

## § 136.73

(2) Flights conducted in gliders or hot air balloons.

### § 136.73 Definitions.

For the purposes of this subpart:

*Air tour* means any sightseeing flight conducted under visual flight rules in an airplane, powered-lift, or rotorcraft for compensation or hire.

*Air tour operator* means any person who conducts an air tour.

### § 136.75 Equipment and requirements.

(a) *Flotation equipment.* No person may conduct an air tour in Hawaii in a rotorcraft beyond the shore of any island, regardless of whether the rotorcraft is within gliding distance of the shore, unless:

(1) The rotorcraft is amphibious or is equipped with floats adequate to accomplish a safe emergency ditching and approved flotation gear is easily accessible for each occupant; or

(2) Each person on board the rotorcraft is wearing approved flotation gear.

(b) *Performance plan.* Each operator must complete a performance plan that meets the requirements of this paragraph (b) before each air tour flight conducted in a rotorcraft.

(1) The performance plan must be based on information from the current approved aircraft flight manual for that aircraft, considering the maximum density altitude for which the operation is planned to determine the following:

(i) Maximum gross weight and center of gravity (CG) limitations for hovering in ground effect;

(ii) Maximum gross weight and CG limitations for hovering out of ground effect; and

(iii) Maximum combination of weight, altitude, and temperature for which height-velocity information from the performance data is valid.

(2) The pilot in command (PIC) must comply with the performance plan.

(c) *Operating limitations.* Except for approach to and transition from a hover, and except for the purpose of takeoff and landing, the PIC of a rotorcraft may only operate such aircraft at a combination of height and forward speed (including hover) that would permit a safe landing in event of engine

## 14 CFR Ch. I (1–1–25 Edition)

power loss, in accordance with the height-speed envelope for that rotorcraft under current weight and aircraft altitude.

(d) *Minimum flight altitudes.* Except when necessary for takeoff and landing, or operating in compliance with an air traffic control clearance, or as otherwise authorized by the Administrator, no person may conduct an air tour in Hawaii:

(1) Below an altitude of 1,500 feet above the surface over all areas of the State of Hawaii;

(2) Closer than 1,500 feet to any person or property; or

(3) Below any altitude prescribed by Federal statute or regulation.

(e) *Passenger briefing.* Before takeoff, each PIC of an air tour flight of Hawaii with a flight segment beyond the ocean shore of any island shall ensure that each passenger has been briefed on the following, in addition to requirements set forth in §91.107, §121.571, or §135.117 of this chapter:

(1) Water ditching procedures;

(2) Use of required flotation equipment; and

(3) Emergency egress from the aircraft in event of a water landing.

EFFECTIVE DATE NOTE: By Docket FAA–2023–1275, Amdt. 136–4, 89 FR 92488, Nov. 21, 2024, §136.75 was amended by revising paragraph (a) introductory text, effective Jan. 21, 2025. For the convenience of the user, the revised text is set forth as follows:

### § 136.75 Equipment and requirements.

(a) *Flotation equipment.* No person may conduct an air tour in Hawaii in a single-engine rotorcraft beyond the shore of any island, regardless of whether the rotorcraft is within gliding distance of the shore, unless:

\* \* \* \* \*

## PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

### Subpart A—General

Sec.

137.1 Applicability.

137.3 Definition of terms.

### Subpart B—Certification Rules

137.11 Certificate required.

137.15 Application for certificate.

137.17 Amendment of certificate.

## Federal Aviation Administration, DOT

## § 137.11

- 137.19 Certification requirements.
- 137.21 Duration of certificate.
- 137.23 Carriage of narcotic drugs, marijuana, and depressant or stimulant drugs or substances.

### Subpart C—Operating Rules

- 137.29 General.
- 137.31 Aircraft requirements.
- 137.33 Carrying of certificate.
- 137.35 Limitations on private agricultural aircraft operator.
- 137.37 Manner of dispensing.
- 137.39 Economic poison dispensing.
- 137.40 Employment of former FAA employees.
- 137.41 Personnel.
- 137.42 Fastening of safety belts and shoulder harnesses.
- 137.43 Operations in controlled airspace designated for an airport.
- 137.45 Nonobservance of airport traffic pattern.
- 137.47 Operation without position lights.
- 137.49 Operations over other than congested areas.
- 137.51 Operation over congested areas: General.
- 137.53 Operation over congested areas: Pilots and aircraft.
- 137.55 Business name: Commercial agricultural aircraft operator.
- 137.57 Availability of certificate.
- 137.59 Inspection authority.

