

Amend §121.500 in paragraph (a) by removing the word “airplanes” and adding in its place the word “aircraft”.