Part 91 Instructions

Section 91.3, Responsibility and Authority of the Pilot in Command. Each pilot in command who, during an emergency requiring immediate action, deviates from any rule in Part 91 shall, upon request of the Administrator, send a written report of that deviation to the Administrator. This reporting requirement aids the FAA in investigation and analysis of aircraft accidents, incidents, and occurrences, and detection of potential systematic safety issues. This information must only be provided upon request of the FAA, and only when the pilot in command deviates from a part 91 rule in response to an emergency. The report should be sent to the FAA office requesting the information. The report may be submitted electronically by email or fax. This requirement applies to the pilot in command.

Section 91.23, Truth-In-Leasing Requirement in Leases and Conditional Sales Contracts. Leasers or conditional buyers are required to prepare and include in their lease agreement the Truth-In-Leasing requirements of this section. Leasers or conditional buyers are also required to mail a copy of the lease agreement to FAA, Oklahoma City, Oklahoma, within 24 hours of the inception. Lastly, a copy of the lease or agreement must be carried in the involved aircraft and be available for inspection by the Administrator. The requirement to provide a copy of a large aircraft lease or conditional sales contract enables the FAA to identify and contact the person who has operational control of the aircraft. This ability aids the FAA in their safety oversight mission, and in any investigation of suspected non-compliance. The rule specifies the lease or contract be mailed to the FAA's Aircraft Registration Branch. The FAA is moving towards electronic submission of lease or contract through the Civil Aviation Registration Electronic System (CARES). Lessees and conditional buyers should be able to submit lease or contract through CARES this year. This requirement applies to lessees and conditional buyers of large aircraft.

Section 91.123, Compliance with ATC Clearances and Instructions. Each pilot in command who, in an emergency, or in response to a TCAS advisory, deviates from an Air Traffic Control clearance shall notify ATC as of that deviation soon as possible. Additionally, a pilot in command who is given a priority clearance by Air Traffic Control in an emergency shall submit a detailed report if requested by the Air Traffic Center Manager within 48 hours. The requirement for a pilot in command to report any deviation from an ATC clearance as soon as possible is critical to safety. ATC deconflicts air traffic based on pilot compliance with their clearance. This report should be made by means of radio communication. The report regarding priority clearance in an emergency aids the FAA in analysis and investigation of incidents, occurrences, suspected non-compliance, and detection of potential systematic safety issue. This information is only to be provided upon request by the FAA. The report regarding priority clearance in an emergency may be submitted electronically by email or fax to the FAA office requesting the information.

Section 91.133(a), Restricted and prohibited areas. No person may operate an aircraft within a restricted area (designated in Part 73) contrary to the restrictions imposed, or within a prohibited area, unless he has the permission of the using or controlling agency, as appropriate. This application for permission could be thorough radio communication, a formal letter, or an

informal phone call. The requirement to request permission from the controlling agency prior to entering restricted or prohibited airspace is crucial to safety and national security. This requirement protects non-participating aircraft from active military operations and ensure the security of critical national resources. Depending on the specific airspace, permission may be obtained by radio communication, telephone, or in writing. The form and manner of written requests are dependent upon the specific airspace and controlling agency. This requirement applies to each person desiring to operate within restricted or prohibited area.

Section **91.135(d), Operations in Class A airspace. ATC Authorizations**.
An operator may deviate from any provision to operate in Class A airspace under provisions of an authorization from the Air Traffic Control facility having jurisdiction over the airspace. Requests must be submitted in writing 4 days before the proposed operation. In the case of an inoperative transponder, ATC may immediately approve an operation to continue. The requirement to request authorization ensures ATC is able to safely accommodate the operation. A written request may be submitted electronically by email or fax to the ATC facility having jurisdiction over the airspace. Requests for immediate approval may be by means of radio communication. Immediate approval of operation with an inoperative transponder enables ATC to safely accommodate an in-flight equipment malfunction. Requests for immediate approval may be by means of radio communication. This requirement applies to each person operating in Class A airspace.

Section 91.137, Temporary flight restrictions in the vicinity of disaster/hazard areas. Prior to conducting operations in an area that has a temporary flight restriction, the operator of that aircraft carrying properly accredited news representatives, or persons on official business concerning the incident or event which generated the issuance of the Notice to Airman, must file with the Air Traffic Service facility specified in the Notice to Airmen a flight plan that includes five specific areas of information. The information included in the flight plan ensures ATC is able to prevent unsafe congestion of the affected airspace. ATC uses this information to coordinate air traffic flow and deconflict with other aircraft. The flight plan may be filed using electronic means through Flight Service, or other third-party providers. The information is required of any person who operates an aircraft in the designated disaster/hazard area.

