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FAR PART 91: 91.3 – 91.151

Subpart A -- General

PART 91 – GENERAL OPERATING AND FLIGHT RULES

91.3 Responsibility and Authority of the Pilot in Command

1. As the pilot in command of your airplane, you are directly responsible for, and are the final authority as to, the operation of that airplane.
2. Thus, in emergencies, you may deviate from the FARs to the extent needed to maintain the safety of the airplane and passengers.
3. If you do deviate from the FARs in such an emergency, you may be required to file a written report with the FAA.

91.5 Pilot in Command of Aircraft Requiring More than One Required Pilot

1. A pilot may not operate an aircraft that is type certificated for more than one required flight crewmember unless the pilot in command meets the requirements of 61.58.

91.7 Civil Aircraft Airworthiness

1. You may not operate an aircraft that is not in an airworthy condition.
2. You, as the pilot in command, are responsible for determining whether the aircraft is fit for safe flight.
    a. The pilot in command shall discontinue the flight when an unairworthy mechanical, electrical, or structural condition occurs.

91.9 Civil Aircraft Flight Manual, Marking, and Placard Requirements

1. You may not operate an aircraft that has an approved flight manual unless that manual is aboard the aircraft.
2. You may not operate contrary to any limitations specified in that manual.

91.11 Prohibition on Interference with Crewmembers

1. No person may intimidate, assault, threaten, or interfere with a crewmember while (s)he is performing his or her duties aboard an aircraft.

91.13 Careless or Reckless Operation

1. You may not operate your airplane in a careless or reckless manner so as to endanger the life or property of another.

91.15 Dropping Objects

1. Dropping objects from an airplane is not prohibited provided you take reasonable precautions to avoid injury or damage to persons or property.

91.17 Alcohol or Drugs

1. You may not act, or attempt to act, as a crewmember of a civil aircraft
   a. While under the influence of drugs or alcohol
   b. Within 8 hr. after the consumption of any alcoholic beverage
   c. While having .04% by weight or more alcohol in your blood
   d. While using any drug that affects your faculties in any way contrary to safety
2. Except in an emergency, no person who appears to be under the influence of drugs or alcohol (except those under medical care) may be carried aboard an aircraft.
3. Upon request of a law enforcement officer or an FAA employee, you must submit to a test to determine alcohol concentration in the blood or breath.

91.19 Carriage of Narcotic Drugs, Marihuana, and Depressant or Stimulant Drugs or Substances

1. You may not operate an aircraft within the United States with knowledge that any of these substances are aboard. This rule does not apply to flights that are authorized by the federal government or a state government or agency.

91.21 Portable Electronic Devices

1. Portable electronic devices other than portable voice recorders, hearing aids, pacemakers, electricshavers,etc.,maynotbeoperatedonaircraftoperatedIFRoraircraftoperated by holders of an air carrier operating certificate or an operating certificate.
2. The pilot in command or operator of the aircraft can make certain exceptions to this rule so long as the electronic devices will not interfere with the communication or navigation systems of the aircraft.

91.23 Truth-in-Leasing Clause Requirement in Leases and Conditional Sales Contracts

1. This section contains legalese concerning the truth-in-leasing clause that the FAA requires to be in leases and conditional sales contracts of large U.S. aircraft.

91.25 Aviation Safety Reporting Program: Prohibition against Use of Reports for Enforcement Purposes

1. The FAA will not use reports submitted to the National Aeronautics and Space Administration (NASA) under the Aviation Safety Reporting Program (ASRP) in any enforcement action except those concerning criminal offenses and/or accidents.
   a. ASRP is a voluntary program designed to encourage a flow of information concerning deficiencies and discrepancies in the aviation system. It is explained in AC 00-46, *Aviation Safety Reporting Program*.
   b. The primary objective is to obtain information to evaluate and enhance the safety and efficiency of the present system. Operations covered include
      1) Departure, en route, approach, and landing operations and procedures
      2) ATC procedures
      3) Pilot/controller communications
      4) Aircraft movement on the airport
      5) Near midair collisions

c. NASA acts as an independent third party to receive and analyze these reports.

