
CHAPTER 44 INTRODUCTION TO FAR PART 91 RELATED TASKS

Section 1 General

1. GENERAL. Chapters 45 through 60 provide guidance on particular inspector tasks related to FAR Part 91, General Operating and Flight Rules. The chapters cover the issuance of waivers and authorizations and surveillance related to compliance with those waivers and authorizations, general FAR Part 91 surveillance, approving minimum equipment lists (TBD), and Category II/III operations.

3. REVISION OF FAR PART 91, GENERAL OPERATION AND FLIGHT RULES.

A. **Background.** In August 1989 the revision of FAR Part 91, based on a petition for rulemaking from the Aircraft Owners and Pilots Association (AOPA), went to the Federal Register for publication.

(1) The revision reorganized and realigned the sections and subsections of FAR Part 91 to make them more understandable and easier to use.

(a) To identify where “old” FAR Part 91 regulations are relocated and renumbered in the revision, this Chapter includes a cross-reference table. (Figure 44-1)

(b) In addition, beginning with Change 4 of this Handbook (dated 4/1/90), references to FAR Part 91 contain the new section numbers with the old section numbers in braces following.

(2) The revision became effective in August 1990 with the following exception: FAR § 91.203(a)(2) became effective in August 1989 but remained numbered as FAR § 91.27(a)(2) until August 1990.

(a) FAR § 91.203(a)(2) **{91.27(a)(2)}** was amended to reflect current U.S. law and practice concerning operations of aircraft outside the U.S. when the aircraft have applied for registration but the permanent registration certificate has not been received.

(b) The FAR do not authorize operation outside the United States unless an actual registration certificate is in the aircraft. However, the Aircraft Registry will, upon request from the owner, telex or fax a copy of the registration to the individual whose name appears on the application as the registered owner. The telexed or faxed copy may be used as a temporary registration until the owner receives original registration. As with the original registration certificate, the copy must be carried in the aircraft.

B. **Substantive Changes.** The revision contains four substantive changes to FAR Part 91.

(1) FAR § 91.117 **{91.70}** allows reciprocating engine powered aircraft to be operated at 200 kts. in an airport traffic area.

(2) FAR § 91.135 **{91.97}** allows operators desiring authorization to deviate from positive control area and route segment requirements to use a 48-hour oral notification system.

(3) FAR § 91.409 **{91.169}** allows operators of turbine-powered rotorcraft to use an alternate inspection program, such as an FAA-approved inspection program.

(4) FAR §§ 91.205 **{91.33}**, 91.509 **{91.189}**, and 91.511 **{91.191}** define “shore” as it is used in these sections to exclude tidal flats.

FIGURE 44-1 OLD AND REVISED FAR PART 91 COMPARISON

NEW
FEDERAL AVIATION REGULATION
PART 91
CROSS-REFERENCE TABLE

Effective August 18, 1990

OLD SECTIONS	NEW SECTIONS	OLD SECTIONS	NEW SECTIONS
<i>SUBPART A - General</i>		<i>SUBPART A - Continued</i>	
§91.1 Applicability	§91.1 and §91.703	§91.14 Use of safety belts and shoulder harnesses	§91.107
§91.2 Certificate of authorization for certain Category II operations	§91.193	§91.15 Parachutes and parachuting	§91.307
§91.3 Responsibility and authority of the pilot in command	Unchanged	§91.17 Towing: Gliders	§91.309
§91.4 Pilot in command of aircraft requiring more than one pilot	§91.5	§91.18 Towing: Other than under §91.17	§91.311
§91.5 Preflight Action	§91.103	§91.19 Portable electronic devices	§91.21
§91.6 Category II and III operations: General operating rules	§91.189	§91.20 Operations within the North Atlantic Minimum Navigation Performance Specifications Airspace	§91.705
§91.7 Flight crewmembers at stations	§91.105	§91.21 Flight instruction: Simulated instrument flight and certain flight tests	§91.109
§91.8 Prohibition against interference with crewmembers	§91.11	§91.22 Fuel requirements for flight under VFR	§91.151
§91.9 Careless or reckless operation	§91.13	§91.23 Fuel requirements flight in IFR conditions	§91.167
§91.10 Careless or reckless operation other than for the purpose of air navigation	§91.13	§91.24 ATC transponder and altitude reporting equipment use	§91.215
§91.11 Alcohol and drugs	§91.17	§91.25 VOR equipment check IFR operations	§91.171
§91.12 Carriage of narcotic drug, marijuana, depressant or stimulant drugs or substances	§91.19	§91.26 Traffic alert and collision collision avoidance system equipment and use	§91.221
§91.13 Dropping objects	§91.15	§91.27 Civil aircraft: Certifications required	§91.203

