

**§ 135.395**

(1) The airplane passes directly over the intersection of the obstruction clearance plane and the runway at a height of 50 feet in a steady gliding approach at a true indicated airspeed of at least 1.3  $V_{SO}$ ;

(2) The landing does not require exceptional pilot skill; and

(3) The airplane is operating in standard atmosphere.

**§ 135.395 Large nontransport category airplanes: Landing limitations: Alternate airports.**

No person may select an airport as an alternate airport for a large nontransport category airplane unless that airplane (at the weight anticipated at the time of arrival), based on the assumptions in §135.393(b), can be brought to a full stop landing within 70 percent of the effective length of the runway.

**§ 135.397 Small transport category airplane performance operating limitations.**

(a) No person may operate a reciprocating engine powered small transport category airplane unless that person complies with the weight limitations in §135.365, the takeoff limitations in §135.367 (except paragraph (a)(3)), and the landing limitations in §§135.375 and 135.377.

(b) No person may operate a turbine engine powered small transport category airplane unless that person complies with the takeoff limitations in §135.379 (except paragraphs (d) and (f)) and the landing limitations in §§135.385 and 135.387.

**§ 135.398 Commuter category airplanes performance operating limitations.**

(a) No person may operate a commuter category airplane unless that person complies with the takeoff weight limitations in the approved Airplane Flight Manual.

(b) No person may take off an airplane type certificated in the commuter category at a weight greater than that listed in the Airplane Flight Manual that allows a net takeoff flight path that clears all obstacles either by a height of at least 35 feet vertically, or at least 200 feet horizontally within the airport boundaries and by at least

**14 CFR Ch. I (1-1-10 Edition)**

300 feet horizontally after passing the boundaries.

(c) No person may operate a commuter category airplane unless that person complies with the landing limitations prescribed in §§135.385 and 135.387 of this part. For purposes of this paragraph, §§135.385 and 135.387 are applicable to all commuter category airplanes notwithstanding their stated applicability to turbine-engine-powered large transport category airplanes.

(d) In determining maximum weights, minimum distances and flight paths under paragraphs (a) through (c) of this section, correction must be made for the runway to be used, the elevation of the airport, the effective runway gradient, and ambient temperature, and wind component at the time of takeoff.

(e) For the purposes of this section, the assumption is that the airplane is not banked before reaching a height of 50 feet as shown by the net takeoff flight path data in the Airplane Flight Manual and thereafter the maximum bank is not more than 15 degrees.

[Doc. No. 23516, 52 FR 1836, Jan. 15, 1987]

**§ 135.399 Small nontransport category airplane performance operating limitations.**

(a) No person may operate a reciprocating engine or turbopropeller-powered small airplane that is certificated under §135.169(b) (2), (3), (4), (5), or (6) unless that person complies with the takeoff weight limitations in the approved Airplane Flight Manual or equivalent for operations under this part, and, if the airplane is certificated under §135.169(b) (4) or (5) with the landing weight limitations in the Approved Airplane Flight Manual or equivalent for operations under this part.

(b) No person may operate an airplane that is certificated under §135.169(b)(6) unless that person complies with the landing limitations prescribed in §§135.385 and 135.387 of this part. For purposes of this paragraph, §§135.385 and 135.387 are applicable to reciprocating and turbopropeller-powered small airplanes notwithstanding

their stated applicability to turbine engine powered large transport category airplanes.

[44 FR 53731, Sept. 17, 1979]

### Subpart J—Maintenance, Preventive Maintenance, and Alterations

#### § 135.411 Applicability.

(a) This subpart prescribes rules in addition to those in other parts of this chapter for the maintenance, preventive maintenance, and alterations for each certificate holder as follows:

(1) Aircraft that are type certificated for a passenger seating configuration, excluding any pilot seat, of nine seats or less, shall be maintained under parts 91 and 43 of this chapter and §§ 135.415, 135.417, 135.421 and 135.422. An approved aircraft inspection program may be used under § 135.419.

(2) Aircraft that are type certificated for a passenger seating configuration, excluding any pilot seat, of ten seats or more, shall be maintained under a maintenance program in §§ 135.415, 135.417, 135.423 through 135.443.

(b) A certificate holder who is not otherwise required, may elect to maintain its aircraft under paragraph (a)(2) of this section.

(c) Single engine aircraft used in passenger-carrying IFR operations shall also be maintained in accordance with § 135.421 (c), (d), and (e).

(d) A certificate holder who elects to operate in accordance with § 135.364 must maintain its aircraft under paragraph (a)(2) of this section and the additional requirements of Appendix G of this part.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-70, 62 FR 42374, Aug. 6, 1997; Amdt. 135-78, 65 FR 60556, Oct. 11, 2000; Amdt. 135-92, 68 FR 69308, Dec. 12, 2003; Amdt. 135-81, 70 FR 5533, Feb. 2, 2005; Amdt. 135-108, 72 FR 1885, Jan. 16, 2007; 72 FR 53114, Sept. 18, 2007]

#### § 135.413 Responsibility for airworthiness.

(a) Each certificate holder is primarily responsible for the airworthiness of its aircraft, including airframes, aircraft engines, propellers, rotors, appliances, and parts, and shall

have its aircraft maintained under this chapter, and shall have defects repaired between required maintenance under part 43 of this chapter.

(b) Each certificate holder who maintains its aircraft under § 135.411(a)(2) shall—

(1) Perform the maintenance, preventive maintenance, and alteration of its aircraft, including airframe, aircraft engines, propellers, rotors, appliances, emergency equipment and parts, under its manual and this chapter; or

(2) Make arrangements with another person for the performance of maintenance, preventive maintenance, or alteration. However, the certificate holder shall ensure that any maintenance, preventive maintenance, or alteration that is performed by another person is performed under the certificate holder's manual and this chapter.

#### § 135.415 Service difficulty reports.

(a) Each certificate holder shall report the occurrence or detection of each failure, malfunction, or defect in an aircraft concerning—

(1) Fires during flight and whether the related fire-warning system functioned properly;

(2) Fires during flight not protected by related fire-warning system;

(3) False fire-warning during flight;

(4) An exhaust system that causes damage during flight to the engine, adjacent structure, equipment, or components;

(5) An aircraft component that causes accumulation or circulation of smoke, vapor, or toxic or noxious fumes in the crew compartment or passenger cabin during flight;

(6) Engine shutdown during flight because of flameout;

(7) Engine shutdown during flight when external damage to the engine or aircraft structure occurs;

(8) Engine shutdown during flight due to foreign object ingestion or icing;

(9) Shutdown of more than one engine during flight;

(10) A propeller feathering system or ability of the system to control overspeed during flight;

(11) A fuel or fuel-dumping system that affects fuel flow or causes hazardous leakage during flight;