

CHAPTER 96. INTRODUCTION TO PART 133 RELATED TASKS

1. EXTERNAL-LOAD OPERATIONS. Chapters 97 through 104 of volume 2 contain guidelines for certification and surveillance of Title 14 of the Code of Federal Regulations (14 CFR) part 133 rotorcraft external-load operators.

3. AMENDMENTS TO PART 133. Past amendments to part 133 are summarized as follows:

A. Civil Operators. All civil rotorcraft external-load operators must be certificated.

B. Restricted Category Rotorcraft. Part 133 permits external-load operations with restricted category rotorcraft in addition to operations with normal and transport category rotorcraft.

C. Certificate Expiration. Certificates issued under part 133 are valid for a period of 24 calendar months.

D. Congested Area Operations. Restricted category rotorcraft are prohibited from conducting external-load operations in congested airways, over densely populated areas, or near busy airports where passenger transport operations are conducted.

E. New Load Class. A new Class D authorization has been established to permit the carriage of persons in a Federal Aviation Administration (FAA) approved personnel lifting device.

F. Instrument Flight Rules (IFR) Operations. IFR external-load operations are permitted as specified by the Administrator.

G. Operations Flight Characteristic Demonstration. New operators are relieved of the requirements for an operational flight characteristic demonstration if a demonstration has already been performed by the manufacturer. This information is contained in the rotorcraft flight manual for each rotorcraft.

5. CLASSES OF AUTHORIZATION.

A. Class A External-Loads. Class A is an external-load that cannot move freely, cannot be jettisoned, and does not extend below the landing gear. An example of Class A operation is the carriage of supplies in an approved cargo rack, bin, or seat affixed to the exterior of

the aircraft. A cargo rack may be certified with or without a cargo envelope. The FAA-approved flight manual supplement that is required for the cargo rack installation specifies the approved configuration. If the cargo carried is within the envelope specified in the flight manual supplement, the rotorcraft MAY BE operated in accordance with 14 CFR part 91 or 14 CFR part 135. If the cargo rack is certified without a cargo envelope or the cargo carried exceeds the specified envelope, flight operations MUST BE conducted in accordance with part 133.

B. Class B External-Loads. Class B is an external-load, carried below the skids, which can be jettisoned and is lifted free of land and/or water by a cargo hook or winch. An example of a Class B operation is the placement of an air conditioning unit on the roof of a tall building.

C. Class C External-Loads. Class C is an external-load that can be jettisoned and a portion of the load remains in contact with land or water. Examples of Class C operations are wire stringing, dragging a long pole or towing a boat or barge.

D. Class D External-Loads. Class D is an external-load other than Class A, B, or C and is approved on an individual basis through the issuance of operations specifications (OpSpecs). Class D allows the external carriage of a person other than a crew-member, or of a person who is essential to, and directly connected with, the external-load operation. An example of a Class D operation is the carriage of an individual in an FAA-approved personnel lifting device from a shore out to a ship.

7. OPERATING RULES.

A. Rotorcraft Load Combination Flight Manual. Rotorcraft external-load operations must be conducted in conformity to the Rotorcraft Load Combination Flight Manual prescribed in § 133.47. The rotorcraft must be operated in compliance with § 133.45; the rotorcraft and rotorcraft-load combination are authorized under the operating certificate.

B. Carriage of Persons. Part 133 does not provide for "passenger carrying" operations, but does provide for the "carriage of persons" in accordance with § 133.35. If passenger carrying operations are conducted, they should be done in accordance with part 91 or part 135. No Class A, B, or C external-load operator may allow a person to be carried during external-load operations unless that person is a flight crewmember; is a flight crewmember trainee; performs an essential function in connection with the external-load operation; or is necessary to accomplish the work activity directly associated with the operation. An operator with Class D approval may be authorized to carry persons other than a crewmember or persons directly connected with the external-load operation. The inspector must ensure that any proposed external-load operations are not a guise for passenger carrying operations conducted for compensation or hire.

(1) The carriage of snow skis as a Class A external-load when skiers are on board the rotorcraft is clearly a passenger carrying operation that is not permitted under the provisions of § 133.35. Baggage carried in a Class A external-load attaching means (such as racks on top of fixed floats) is another example of an operation not permitted by § 133.35. However, if these items are carried in approved cargo racks as described in paragraph 5A, the operation could be conducted under part 91 or part 135, which allow for carrying passengers.

(2) An operator with a Class B approval may be authorized to externally carry a crewmember, or a person essential to the external-load operation, with a single engine rotorcraft. The persons in the following examples may be carried as a Class B external-load, which must be jettisonable.

(a) Cameramen who are involved in movie making operations.

(b) Trapeze acts or clown acts at airshows or similar entertainment events.

(3) A Class D rotorcraft load combination is the only external-load class permitting the carriage of persons other than crewmembers or persons essential to the external-load operation (§ 133.1(5)(d)). An example of a person who would have to be carried as a Class D external-load is a harbor pilot being transported from land to a ship in a personnel lifting device. A Class D external-load operation can be conducted only in accordance with the following:

(a) The rotorcraft used must have been type certificated under 14 CFR part 29, Transport Category

A, for its operating weight. With one engine inoperative, it must be able to hover at that operating weight, and in the density altitude conditions that exist when a Class D load is carried.

(b) The rotorcraft must be equipped for direct radio intercommunication among required crewmembers.

(c) The personnel lifting device must be FAA-approved, and have an emergency release that requires two distinct actions to achieve release. For example, a hoist must have a pressure cartridge cable cutter with one guarded switch that requires the pilot to raise the guard before activating the switch. The guard must prevent the pilot from activating the switch inadvertently.