Section 91.171(d), VOR Equipment Check Required for IFR Operations. Each person who makes a VOR operational check is required to record the results of that check in the aircraft log or other permanent record (recordkeeping). This recordkeeping requirement is in place to confirm VOR navigation equipment used for IFR flight is tested every 30 days. The record helps the operator ensure the VOR navigation equipment is safe for IFR flight, and detect and correct equipment defects. The record also aids the FAA when inspecting the aircraft for regulatory compliance. The record may be made using electronic means. The recordkeeping requirement applies to each person making the VOR operational check.

Section 91.203(a)(1), Civil Aircraft, certifications required. A revised airworthiness certificate having on it an assigned special identification number that has been affixed to an aircraft, may only be obtained upon application to an FAA Flight Standards District Office. This collection of information is necessary to ensure each airworthiness certificate has the correct aircraft registration number, as required by 14 CFR part 47. The FAA uses this information to

provide aircraft owners and operators information about potential mechanical defects or unsafe conditions of their aircraft, and in the investigation of accidents, incidents, occurrences, and suspected regulatory non-compliance. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. This requirement applies to the registered aircraft owner, or their agent.

Section 91.213(a), Inoperative instruments and equipment. This section prescribes Minimum Equipment List (MEL) requirements for certain operations. The certificate holder submits an MEL to the responsible Flight Standards District Office for review. The information submitted by the operator enables the FAA to approve the MEL and issue a letter of authorization the operation of the aircraft under the MEL. An application for MEL authorization may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An application for MEL approval is submitted by the aircraft operator.

Section 91.215(d), ATC Authorized Deviations. Each person who has reason to operate an aircraft in certain controlled airspace without a fully operable coded radar beacon transponder must submit a request to the appropriate air traffic facility for a deviation from the rule. This requirement helps ensure ATC is able to safely accommodate and deconflict air traffic. Requests for immediate approval enables ATC to safely accommodate an in-flight equipment malfunction. Requests for immediate approval may be made by means of radio communication. Non-immediate requests may be made telephonically or in writing. Written requests may be submitted electronically by email or fax to the ATC facility having jurisdiction over the concerned airspace. This requirement applies to aircraft operations in the airspace specified in §91.215(b).

Section 91.309(a)(4) Towing: Gliders and Unpowered Ultralight Vehicles. Before conducting any towing operations within certain controlled airspace designated for an airport, the pilot in command notifies the control tower. If such a control tower is not in operation, he must notify the FAA flight service station serving the controlled airspace before conducting any towing operations in that airspace. This notification requirement helps ATC to safely deconflict air traffic or, in the case of flight service, notify other pilots of the towing operation to enhance see-and-avoid traffic separation. Notification may be made by means of radio communication or telephonically. This requirement applies to the pilot in command.

Section 91.317, Provisionally Certificated Civil aircraft; Operating Limitations. A person who desires to operate a provisionally certificated aircraft beyond the limitations of this section is required to make application to the Administrator for authorization to do so. This collection of information helps ensure a provisionally certificated aircraft is safe for operation, that the applicant meets the requirements of §21.213, and the purpose is one allowed under §91.317. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. This requirement applies to the registered aircraft owner, or their agent.

Section 91.319, Aircraft Having Experimental Certificates; Operating Limitations. Operating Limitations. A person who desires to operate an experimentally certificated aircraft beyond the limitations of this section is required to make application for special operating

limitations. This collection of information helps ensure an aircraft with an experimental airworthiness certificate may be operated safely, that the purpose of operation is one allowed under §21.191, and that it is operated in an approved area. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. This requirement applies to the registered aircraft owner, or their agent.

Section 91.409(d) Progressive Inspection. Progressive Inspection. Each aircraft owner or operator who desires to use the progressive inspection rather than the annual inspection system must submit a written request to the Flight Standards District Office having jurisdiction over the area. The request must include the data required by this section. Should the owner or operator desire to return to the annual inspection system, the local district office must be advised. This collection of information enables the agency to ensure an aircraft progressive inspection program meets the requirements of 91.409(d). A request may be submitted electronically by email or fax to the responsible FAA Flight Standards office. This requirement applies to the registered aircraft owner or operator.

Section 91.409(f) Inspection Program. The registered owner or operator of an aircraft to which this section is applicable, must select one of four optional inspections systems and identify the program selected in the aircraft maintenance record. The name of the person responsible for scheduling the inspections must be contained in the program selected. This collection of information enables the agency to identify which inspection program is used and ensure an aircraft inspection program meets the requirements of 91.409(f). A request may be submitted electronically by email or fax to the responsible FAA Flight Standards office. This requirement applies to the registered aircraft owner or operator.