### Subpart D—Records and Reports

- 137.71 Records: Commercial agricultural aircraft operator.
- 137.75 Change of address.
- 137.77 Termination of operations.

AUTHORITY: 49 U.S.C. 106(g), 40103, 40113, 44701–44702.

SOURCE: Docket 1464, 30 FR 8106, June 24, 1965, unless otherwise noted.

### Subpart A—General

#### § 137.1 Applicability.

(a) This part prescribes rules governing—

(1) Agricultural aircraft operations within the United States; and

(2) The issue of commercial and private agricultural aircraft operator certificates for those operations.

(b) In a public emergency, a person conducting agricultural aircraft operations under this part may, to the extent necessary, deviate from the operating rules of this part for relief and welfare activities approved by an agen-

cy of the United States or of a State or local government.

(c) Each person who, under the authority of this section, deviates from a rule of this part shall, within 10 days after the deviation send to the responsible Flight Standards office a complete report of the aircraft operation involved, including a description of the operation and the reasons for it.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137–13, 54 FR 39294, Sept. 25, 1989; Docket FAA–2018–0119, Amdt. 137–17, 83 FR 9175, Mar. 5, 2018]

#### § 137.3 Definition of terms.

For the purposes of this part—

*Agricultural aircraft operation* means the operation of an aircraft for the purpose of (1) dispensing any economic poison, (2) dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or (3) engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.

*Economic poison* means (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals, which the Secretary of Agriculture shall declare to be a pest, and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137–3, 33 FR 9601, July 2, 1968]

### Subpart B—Certification Rules

#### § 137.11 Certificate required.

(a) Except as provided in paragraphs (c) and (d) of this section, no person may conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this part.

## § 137.15

(b) Notwithstanding part 133 of this chapter, an operator may, if he complies with this part, conduct agricultural aircraft operations with a rotorcraft with external dispensing equipment in place without a rotorcraft external-load operator certificate.

(c) A Federal, State, or local government conducting agricultural aircraft operations with public aircraft need not comply with this subpart.

(d) The holder of a rotorcraft external-load operator certificate under part 133 of this chapter conducting an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, need not comply with this subpart.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-3, 33 FR 9601, July 2, 1968; Amdt. 137-6, 41 FR 35060, Aug. 19, 1976]

### § 137.15 Application for certificate.

An application for an agricultural aircraft operator certificate is made on a form and in a manner prescribed by the Administrator, and filed with the responsible Flight Standards office for the area in which the applicant's home base of operations is located.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-13, 54 FR 39294, Sept. 25, 1989; Docket FAA-2018-0119, Amdt. 137-17, 83 FR 9175, Mar. 5, 2018]

### § 137.17 Amendment of certificate.

(a) An agricultural aircraft operator certificate may be amended—

(1) On the Administrator's own initiative, under section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) and part 13 of this chapter; or

(2) Upon application by the holder of that certificate.

(b) An application to amend an agricultural aircraft operator certificate is submitted on a form and in a manner prescribed by the Administrator. The applicant must file the application with the responsible Flight Standards office for the area in which the applicant's home base of operations is located at least 15 days before the date that it proposes the amendment become effective, unless a shorter filing period is approved by that office.

(c) The responsible Flight Standards office grants a request to amend a certificate if it determines that safety in

## 14 CFR Ch. I (1-1-25 Edition)

air commerce and the public interest so allow.

(d) Within 30 days after receiving a refusal to amend, the holder may petition the Executive Director, Flight Standards Service, to reconsider the refusal.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-9, 43 FR 52206, Nov. 9, 1978; Amdt. 137-11, 45 FR 47838, July 17, 1980; Amdt. 137-13, 54 FR 39294, Sept. 25, 1989; Docket FAA-2018-0119, Amdt. 137-17, 83 FR 9175, Mar. 5, 2018]

### § 137.19 Certification requirements.

(a) *General.* An applicant for a private agricultural aircraft operator certificate is entitled to that certificate if he shows that he meets the requirements of paragraphs (b), (d), and (e) of this section. An applicant for a commercial agricultural aircraft operator certificate is entitled to that certificate if he shows that he meets the requirements of paragraphs (c), (d), and (e) of this section. However, if an applicant applies for an agricultural aircraft operator certificate containing a prohibition against the dispensing of economic poisons, that applicant is not required to demonstrate the knowledge required in paragraphs (e)(1) (ii) through (iv) of this section.