1) NASA ensures that no information that might reveal the identity of any party involved in an occurrence or incident reported under the ASRP is released to the FAA, except

a) Information concerning criminal offenses
b) Information concerning accidents

NOTE: Reports concerning criminal activities or accidents are not de-identified prior to their referral to the appropriate agency.

2) Each report has a tear-off portion that contains your name and address. This portion is returned to you with a date indicating NASA's receipt of the report.

d. The filing of a report concerning an incident or occurrence involving a violation of the FARs is considered by the FAA to be an indication of a constructive attitude. Such an attitude will help prevent future violations. Accordingly, although a violation may be found, neither a civil penalty nor certificate suspension will be imposed if

1) The violation was inadvertent and not deliberate.
2) The violation did not involve a criminal offense or action which shows a lack of qualification or competency.
3) The person has not been found in any prior FAA enforcement action to have committed a violation of the FARs for a period of 5 years prior to the date of the occurrence.
4) The person proves (by the returned identification portion) that, within 10 days after the violation, (s)he completed and delivered or mailed a written report of the incident to NASA under the ASRP.

2. If you believe you have violated an FAR and may be subject to an enforcement action, you can complete a NASA ARC Form 277 (available online at http://asrs.arc.nasa.gov) within 10 days and avoid possible enforcement action.

a. You should also use the form to report any deficiencies and discrepancies in our aviation system.
b. NASA ARC Form 277 can be submitted electronically or printed and mailed.

Subpart B -- Flight Rules

91.101 Applicability

1. This subpart prescribes flight rules governing the operation of aircraft within the U.S. and within 12 NM from the coast of the U.S.

91.103 Preflight Action

1. Prior to every flight, you are required to familiarize yourself with all available information concerning that flight and specifically to determine

a. Runway lengths at airports of intended use and your airplane's takeoff and landing requirements
b. On cross-country flights, weather, fuel requirements, alternate airports available, and any known traffic delays

91.105 Flight Crewmembers at Stations

1. Required flight crewmembers' seatbelts must be fastened while the crewmembers are at their stations.
2. Required flight crewmembers' shoulder harnesses, if installed, must be fastened during takeoff and landing unless the crewmember would be unable to perform required duties with the shoulder harness fastened.

91.107 Use of Safety Belts, Shoulder Harnesses, and Child Restraint Systems

1. You may not take off without first briefing your passengers on how to fasten and unfasten their safety belts and shoulder harnesses, if installed.
    a. You must also notify them to fasten their safety belts and shoulder harnesses (if installed) before the airplane can taxi, takeoff, or land.
2. During taxiing, takeoff, or landing, each passenger who is 2 years of age or older must be in a seat with the safety belt and shoulder harness, if installed, fastened.
3. The section also describes the types of child restraint systems that are acceptable.

91.109 Flight Instruction: Simulated Instrument Flight and Certain Flight Tests

1. Dual instruction in civil aircraft (except manned free balloons) must be given in aircraft with dual controls. Dual instrument instruction may be given in a single-engine airplane with a single throwover control wheel when
    a. The person manipulating the controls has at least a private pilot certificate with appropriate category and class ratings, and
    b. The instructor determines that it can be done safely.
2. To conduct simulated instrument flight, you must
    a. Have at least a private pilot with appropriate category and class ratings at the other set of controls, i.e., the safety pilot.
        1) Since the safety pilot is required, (s)he is a required flight crewmember who must also have a valid medical certificate.
    b. Ensure that the safety pilot has adequate sideward and forward flight visibility or that another observer in the aircraft supplements the observer at the controls.
    c. Ensure that either dual controls (except in lighter-than-air aircraft) or a single throwover control that meets the requirements of a. and b. above is present for the observer.
3. Aircraft used for an ATP practical test, a class or type rating, or a Part 121 proficiency flight evaluation must have a pilot at the controls (other than the one being evaluated) who is fully qualified to act as pilot in command of that aircraft.

