

(h) Except as provided in paragraph (i) of this section, if takeoff minimums are not prescribed in part 97 of this chapter for the takeoff airport, no pilot may takeoff an aircraft under IFR when the weather conditions reported by the facility described in paragraph (a)(1) of this section are less than that prescribed in part 91 of this chapter or in the certificate holder's operations specifications.

(i) At airports where straight-in instrument approach procedures are authorized, a pilot may takeoff an aircraft under IFR when the weather conditions reported by the facility described in paragraph (a)(1) of this section are equal to or better than the lowest straight-in landing minimums, unless otherwise restricted, if—

(1) The wind direction and velocity at the time of takeoff are such that a straight-in instrument approach can be made to the runway served by the instrument approach;

(2) The associated ground facilities upon which the landing minimums are predicated and the related airborne equipment are in normal operation; and

(3) The certificate holder has been approved for such operations.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-91, 68 FR 54586, Sept. 17, 2003; Amdt. 135-93, 69 FR 1641, Jan. 9, 2004; Amdt. 135-110, 72 FR 31685, June 7, 2007]

§ 135.227 Icing conditions: Operating limitations.

(a) No pilot may take off an aircraft that has frost, ice, or snow adhering to any rotor blade, propeller, windshield, stabilizing or control surface; to a powerplant installation; or to an airspeed, altimeter, rate of climb, flight attitude instrument system, or wing, except that takeoffs may be made with frost under the wing in the area of the fuel tanks if authorized by the FAA.

(b) No certificate holder may authorize an airplane to take off and no pilot may take off an airplane any time conditions are such that frost, ice, or snow may reasonably be expected to adhere to the airplane unless the pilot has completed all applicable training as required by § 135.341 and unless one of the following requirements is met:

(1) A pretakeoff contamination check, that has been established by the certificate holder and approved by the Administrator for the specific airplane type, has been completed within 5 minutes prior to beginning takeoff. A pretakeoff contamination check is a check to make sure the wings and control surfaces are free of frost, ice, or snow.

(2) The certificate holder has an approved alternative procedure and under that procedure the airplane is determined to be free of frost, ice, or snow.

(3) The certificate holder has an approved deicing/anti-icing program that complies with § 121.629(c) of this chapter and the takeoff complies with that program.

(c) No pilot may fly under IFR into known or forecast light or moderate icing conditions or under VFR into known light or moderate icing conditions, unless—

(1) The aircraft has functioning deicing or anti-icing equipment protecting each rotor blade, propeller, windshield, wing, stabilizing or control surface, and each airspeed, altimeter, rate of climb, or flight attitude instrument system;

(2) The airplane has ice protection provisions that meet section 34 of appendix A of this part; or

(3) The airplane meets transport category airplane type certification provisions, including the requirements for certification for flight in icing conditions.

(d) No pilot may fly a helicopter under IFR into known or forecast icing conditions or under VFR into known icing conditions unless it has been type certificated and appropriately equipped for operations in icing conditions.

(e) Except for an airplane that has ice protection provisions that meet section 34 of appendix A, or those for transport category airplane type certification, no pilot may fly an aircraft into known or forecast severe icing conditions.

(f) If current weather reports and briefing information relied upon by the pilot in command indicate that the forecast icing condition that would otherwise prohibit the flight will not be encountered during the flight because of changed weather conditions since the forecast, the restrictions in

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paragraphs (c), (d), and (e) of this section based on forecast conditions do not apply.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 133-20, 51 FR 40710, Nov. 7, 1986; Amdt. 135-46, 58 FR 69629, Dec. 30, 1993; Amdt. 135-60, 61 FR 2616, Jan. 26, 1996; Amdt. 135-119, 74 FR 62696, Dec. 1, 2009]

§ 135.229 Airport requirements.

(a) No certificate holder may use any airport unless it is adequate for the proposed operation, considering such items as size, surface, obstructions, and lighting.

(b) No pilot of an aircraft carrying passengers at night may takeoff from, or land on, an airport unless—

(1) That pilot has determined the wind direction from an illuminated wind direction indicator or local ground communications or, in the case of takeoff, that pilot's personal observations; and

(2) The limits of the area to be used for landing or takeoff are clearly shown—

(i) For airplanes, by boundary or runway marker lights;

(ii) For helicopters, by boundary or runway marker lights or reflective material.

(c) For the purpose of paragraph (b) of this section, if the area to be used for takeoff or landing is marked by flare pots or lanterns, their use must be approved by the Administrator.

Subpart E—Flight Crewmember Requirements

§ 135.241 Applicability.

Except as provided in § 135.3, this subpart prescribes the flight crewmember requirements for operations under this part.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 121-250, 60 FR 65950, Dec. 20, 1995]

§ 135.243 Pilot in command qualifications.

(a) No certificate holder may use a person, nor may any person serve, as pilot in command in passenger-carrying operations—

(1) Of a turbojet airplane, of an airplane having a passenger-seat configuration, excluding each crewmember

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seat, of 10 seats or more, or of a multi-engine airplane in a commuter operation as defined in part 119 of this chapter, unless that person holds an airline transport pilot certificate with appropriate category and class ratings and, if required, an appropriate type rating for that airplane.

(2) Of a helicopter in a scheduled interstate air transportation operation by an air carrier within the 48 contiguous states unless that person holds an airline transport pilot certificate, appropriate type ratings, and an instrument rating.

(b) Except as provided in paragraph (a) of this section, no certificate holder may use a person, nor may any person serve, as pilot in command of an aircraft under VFR unless that person—

(1) Holds at least a commercial pilot certificate with appropriate category and class ratings and, if required, an appropriate type rating for that aircraft; and

(2) Has had at least 500 hours time as a pilot, including at least 100 hours of cross-country flight time, at least 25 hours of which were at night; and

(3) For an airplane, holds an instrument rating or an airline transport pilot certificate with an airplane category rating; or

(4) For helicopter operations conducted VFR over-the-top, holds a helicopter instrument rating, or an airline transport pilot certificate with a category and class rating for that aircraft, not limited to VFR.

(c) Except as provided in paragraph (a) of this section, no certificate holder may use a person, nor may any person serve, as pilot in command of an aircraft under IFR unless that person—

(1) Holds at least a commercial pilot certificate with appropriate category and class ratings and, if required, an appropriate type rating for that aircraft; and

(2) Has had at least 1,200 hours of flight time as a pilot, including 500 hours of cross country flight time, 100 hours of night flight time, and 75 hours of actual or simulated instrument time at least 50 hours of which were in actual flight; and

(3) For an airplane, holds an instrument rating or an airline transport