(b) *Private operator—pilot.* The applicant must hold a current U.S. private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.

(c) *Commercial operator—pilots.* The applicant must have available the services of at least one person who holds a current U.S. commercial or airline transport pilot certificate and who is properly rated for the aircraft to be used. The applicant himself may be the person available.

(d) *Aircraft.* The applicant must have at least one certificated and airworthy aircraft, equipped for agricultural operation.

(e) *Knowledge and skill tests.* The applicant must show, or have the person who is designated as the chief supervisor of agricultural aircraft operations for him show, that he has satisfactory knowledge and skill regarding agricultural aircraft operations, as described in paragraphs (e) (1) and (2) of this section.

(1) The test of knowledge consists of the following:

(i) Steps to be taken before starting operations, including survey of the area to be worked.

(ii) Safe handling of economic poisons and the proper disposal of used containers for those poisons.

(iii) The general effects of economic poisons and agricultural chemicals on plants, animals, and persons, with emphasis on those normally used in the areas of intended operations; and the precautions to be observed in using poisons and chemicals.

(iv) Primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centers.

(v) Performance capabilities and operating limitations of the aircraft to be used.

(vi) Safe flight and application procedures.

(2) The test of skill consists of the following maneuvers that must be shown in any of the aircraft specified in paragraph (d) of this section, and at that aircraft's maximum certificated take-off weight, or the maximum weight established for the special purpose load, whichever is greater:

(i) Short-field and soft-field takeoffs (airplanes and gyroplanes only).

(ii) Approaches to the working area.

(iii) Flare-outs.

(iv) Swath runs.

(v) Pullups and turnarounds.

(vi) Rapid deceleration (quick stops) in helicopters only.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-1, 30 FR 15143, Dec. 8, 1965; Amdt. 137-7, 43 FR 22643, May 25, 1978]

#### § 137.21 Duration of certificate.

An agricultural aircraft operator certificate is effective until it is surrendered, suspended, or revoked. The holder of an agricultural aircraft operator certificate that is suspended or revoked shall return it to the Administrator.

#### § 137.23 Carriage of narcotic drugs, marihuana, and depressant or stimulant drugs or substances.

If the holder of a certificate issued under this part permits any aircraft owned or leased by that holder to be

engaged in any operation that the certificate holder knows to be in violation of § 91.19(a) of this chapter, that operation is a basis for suspending or revoking the certificate.

[Docket 12035, 38 FR 17493, July 2, 1973, as amended by Amdt. 137-12, 54 FR 34332, Aug. 18, 1989]

### Subpart C—Operating Rules

#### § 137.29 General.

(a) Except as provided in paragraphs (d) and (e) of this section, this subpart prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this part.

(b) [Reserved]

(c) The holder of an agricultural aircraft operator certificate may deviate from the provisions of part 91 of this chapter without a certificate of waiver, as authorized in this subpart for dispensing operations, when conducting nondispensing aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this subpart.

(d) Sections 137.31 through 137.35, §§ 137.41, and 137.53 through 137.59 do not apply to persons and aircraft used in agricultural aircraft operations conducted with public aircraft.

(e) Sections 137.31 through 137.35, §§ 137.39, 137.41, 137.51 through 137.59, and subpart D do not apply to persons and rotorcraft used in agricultural aircraft operations conducted by a person holding a certificate under part 133 of this chapter and involving only the dispensing of water on forest fires by rotorcraft external-load means. However, the operation shall be conducted in accordance with—

(1) The rules of part 133 of this chapter governing rotorcraft external-load operations; and

(2) The operating rules of this subpart contained in §§ 137.29, 137.37, and §§ 137.43 through 137.49.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-3, 33 FR 9601, July 2, 1968; Amdt. 137-6, 41 FR 35060, Aug. 19, 1976]

#### § 137.31 Aircraft requirements.

No person may operate an aircraft unless that aircraft—

### § 137.33

### 14 CFR Ch. I (1–1–25 Edition)

(a) Meets the requirements of § 137.19(d); and

(b) Is equipped with a suitable and properly installed shoulder harness for use by each pilot.