FIGURE 44-1 OLD AND REVISED FAR PART 91 COMPARISON (CON'D)

CROSS-REFERENCE TABLE

OLD SECTIONS	NEW SECTIONS	OLD SECTIONS	NEW SECTIONS
<i>SUBPART A - Continued</i>		<i>SUBPART A - Continued</i>	
§91.28 Special flight authorizations for foreign civil aircraft	§91.715	§91.42 Aircraft having experimental certificates: Operating limitations	§91.319
§91.29 Civil aircraft airworthiness	§91.7	§91.43 Special rules for foreign civil aircraft	§91.711
§91.30 Inoperable instruments and equipment for multiengine aircraft	§91.213	§91.45 Authorization for ferry flights with one engine inoperative	§91.611
§91.31 Civil aircraft flight manual, marking, and placard requirements	§91.9	§91.47 Emergency exits for airplanes carrying passengers for hire	§91.607
§91.32 Supplemental oxygen	§91.211	§91.49 Aural speed warning device	§91.603
§91.33 Powered civil aircraft with standard category U.S. airworthiness certificates: Instrument and equipment requirements	§91.205	§91.50 Reserved	Deleted
§91.34 Category II manual	§91.191	§91.51 Altitude altering system or device: turbojet powered civil airplanes	§91.219
§91.35 Flight recorders and cockpit voice recorders	§91.609	§91.52 Emergency locator transmitter	§91.207
§91.36 Data correspondence between automatically reported pressure altitude data and the pilot's altitude reference	§91.217	§91.53 Reserved	Deleted
§91.37 Transport category civil airplane weight limitations	§91.605	§91.54 Truth in leasing clause requirement in leases and conditional sales contracts	§91.23
§91.38 Increased maximum certificated weights for certain airplanes operating in Alaska	§91.323	§91.55 Civil aircraft sonic boom	§91.817
§91.39 Restricted category civil aircraft: Operating limitations	§91.313	§91.56 Agricultural and firefighting airplanes: noise operating limitations	§91.815
§91.40 Limited category civil aircraft: Operating limitations	§91.315	§91.57 Aviation Safety Reporting Program: Prohibition against using reports for enforcement purposes	§91.25
§91.41 Provisionally certificated civil aircraft: Operation limitation	§91.317	§91.58 Material for compartment interiors	§91.613
		§91.59 Carriage of candidates in Federal elections	§91.321

FIGURE 44-1 OLD AND REVISED FAR PART 91 COMPARISON (CON'D)

CROSS-REFERENCE TABLE

OLD SECTIONS	NEW SECTIONS	OLD SECTION	NEW SECTION
<i>SUBPART B - Flight Rules (General)</i>		<i>SUBPART B - Flight Rules (General) - Continued</i>	
§91.61 Applicability	§91.101	§91.90 Terminal Control Areas	§91.131
§91.63 Waivers	§91.903	§91.91 Temporary flight restrictions	§91.137
§91.65 Operating near other aircraft	§91.111 and §91.123	§91.93 Flight test areas	§91.305
§91.67 Right of way rules; except water operations	§91.113	§91.95 Restricted and prohibited areas	§91.133
§91.69 Right of way rules; water operations	§91.115	§91.97 Positive control areas and route segments	§91.135
§91.70 Aircraft speed	§91.117	§91.100 Emergency air traffic rules	§91.139
§91.71 Acrobatic flight	§91.303	§91.101 Operations to Cuba	§91.709
§91.73 Aircraft lights	§91.209	§91.102 Flight limitations in the proximity of space flight recovery operations	§91.143
§91.75 Compliance with ATC clearances and instructions	§91.123	§91.103 Operation of civil aircraft of Cuban registry	§91.713
§91.77 ATC light signals	§91.125	§91.104 Flight restrictions in the proximity of the Presidential and other parties	§91.141
§91.79 Minimum safe altitude:	§91.119	(Visual Flight Rules)	
§91.81 Altimeter settings	§91.121	§91.105 Basic VFR weather minimums	§91.155
§91.83 Flight plan: Information required	§91.153 and §91.169	§91.107 Special VFR weather minimums	§91.157
§91.84 Flights between Mexico or Canada and the U.S.	§91.707	§91.109 VFR cruising altitude or flight level	§91.159
§91.85 Operating on or in the vicinity of an airport: General rules	§91.127	§91.111 None	
§91.87 Operation at airports with operating control towers	§91.129	§91.113 None	
§91.88 Airport Radar Service Areas	§91.130	(Instrument Flight Rules)	
§91.89 Operation at airports without control towers	§91.127	§91.115 ATC clearance and flight plan required	§91.173