(4) In an emergency involving the safety of persons or property, the certificate holder may deviate from the rules of part 133 to the extent required to meet that emergency. The test to determine whether a deviation is necessary is the availability of alternate means of solving the situation.

(a) Rescue of property must be clearly in the public interest in order to warrant deviation from the operating rules and related requirements.

(b) Under the emergency operating authority (§ 133.31(b)), the inspector should request a complete report for each deviation from part 133. This may be necessary to determine whether there has been a violation of the rule and to ensure that the operator has not used the authority granted by the provisions of § 133.31(a) to use an emergency situation to circumvent the rules. The report should give a thorough, detailed account of the operation, a description of the act of deviation, and a justification for the deviation. The report must be filed within 10 days of the request by the Administrator.

9. FOREIGN REGISTERED AIRCRAFT.

Under the provisions of the North American Free Trade Agreement (NAFTA) certain foreign aircraft may be utilized for operations conducted under part 133. Other aircraft of foreign registry cannot be used in part 133 operations unless permitted under the terms of an exemption. An external-load operator certificate is considered an airworthiness certificate (§ 133.51), and cannot be issued to an aircraft with other than U.S. registry.

11. RENEWAL, AMENDMENT, CANCELLATION. A rotorcraft external-load operator certificate expires at the end of the 24th month after the month it was issued or renewed. In the event the operator's certificate was lost or destroyed, the operator may get a replacement upon written request to the certificate holding district office (CHDO). The duplicate certificate is a copy of the currently effective certificate and is marked "duplicate" with the date of reissuance.

A. Renewal. Application for renewal of a rotorcraft external-load operator certificate must be made on FAA Form 8710-4, Rotorcraft External-Load Operator Certificate Application, to the CHDO. The certificate holder should apply for renewal at least 30 days before expiration of the certificate.

(1) Application for renewal of a certificate will be submitted and processed in the same manner as for original issuance.

(2) The inspector shall compare the renewal application with the expiring certificate. If no substantial changes are noted and the operator has a good record of compliance, the inspector may issue a new certificate without conducting a comprehensive inspection. Should the renewal application show new rotorcraft, the rotorcraft's records must be checked by an airworthiness inspector for compliance with the airworthiness requirements of part 133 before the certificate may be renewed.

B. Amendment. The CHDO generally processes amendments to a part 133 operator's certificate. The FAA may also amend an external-load operator's certificate, in the interest of safety in air commerce, as the result of actions taken under Title 49 of the United States Code (49 USC), § 44709 (formerly section 609 of the Federal Aviation Act of 1958), as amended, and 14 CFR Part 13.

(1) Amendments may be made to any of the following:

(a) OpSpecs: additional authorization, no longer qualified for authorization.

(b) Rotorcraft Load Combination Flight Manual: a change in procedures, add a class of operation.

(c) Certificate: add or delete class authorization, a change to the rotorcraft list attached to the certification, a change of name (not ownership).

(d) Training program: a change in equipment (winch, aircraft, or other lifting device) or type of operations, including change in type of winch.

(2) An operator desiring to amend a rotorcraft external-load certificate must apply using the appropriate section of FAA Form 8710-4.

(3) The inspector determines if the amendment requires any additional inspections and/or tests.

(4) External-load operators seldom confine their operations to one geographic area. To prevent imposing undue hardship on industry, additional load class authorizations may be approved by a local Flight Standards District Office (FSDO) that does not hold the certificate. However, the local FSDO shall coordinate this activity with the CHDO. The local FSDO issues the qualified operator a letter of authorization (LOA) that notes all requirements have been met for the particular load class authorization sought. The LOA or a facsimile must be carried on board the aircraft along with copies of the original external-load certificate and the list of authorized rotorcraft. The local FSDO forwards a copy of the LOA, a copy of the approved additions to the Rotorcraft Load Combination Flight Manual, and the completed Rotorcraft External-Load Operator Certificate Application (FAA Form 8710-4) to the CHDO. The certificate can then be amended to include the additional load class authorization. The amended certificate must be sent to the operator within 60 days because the LOA expires 60 days after the date of issuance. The expiration date should be stated in the LOA.

(5) To add or delete a rotorcraft from the list of approved rotorcraft, the operator should apply on the appropriate section of FAA Form 8710-4. The addition or deletion of a rotorcraft must be reflected in the OpSpecs, when applicable. The Rotorcraft Load Combination Flight Manual for that aircraft must be amended to reflect the change.

(a) The inspector assigned to the operator must ensure that all necessary inspections are performed.

(b) The FSDO issues a new list of approved rotorcraft. The operator must return the original and all facsimiles of the superseded list of approved rotorcraft to the FSDO for disposal. A new certificate is not issued unless the addition or deletion of rotorcraft also means a change in the load class authorizations.

(6) If the application, additional documents, and demonstrations indicate compliance with the appropriate regulations, an amended certificate and/or list of approved rotorcraft will be issued.

C. Cancellation. The Administrator may amend, suspend or revoke an external-load operator's certificate under 49 USC § 44709, as amended and 14 CFR part 13.

(1) The certificate may be amended, suspended or revoked for the same reasons that would have been cause for denying application of the original certificate (see FAA Order 2150.3, Compliance and Enforcement Program). The requirements for continuing to hold a certificate are never less than the requirements for original certification.

(2) An operator may elect to voluntarily discontinue operations. The operator must voluntarily surrender the operating certificate by letter. The letter should state that the operator understands that all initial certification requirements will have to be met in order to reapply. In any case, if the operator does not resume operations within 2 years, the operator shall surrender the operating certificate to the CHDO (§ 133.27(c)).