#### § 137.33 Carrying of certificate.

(a) No person may operate an aircraft unless a facsimile of the agricultural aircraft operator certificate, under which the operation is conducted, is carried on that aircraft. The facsimile shall be presented for inspection upon the request of the Administrator or any Federal, State, or local law enforcement officer.

(b) Notwithstanding part 91 of this chapter, the registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft. However, when those certificates are not carried in the aircraft they shall be kept available for inspection at the base from which the dispensing operation is conducted.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137–3, 33 FR 9601, July 2, 1968]

#### § 137.35 Limitations on private agricultural aircraft operator.

No person may conduct an agricultural aircraft operation under the authority of a private agricultural aircraft operator certificate—

(a) For compensation or hire;

(b) Over a congested area; or

(c) Over any property unless he is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

#### § 137.37 Manner of dispensing.

No persons may dispense, or cause to be dispensed, from an aircraft, any material or substance in a manner that creates a hazard to persons or property on the surface.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137–3, 33 FR 9601, July 2, 1968]

#### § 137.39 Economic poison dispensing.

(a) Except as provided in paragraph (b) of this section, no person may dispense or cause to be dispensed from an aircraft, any economic poison that is registered with the U.S. Department of

Agriculture under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k)—

(1) For a use other than that for which it is registered;

(2) Contrary to any safety instructions or use limitations on its label; or

(3) In violation of any law or regulation of the United States.

(b) This section does not apply to any person dispensing economic poisons for experimental purposes under—

(1) The supervision of a Federal or State agency authorized by law to conduct research in the field of economic poisons; or

(2) A permit from the U.S. Department of Agriculture issued pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k).

[Amdt. 137–2, 31 FR 6686, May 5, 1966]

#### § 137.40 Employment of former FAA employees.

(a) Except as specified in paragraph (c) of this section, no certificate holder may knowingly employ or make a contractual arrangement which permits an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual, in the preceding 2 years—

(1) Served as, or was directly responsible for the oversight of, a Flight Standards Service aviation safety inspector; and

(2) Had direct responsibility to inspect, or oversee the inspection of, the operations of the certificate holder.

(b) For the purpose of this section, an individual shall be considered to be acting as an agent or representative of a certificate holder in a matter before the agency if the individual makes any written or oral communication on behalf of the certificate holder to the agency (or any of its officers or employees) in connection with a particular matter, whether or not involving a specific party and without regard to whether the individual has participated in, or had responsibility for, the particular matter while serving as a Flight Standards Service aviation safety inspector.

(c) The provisions of this section do not prohibit a certificate holder from

## Federal Aviation Administration, DOT

## § 137.45

knowingly employing or making a contractual arrangement which permits an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual was employed by the certificate holder before October 21, 2011.

[Docket FAA-2008-1154, 76 FR 52236, Aug. 22, 2011]

### § 137.41 Personnel.

(a) *Information.* The holder of an agricultural aircraft operator certificate shall insure that each person used in the holder's agricultural aircraft operation is informed of that person's duties and responsibilities for the operation.

(b) *Supervisors.* No person may supervise an agricultural aircraft operation unless he has met the knowledge and skill requirements of §137.19(e).

(c) *Pilot in command.* No person may act as pilot in command of an aircraft unless he holds a pilot certificate and rating prescribed by §137.19 (b) or (c), as appropriate to the type of operation conducted. In addition, he must demonstrate to the holder of the Agricultural Aircraft Operator Certificate conducting the operation that he has met the knowledge and skill requirements of §137.19(e). If the holder of that certificate has designated a person under §137.19(e) to supervise his agricultural aircraft operations the demonstration must be made to the person so designated. However, a demonstration of the knowledge and skill requirement is not necessary for any pilot in command who—

(1) Is, at the time of the filing of an application by an agricultural aircraft operator, working as a pilot in command for that operator; and

(2) Has a record of operation under that applicant that does not disclose any question regarding the safety of his flight operations or his competence in dispensing agricultural materials or chemicals.