91.111 Operating near Other Aircraft

1. You may not operate your airplane so close to another aircraft as to create a collision hazard.
2. You may not operate your airplane in formation flight except by arrangement with the pilot in command of each aircraft in the formation.
3. You may not operate an aircraft that is carrying passengers for hire in formation flight.

91.113 Right-of-Way Rules: Except Water Operations

1. Converging. When aircraft of the same category are converging at approximately the same altitude (except head-on), the aircraft to the right has the right-of-way.
    a. Balloons, gliders, and airships have the right-of-way over an airplane.
    b. Aircraft towing or refueling other aircraft have the right-of-way over all other engine-driven aircraft.
2. Approaching head-on. The pilot of each aircraft shall alter course to the right.
3. Overtaking. An aircraft that is being overtaken has the right-of-way.
    a. The overtaking aircraft shall alter course to the right.
4. Landing. Aircraft on final approach to land or while landing have the right-of-way over other aircraft in flight or on the ground.
    a. When two or more aircraft are approaching the airport for landing, the lower aircraft has the right-of-way.
        1) You may not take advantage of this rule to cut in front of another aircraft which is on final approach or to overtake that aircraft.

91.115 Right-of-Way Rules: Water Operations

1. This section contains the right-of-way rules for aircraft operating on water with respect to other aircraft or vessels.

91.117 Aircraft Speed

1. You may not operate an airplane at an indicated airspeed greater than 250 kt. if you are under 10,000 ft. MSL or operating within Class B airspace.
2. You may not operate an aircraft at or below 2,500 ft. above the surface within 4 NM of the primary airport of Class C or Class D airspace at an indicated airspeed of more than 200 kt.
3. You may not operate under Class B airspace or in a VFR corridor through such a Class B airspace area at an indicated airspeed greater than 200 kt.
4. If your minimum safe speed in your airplane is faster than the speed normally allowed, you may operate at that minimum safe speed.

91.119 Minimum Safe Altitudes: General

1. Except for takeoff and landing, the following altitudes are required:
    a. You must have sufficient altitude for an emergency landing without undue hazard to persons or property on the surface if your engine fails.
    b. Over congested areas of a city, town, or settlement, or over an open-air assembly of persons, you must have 1,000 ft. of clearance over the highest obstacle within a 2,000-ft. radius of your airplane.
    c. Over other than congested areas, you must have an altitude of 500 ft. above the surface.
    d. Over open water or sparsely populated areas, you must remain at least 500 ft. from any person, vessel, vehicle, or structure.

91.121 Altimeter Settings

1. Below 18,000 feet MSL, you must maintain an altitude by reference to an altimeter that has been set to
   a. The current reported altimeter setting of a station along your route and within 100 NM of your aircraft,
   b. An appropriate available station, or
   c. The elevation of your departure airport or an appropriate altimeter setting available before departure.
2. At or above 18,000 feet MSL, pilot must set their altimeter to 29.92" Hg.

91.123 Compliance with ATC Clearances and Instructions

1. Once you have been given ATC instructions or a clearance, you may not deviate from it unless you obtain amended instructions or clearance, an emergency exists, or the deviation is in response to a traffic alert and collision avoidance system (TCAS) resolution advisory.
   a. If you deviate from a clearance in an emergency or in response to a TCAS resolution advisory, you must notify ATC as soon as possible.
   b. If you are given priority by ATC in an emergency, you must submit a detailed report of the emergency within 48 hr. to the manager of that ATC facility, if requested.
      1) The report may be requested even if you do not deviate from any rule of Part 91.
2. If you are uncertain about the meaning of an ATC clearance, you should immediately ask for clarification from ATC.