Section 91.417, Maintenance Records. Owners or operators of active U.S.-registered aircraft must retain records of all maintenance, repairs, alterations, and inspections performed on their aircraft. The records must be kept for the time specified by this section, and they must be available for inspection by the Administrator or any designated representative. The actual recordkeeping entries are made by certificated aviation mechanics, repairmen, and designated inspectors at the time each action takes place (cleared by OMB 2120-0020). Approximately 214,733 aircraft owners and operators will spend about .63 hours annually to retain such records (recordkeeping). This recordkeeping requirement is in place to ensure the aircraft is maintained in accordance with regulatory requirements and help the operator and the FAA determine regulatory compliance. Electronic recordkeeping is acceptable. This requirement applies to the registered aircraft owner or operator.

Section 91.706, Operations within airspace designed as Reduced Vertical Separation Minimum Airspace. Unless otherwise authorized by the Administrator, no person may operate a civil aircraft of U.S. registry in airspace designated as Reduced Vertical Separation Minimum (RVSM) airspace unless the operator, and the operator's aircraft, comply with the requirements of Appendix G to this part. This now includes flight within the continental United States. This collection of information is necessary to ensure all aircraft operating within RVSM airspace meet the performance requirements essential for safe aircraft separation. To obtain an RVSM authorization, submit a written request to the appropriate FAA Flight Standards office. A request

may be submitted electronically by email or fax. This collection requirement applies to the aircraft operator.

Section 91.709, Operating To, or Over, Cuba. A person, other than a scheduled air carrier, who proposes to conduct a flight from the United States to Cuba is required to file a visual or instrument flight plan, and in addition, file a written statement to the Office of Immigration and Naturalization Service (or its modern-day counterpart), which includes the flight plan data and other information required in that section. This reporting requirement provides proper notification to the U.S. and Cuban governments and thereby facilitates country entry and clearance requirements, and helps ensure the safe operation of flights into Cuba. The pilot in command must file a written statement, within 1 hour before departure, with the Office of Immigration and Naturalization Service at the airport of departure. The flight plan may be filed using electronic means through Flight Service, or other third-party providers. The FAA does not know if the written statement to the Office of Immigration and Naturalization Service may be submitted by electronic means. The information is provided by the pilot in command.

Section 91.715(a), Special Flight Authorizations for Foreign Civil Aircraft. Owners and operators of foreign civil aircraft, in which there is no airworthiness certificate, are required to request a special flight authorization from the regional director of the region in which the applicant is located. The applicant must show that operating limitations have been established and certify that aircraft will be operated within those limitations. This is to assure safety of operations in U.S. airspace. This collection of information is necessary to ensure the aircraft is capable of safe flight for the intended purpose. The application for a special flight authorization may be submitted electronically by email or fax to the responsible FAA office. Application is made by the aircraft owner or operator.

Appendix A: An applicant for approval of a Category II manual or an amendment to an approved Category II manual must submit the proposed manual or amendment to the Flight Standards District Office having jurisdiction of the area in which the applicant is located. During the Category II evaluation program, records and information involving seven separate and distinct subject areas must be maintained by the applicant for each airplane with respect to each approach, and made available to the Administrator upon request. The maintenance program for Category II operations requires the promulgation of a list of each instrument and item of equipment in Section 2 of this Appendix, that is installed in the airplane and approved for Category II operations. In addition, a schedule for the performance of inspections, as well as the procedures to be accomplished (including the maintenance of records) must also be promulgated by the operator. This collection of information helps the operator and the FAA ensure the aircraft is safe to conduct category II instrument approaches. The application for approval of a Category II manual or an amendment may be submitted electronically by email or fax to the responsible FAA office. An electronic signature is acceptable.

Section 91.818 Special Flight Authorization to Exceed Mach 1.: An applicant for an authorization to exceed Mach 1 must apply in a form and manner prescribed by the Administrator. This collection of information enables the FAA to evaluate the potential environmental impact of any flight in excess of Mach 1 and thereby protect the environment from adverse effects of a sonic boom. Application may be submitted electronically by email or

fax to the FAA Office of Environment and Energy. This information collection applies to all operators of civil aircraft that seek authorization to exceed Mach 1.

14 CFR 107.21, In-flight emergency: Requires that each remote pilot in command who deviates from a rule under 14 CFR 107.21(a) must, upon request of the Administrator, send a written report of that deviation to the Administrator. The existing regulations in 14 CFR § 91.3 give a PIC the power to deviate from the applicable FAA regulations to the extent necessary to respond to that emergency. By existing regulations a PIC who exercises this power must provide a written report of the deviation to the FAA if requested to do so by the FAA. There is one page of paperwork associated with reporting the use of emergency powers that will take an applicant 0.3 hours to complete. The FAA receives approximately 34 reports per year. This reporting requirement aids the FAA in investigation and analysis of aircraft accidents, incidents, and occurrences, and detection of potential systematic safety issues. This information must only be provided upon request of the FAA, and only when the remote pilot in command deviates from a part 107 rule in response to an emergency. The report may be submitted electronically by email or fax to the requesting FAA office. This requirement applies to the remote pilot in command.