### § 137.42 Fastening of safety belts and shoulder harnesses.

No person may operate an aircraft in operations required to be conducted under part 137 without a safety belt and shoulder harness properly secured

about that person except that the shoulder harness need not be fastened if that person would be unable to perform required duties with the shoulder harness fastened.

[Amdt. 137-10, 44 FR 61325, Oct. 25, 1979]

### § 137.43 Operations in controlled airspace designated for an airport.

(a) Except for flights to and from a dispensing area, no person may operate an aircraft within the lateral boundaries of the surface area of Class D airspace designated for an airport unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.

(b) No person may operate an aircraft in weather conditions below VFR minimums within the lateral boundaries of a Class E airspace area that extends upward from the surface unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.

(c) Notwithstanding §91.157(b)(4) of this chapter, an aircraft may be operated under the special VFR weather minimums without meeting the requirements prescribed therein.

[Amdt. 137-14, 56 FR 65664, Dec. 17, 1991, as amended by Amdt. 137-14, 58 FR 32840, June 14, 1993; 74 FR 13099, Mar. 26, 2009]

### § 137.45 Nonobservance of airport traffic pattern.

Notwithstanding part 91 of this chapter, the pilot in command of an aircraft may deviate from an airport traffic pattern when authorized by the control tower concerned. At an airport without a functioning control tower, the pilot in command may deviate from the traffic pattern if—

(a) Prior coordination is made with the airport management concerned;

(b) Deviations are limited to the agricultural aircraft operation;

(c) Except in an emergency, landing and takeoffs are not made on ramps, taxiways, or other areas of the airport not intended for such use; and

(d) The aircraft at all times remains clear of, and gives way to, aircraft conforming to the traffic pattern for the airport.

**§ 137.47 Operation without position lights.**

Notwithstanding part 91 of this chapter, an aircraft may be operated without position lights if prominent unlighted objects are visible for at least 1 mile and takeoffs and landings at—

(a) Airports with a functioning control tower are made only as authorized by the control tower operator; and

(b) Other airports are made only with the permission of the airport management and no other aircraft operations requiring position lights are in progress at that airport.

**§ 137.49 Operations over other than congested areas.**

Notwithstanding part 91 of this chapter, during the actual dispensing operation, including approaches, departures, and turnarounds reasonably necessary for the operation, an aircraft may be operated over other than congested areas below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

[Amdt. 137-3, 33 FR 9601, July 2, 1968]

**§ 137.51 Operation over congested areas: General.**

(a) Notwithstanding part 91 of this chapter, an aircraft may be operated over a congested area at altitudes required for the proper accomplishment of the agricultural aircraft operation if the operation is conducted—

(1) With the maximum safety to persons and property on the surface, consistent with the operation; and

(2) In accordance with the requirements of paragraph (b) of this section.

(b) No person may operate an aircraft over a congested area except in accordance with the requirements of this paragraph.

(1) Prior written approval must be obtained from the appropriate official or governing body of the political subdivision over which the operations are conducted.

(2) Notice of the intended operation must be given to the public by some effective means, such as daily news-

papers, radio, television, or door-to-door notice.

(3) A plan for each complete operation must be submitted to, and approved by appropriate personnel of the responsible Flight Standards office for the area where the operation is to be conducted. The plan must include consideration of obstructions to flight; the emergency landing capabilities of the aircraft to be used; and any necessary coordination with air traffic control.

(4) Single engine aircraft must be operated as follows:

(i) Except for helicopters, no person may take off a loaded aircraft, or make a turnaround over a congested area.

(ii) No person may operate an aircraft over a congested area below the altitudes prescribed in part 91 of this chapter except during the actual dispensing operation, including the approaches and departures necessary for that operation.

(iii) No person may operate an aircraft over a congested area during the actual dispensing operation, including the approaches and departures for that operation, unless it is operated in a pattern and at such an altitude that the aircraft can land, in an emergency, without endangering persons or property on the surface.