91.125 ATC Light Signals

1. ATC light signals have the meaning shown in the following table:

LIGHT GUN SIGNALS			
COLOR AND TYPE OF SIGNAL	**MOVEMENT OF VEHICLES, EQUIPMENT, AND PERSONNEL**	**AIRCRAFT ON THE GROUND**	**AIRCRAFT IN FLIGHT**
STEADY GREEN	Cleared to cross, proceed, or go	Cleared for takeoff	Cleared to land
FLASHING GREEN	Not applicable	Cleared for taxi	Return for landing (to be followed by steady green at the proper time)
STEADY RED	STOP	STOP	Give way to other aircraft and continue circling
FLASHING RED	Clear the taxiway/runway	Taxi clear of the runway in use	Airport unsafe, do not land
FLASHING WHITE	Return to starting point on airport	Return to starting point on airport	Not applicable
ALTERNATING RED AND GREEN	Exercise Extreme Caution!!!!	Exercise Extreme Caution!!!!	Exercise Extreme Caution!!!!

91.126 Operating on or in the Vicinity of an Airport in Class G Airspace

1. When approaching to land at an airport without an operating control tower in Class G airspace, you must make all turns in the traffic to the left, unless the airport displays light signals or markings indicating right turns.
2. Communications with control towers
    a. You may not operate your airplane to, from, through, or on an airport having an operational control tower unless two-way radio communication is established with the control tower.
    b. Communications must be established prior to 4 NM from the airport, up to and including 2,500 ft. AGL.
    c. If your radio fails in flight, you may operate your airplane and land if weather conditions are at or above basic VFR weather minimums, visual contact with the tower is maintained, and a clearance to land is received (e.g., light signal).
        1) If your radio fails while operating under IFR, you must comply with 91.185.

91.127 Operating on or in the Vicinity of an Airport in Class E Airspace

1. When operating on or in the vicinity of an airport in a Class E airspace area, you should make all turns in the traffic pattern to the left unless the airport displays light signals or markings indicating right turns.
    a. When departing, you must comply with the established traffic pattern for that airport.
2. For a discussion of communications with control towers, see 91.126.

91.129 Operations in Class D Airspace

1. Communications with ATC in Class D airspace
    a. You must establish two-way radio communication with the ATC facility providing air traffic services prior to entering and while operating within the Class D airspace area.
    b. When departing from the primary airport or a satellite airport with an operating control tower, you must establish and maintain two-way radio communication with the control tower.
        1) The primary airport is the airport for which the Class D airspace area is designated.
        2) A satellite airport is any other airport within the Class D airspace area.
    c. When departing from a satellite airport without an operating control tower, you must establish and maintain two-way radio communication with the ATC facility providing air traffic services to the Class D airspace area as soon as practicable after departing.
    d. If your radio fails in flight, you may operate your airplane and land if weather conditions are at or above basic VFR weather minimums, visual contact with the tower is maintained, and a clearance to land is received (e.g., light signal).
        1) If your radio fails while operating under IFR, you must comply with 91.185.
2. When you are approaching to land on a runway served by a visual approach slope indicator, you must remain at or above the glide slope until a lower altitude is necessary for a safe landing.
    a. However, you are not prohibited from making normal bracketing maneuvers above or below the glide slope for the purpose of remaining on the glide slope.

3. When approaching to land, you should make left turns in the traffic pattern unless directed otherwise by the tower.
4. When departing, you must comply with any departure procedures established for that airport by the FAA.
5. You may not, at any airport with an operating control tower, operate your airplane on a runway or taxiway, or take off or land, unless an appropriate clearance is received from ATC.

91.130 Operations in Class C Airspace

1. You must establish two-way radio communication with the appropriate ATC facility before enteringClassCairspaceandmaintaincommunicationwhileyouarewithintheClass C airspace area.
2. If you depart from the primary airport (the airport for which the Class C airspace area is designated) or a satellite airport (any other airport within the Class C airspace area) with an operating control tower, two-way radio communication must be established and maintained with the tower and as instructed by ATC while in the Class C airspace area.
   a. From a satellite airport without an operating control tower, you must establish two-way radio communication with ATC as soon as practicable after departing.
3. Unless otherwise authorized by the ATC facility having jurisdiction over the Class C airspace area, you must have a transponder with altitude encoding while operating in the Class C airspace area and the airspace above the ceiling and within the lateral boundaries of the Class C airspace area.