FIGURE 44-1 OLD AND REVISED FAR PART 91 COMPARISON (CON'D)

CROSS-REFERENCE TABLE

OLD SECTIONS	NEW SECTIONS	OLD SECTIONS	NEW SECTIONS
<i>SUBPART B - Flight Rules (General) - Continued</i>		<i>SUBPART C - Maintenance, Preventive Maintenance, and Alterations - Continued</i>	
§91.116 Takeoff and landing under IFR	§91.175	§91.172 ATC transponder tests and inspections	§91.413
§91.117 Reserved	Deleted	§91.173 Maintenance records	§91.417
§91.119 Minimum altitudes operations	§91.177	§91.174 Transfer of maintenance records	§91.419
§91.121 IFR cruising altitude or flight level	§91.179	§91.175 Rebuilt engine maintenance records	§91.421
§91.123 Course to be flown	§91.181	§91.177-91.179 Previously not in use	
§91.125 IFR radio communications	§91.183	<i>SUBPART D - Large and Turbine-powered Multiengine Airplanes</i>	
§91.127 IFR operations: two way radio communications failure	§91.185	§91.181 Applicability	§91.501
§91.129 Operation under IFR in controlled airspace: Malfunction reports	§91.187	§91.183 Flying equipment operating information	§91.503
§91.131-91.159 Previously not in use		§91.185 Familiarity with operating limitations and emergency equipment	§91.505
<i>SUBPART C - Maintenance, Preventive Maintenance, and Alterations</i>		§91.187 Equipment requirements: Over the top or night VFR operations	§91.507
§91.161 Applicability	§91.401	§91.189 Survival equipment for overwater operations	§91.509
§91.163 General	§91.403	§91.191 Radio equipment for overwater operations	§91.511
§91.165 Maintenance required	§91.405	§91.193 Emergency equipment	§91.513
§91.167 Operation after maintenance, preventive maintenance, rebuilding, or alteration	§91.407	§91.195 Flight altitude rules	§91.515
§91.169 Inspections	§91.409	§91.197 Smoking and safety belt signs	§91.517
§91.170 Changes to aircraft inspection programs	§91.415	§91.199 Passenger briefing	§91.519
§91.171 Altimeter system & altitude reporting equipment tests and inspections	§91.411		

FIGURE 44-1 OLD AND REVISED FAR PART 91 COMPARISON (CON'D)

CROSS-REFERENCE TABLE

OLD SECTIONS	NEW SECTIONS	OLD SECTIONS	NEW SECTIONS
<i>SUBPART D - Large and Turbine-powered Multiengine Airplanes - Continued</i>		<i>SUBPART D - Large and Turbine-powered Multiengine Airplanes - Continued</i>	
§91.200 Shoulder harness	§91.521	§91.308 Compliance plans and status: U.S. operators of subsonic airplanes	§91.813
§91.201 Carry-on baggage	§91.523		
§91.203 Carriage of cargo	§91.525	§91.309 Civil supersonic airplanes that do not comply with Part 36	§91.819
§91.205 Transport category airplane weight limitations	Deleted	§91.311 Civil supersonic airplanes: Noise limits	§91.821
§91.207 None	Deleted		
§91.209 Operating in icing	§91.527	Appendix A - Category II operations: Manual, instruments, equipment and maintenance	
§91.211 Flight engineer requirements	§91.529		
§91.213 Second-in-command requirements	§91.531	Appendix B - Authorization to exceed Mach 1 (§91.55)	
§91.215 Flight attendant	§91.533		
§91.217-91.299 Previously not in use		Appendix C - Operations in North Atlantic (NAT) Minimum Navigation Performance Specifications (MNPS) Airspace	
§91.301 Applicability: Relation to Part 36	§91.801		
§91.302 Part 125 operators: Designation of applicable regulations	§91.803	Appendix D - Airport/Locations Where The Transponder Requirements of §91.215(b)(5)(ii) Apply	
§91.303 Final compliance: Subsonic airplanes	§91.805		
§91.305 Phased compliance under Parts 121 and 135: Subsonic airplanes	§91.807	Appendix E - Airplane Flight Recorder Specifications	
§91.306 Replacement airplanes	§91.809	Appendix F - Helicopter Flight Recorder Specifications	
§91.307 Service to small communities exemption: two-engine, subsonic airplanes	§91.811		