ELECTRONIC SUBMISSION CAPABILITY

The information is collected without the use of paper (i.e., by email) to the greatest extent possible. Because of part 91 operators' different capabilities and equipment, and the different types of information collected, the collection of this information does not lend itself to sophisticated collection techniques or other forms of collection such as online portals. However, the FAA does not require that any information be disclosed, reported, or kept non-electronically, and makes electronic means of reporting available to all who desire them.

Section 91.3, Responsibility and Authority of the Pilot in Command. The report should be sent to the FAA office requesting the information. The report may be submitted electronically by email or fax. An electronic signature is acceptable.

Section 91.23, Truth-In-Leasing Requirement in Leases and Conditional Sales Contracts. The rule specifies the lease or contract be mailed to the FAA's Aircraft Registration Branch. The FAA is moving towards electronic submission of lease or contract through the Civil Aviation Registration Electronic System (CARES). Lessees and conditional buyers should be able to submit lease or contract through CARES this year.

Section 91.123, Compliance with ATC Clearances and Instructions. The report regarding priority clearance in an emergency may be submitted electronically by email or fax to the FAA office requesting the information. An electronic signature is acceptable.

Section 91.133(a), Restricted and prohibited areas. Depending on the specific airspace, permission may be obtained by radio communication, telephone, or in writing. The form and manner of written requests are dependent upon the specific airspace and controlling agency.

Section **91.135(d), Operations in Class A airspace. ATC Authorizations**. A written request may be submitted electronically by email or fax to the ATC facility having jurisdiction over the airspace. An electronic signature is acceptable. Requests for immediate approval may be by means of radio communication.

Section 91.137, Temporary flight restrictions in the vicinity of disaster/hazard areas. The flight plan may be filed using electronic means through Flight Service, or other third-party providers.

Section 91.171(d), VOR Equipment Check Required for IFR Operations. The record may be made using electronic means.

Section 91.203(a)(1), Civil Aircraft, certifications required. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.213(a), Inoperative instruments and equipment. An application for MEL authorization may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.215(d), ATC Authorized Deviations. Requests for immediate approval may be made by means of radio communication. Non-immediate requests may be made telephonically or in writing. Written requests may be submitted electronically by email or fax to the ATC facility having jurisdiction over the concerned airspace. An electronic signature is acceptable.

Section 91.309(a)(4) Towing: Gliders and unpowered ultralight vehicles. Notification may be made by means of radio communication or telephonically. This requirement applies to the pilot in command.

Section 91.317, Provisionally Certificated Civil aircraft; Operating Limitations. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.319, Aircraft Having Experimental Certificates; Operating Limitations. Application is made on FAA Form 8130-6, which may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.409(d) Progressive Inspection. A request may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.409(f) Inspection Program. A request may be submitted electronically by email or fax to the responsible FAA Flight Standards office. An electronic signature is acceptable.

Section 91.417, Maintenance Records. Electronic recordkeeping is acceptable.

Section 91.706, Operations within airspace designed as Reduced Vertical Separation Minimum Airspace. Submit a written request for RVSM authorization to the appropriate FAA

Flight Standards office. A request may be submitted electronically by email or fax. An electronic signature is acceptable.

Section 91.709, Operating To, or Over, Cuba. The pilot in command must file a flight plan, which may be submitted using electronic means through Flight Service, or other third-party providers. The pilot in command must also file a written statement, within 1 hour before departure, with the Office of Immigration and Naturalization Service at the airport of departure. The FAA does not know if the written statement to the Office of Immigration and Naturalization Service may be submitted by electronic means.

Section 91.715(a), Special Flight Authorizations for Foreign Civil Aircraft. The application for a special flight authorization is made by the aircraft owner or operator, and may be submitted electronically by email or fax to the responsible FAA office.

Appendix A: The application for approval of a Category II manual or an amendment may be submitted electronically by email or fax to the responsible FAA office. An electronic signature is acceptable.

Section 91.818, Special flight authorization to exceed Mach 1.: Application may be submitted electronically by email or fax to the FAA Office of Environment and Energy. An electronic signature is acceptable.

14 CFR 107.21, In-flight emergency: The report may be submitted electronically by email or fax to the requesting FAA office. An electronic signature is acceptable.