91.131 Operations in Class B Airspace

1. You must have an ATC clearance to operate within a Class B airspace area.
2. If it is necessary to conduct training operations within a Class B airspace area, procedures established for these flights within the Class B airspace area must be followed.
3. In order to land at an airport within a Class B airspace area or even operate within the Class B airspace area, you must be one of the following:
   a. A student pilot who has been instructed and authorized to operate in that specific Class B airspace area by a flight instructor (with a specific CFI logbook signoff required)
   b. A sport pilot who has met the requirements of 61.325
   c. A recreational pilot who has met the requirements of 61.101(d)
   d. At least a private pilot
4. However, certain Class B airspace area primary airports require the pilot to hold at least a private pilot certificate to land or take off. These are the busiest airports, such as Atlanta Hartsfield and Chicago O'Hare.
5. The equipment aboard your aircraft must include operative two-way radio communications and a transponder with altitude encoding (Mode C).

91.133 Restricted and Prohibited Areas

1. You may not operate your airplane within a restricted area contrary to the restrictions imposed or within a prohibited area, unless you have the permission of the using or controlling agency, as appropriate.

91.135 Operations in Class A Airspace

1. Operations in Class A airspace must be done under IFR and in accordance with the following:
    a. You must have an ATC clearance prior to entering Class A airspace.
    b. Each aircraft must be equipped with two-way communication radios, and each pilot must maintain contact with ATC while in Class A airspace.
    c. The aircraft must be equipped with an altitude encoding transponder.
    d. ATC may grant exceptions to these requirements. All exceptions must be requested 4 days before the proposed flight except for a transponder malfunction. If your transponder malfunctions, immediate approval can be granted to your ultimate destination, including intermediate stops, or to an appropriate repair facility.

91.137 Temporary Flight Restrictions in the Vicinity of Disaster/Hazard Areas

1. The FAA may issue a Notice to Airmen (NOTAM) to establish temporary flight restrictions
    a. To protect persons and property from a hazard associated with an incident on the surface
    b. To provide a safe environment for the operation of disaster relief aircraft
    c. To be observed in airspace above events generating a high degree of public interest
2. When a NOTAM is issued under 1.a., you may not operate your airplane in the area unless it is directed by an official in charge of on-scene emergency activities.
3. When a NOTAM is issued under 1.b., you may not operate your airplane in that area unless one of the following conditions is met:
    a. Your airplane is involved in relief activity and directed by an official in charge on the scene.
    b. Your airplane is carrying law enforcement officials.
    c. The operation is conducted directly to or from an airport in the area or is necessitated because VFR flight is impracticable, notice is given to the proper authority for receiving disaster relief advisories, relief activities are not hampered, and the flight is not solely for observation of the disaster.
    d. Your airplane is carrying properly accredited news representatives, a proper flight plan is filed, and the flight is above the altitude used by relief aircraft.
    e. Your airplane is operating under an ATC approved IFR flight plan.
4. When a NOTAM is issued under 1.c., you may not operate your airplane in the area unless one of the following conditions is met:
    a. See 3.c., except for the notice requirement.
    b. The airplane is operating under an ATC approved IFR flight plan.
    c. Your airplane is carrying incident or event personnel or law enforcement officials.
    d. See relevant portions of 3.d.
5. Flight plans filed and notice given must include the following:
    a. Aircraft identification, type, and color
    b. Radio frequencies to be used
    c. Times of entry and exit from the area
    d. Name of news organization and purpose of flight
    e. Any other information requested by ATC

91.138 Temporary Flight Restrictions in National Disaster Areas in the State of Hawaii

1. This section contains the procedures for notification and operating within areas designated as national disaster areas in the state of Hawaii to which temporary flight restrictions apply.

91.139 Emergency Air Traffic Rules

1. When the FAA administrator determines that an emergency condition exists, or will exist, relating to the FAA's ability to operate the ATC system and during which normal flight operations conducted under Part 91 cannot be done at the required level of safety and efficiency, the following will be done:
    a. The administrator will immediately issue an air traffic rule or regulation in response to the emergency.
    b. The Administrator or Associate Administrator for Air Traffic may utilize the NOTAM system to provide notification of the issuance of the rule or regulation.
        1) The NOTAMs will have information concerning the rules and regulations that govern flight operations, navigational facilities, and the designation of that airspace in which the rules and regulations apply.
2. When a NOTAM has been issued under this section, you may not operate your airplane within the designated airspace, except in accordance with the authorizations, terms, and conditions prescribed in the regulation covered by the NOTAM.

91.141 Flight Restrictions in the Proximity of the Presidential and Other Parties

1. You may not operate your airplane over or in the vicinity of any area to be visited or traveled by the President, the Vice President, or other public figures contrary to the restrictions established by the FAA in a NOTAM.

91.143 Flight Limitation in the Proximity of Space Flight Operations

1. You may not operate your airplane within the areas designated by NOTAM for space flight operation except when authorized by ATC.

91.144 Temporary Restriction on Flight Operations during Abnormally High Barometric Pressure Conditions

1. When barometric pressure exceeds 31.00 in. of mercury, the FAA will set forth operating requirements via Notices to Airmen.
    a. The FAA may waive the NOTAMed requirements for emergency operations where the operations can be done safely.

91.145 Management of Aircraft Operations in the Vicinity of Aerial Demonstrations and Major Sporting Events

1. The FAA will issue a NOTAM designating an area of airspace in which a temporary flight restriction applies when it determines a restriction is necessary to protect persons or property on the surface or in the air in the vicinity of an aerial demonstration or major sporting event.
    a. The NOTAM will be issued at least 30 days in advance unless the FAA finds good cause for a shorter period and explains this in the NOTAM.
    b. The NOTAM will state the name of the aerial demonstration or sporting event and specify the effective dates and times, the geographic features or coordinates, and any other restrictions or procedures governing flight operations in the designated airspace.

2. When a NOTAM has been issued, no person may operate an aircraft or device, or engage in any activity within the designated airspace area, except in accordance with the NOTAM, unless otherwise authorized.
3. **Flight restricted airspace area for an aerial demonstration**
    a. Normally be limited to
        1) A 5 nautical mile radius from the center of the demonstration
        2) An altitude of 17,000 feet mean sea level (for high performance aircraft) or 13,000 feet above the surface (for certain parachute operations)
4. **Flight restricted area for a major sporting event**
    a. Normally be limited to
        1) A 3 nautical mile radius from the center of the event
        2) An altitude of 2,500 feet above the surface

91.146 Passenger-Carrying Flights for the Benefit of a Charitable, Nonprofit, or Community Event

1. Definitions
    a. **Charitable event** means an event that raises funds for the benefit of a charitable organization recognized by the Department of the Treasury whose donors may deduct contributions under Section 170 of the Internal Revenue Code (26 U.S.C. Section 170).
    b. **Community event** means an event that raises funds for the benefit of any local or community cause that is not a charitable event or nonprofit event.
    c. **Non-profit event** means an event that raises funds for the benefit of a nonprofit organization recognized under State or Federal law as long as one of the organization's purposes is the promotion of aviation safety.
2. Passenger-carrying flights for the benefit of a charitable, nonprofit, or community event are not subject to the certification requirements of Part 119 or the drug and alcohol testing requirements in Part 120 as long as certain requirements are met.
3. Pilots and sponsors of events described in this section are limited to no more than four events per calendar year.

91.147 Passenger-Carrying Flights for Compensation or Hire

1. This section explains how operators can obtain FAA approval to conduct passenger-carrying flights for compensation or hire.
2. This rule only applies if passenger-carrying flights are not conducted under 91.146 above.

Visual Flight Rules

91.151 Fuel Requirements for Flight in VFR Conditions

1. You may not fly VFR during the day unless there is enough fuel to fly to the destination and at least 30 min. beyond that point.
2. You may not fly VFR at night unless there is enough fuel to fly to the destination and at least 45 min. beyond that point.