(5) Multiengine aircraft must be operated as follows:

(i) No person may take off a multiengine airplane over a congested area except under conditions that will allow the airplane to be brought to a safe stop within the effective length of the runway from any point on takeoff up to the time of attaining, with all engines operating at normal takeoff power, 105 percent of the minimum control speed with the critical engine inoperative in the takeoff configuration or 115 percent of the power-off stall speed in the takeoff configuration, whichever is greater, as shown by the accelerate stop distance data. In applying this requirement, takeoff data is based upon still-air conditions, and no correction is made for any uphill gradient of 1 percent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length. For uphill gradients greater than 1 percent, the effective

takeoff length of the runway is reduced 20 percent for each 1-percent grade.

(ii) No person may operate a multiengine airplane at a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within the area to be worked or at an altitude of 5,000 feet, whichever is higher. For the purposes of this subdivision, it is assumed that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favorable positions; and that the remaining engine or engines are operating at the maximum continuous power available.

(iii) No person may operate any multiengine aircraft over a congested area below the altitudes prescribed in part 91 of this chapter except during the actual dispensing operation, including the approaches, departures, and turn-arounds necessary for that operation.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Docket 8084, 32 FR 5769, Apr. 11, 1967; Amdt. 137-13, 54 FR 39294, Sept. 25, 1989; Docket FAA-2018-0119, Amdt. 137-17, 83 FR 9175, Mar. 5, 2018]

#### **§ 137.53 Operation over congested areas: Pilots and aircraft.**

(a) *General.* No person may operate an aircraft over a congested area except in accordance with the pilot and aircraft rules of this section.

(b) *Pilots.* Each pilot in command must have at least—

(1) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, at least 10 hours of which must have been acquired within the preceding 12 calendar months; and

(2) 100 hours of flight experience as pilot in command in dispensing agricultural materials or chemicals.

(c) *Aircraft.* (1) Each aircraft must—  
(i) If it is an aircraft not specified in paragraph (c)(1)(ii) of this section, have had within the preceding 100 hours of time in service a 100-hour or annual inspection by a person authorized by part 65 or 145 of this chapter, or have been inspected under a progressive inspection system; and

(ii) If it is a large or turbine-powered multiengine civil airplane of U.S. registry, have been inspected in accordance with the applicable inspection program requirements of § 91.409 of this chapter.

(2) If other than a helicopter, it must be equipped with a device capable of jettisoning at least one-half of the aircraft's maximum authorized load of agricultural material within 45 seconds. If the aircraft is equipped with a device for releasing the tank or hopper as a unit, there must be a means to prevent inadvertent release by the pilot or other crewmember.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-5, 41 FR 16796, Apr. 22, 1976; Amdt. 137-12, 54 FR 34332, Aug. 18, 1989]

#### **§ 137.55 Business name: Commercial agricultural aircraft operator.**

No person may operate under a business name that is not shown on his commercial agricultural aircraft operator certificate.

#### **§ 137.57 Availability of certificate.**

Each holder of an agricultural aircraft operator certificate shall keep that certificate at his home base of operations and shall present it for inspection on the request of the Administrator or any Federal, State, or local law enforcement officer.

#### **§ 137.59 Inspection authority.**

Each holder of an agricultural aircraft operator certificate shall allow the Administrator at any time and place to make inspections, including on-the-job inspections, to determine compliance with applicable regulations and his agricultural aircraft operator certificate.

### **Subpart D—Records and Reports**

#### **§ 137.71 Records: Commercial agricultural aircraft operator.**

(a) Each holder of a commercial agricultural aircraft operator certificate shall maintain and keep current, at the home base of operations designated in his application, the following records:

(1) The name and address of each person for whom agricultural aircraft services were provided;

(2) The date of the service;



## § 137.75

(3) The name and quantity of the material dispensed for each operation conducted; and

(4) The name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot met the knowledge and skill requirements of § 137.19(e).

(b) The records required by this section must be kept at least 12 months and made available for inspection by the Administrator upon request.

### § 137.75 Change of address.

Each holder of an agricultural aircraft operator certificate shall notify the FAA in writing in advance of any change in the address of his home base of operations.

### § 137.77 Termination of operations.

Whenever a person holding an agricultural aircraft operator certificate ceases operations under this part, he shall surrender that certificate to the responsible Flight Standards office last having jurisdiction over his operation.

[Docket 1464, 30 FR 8106, June 24, 1965, as amended by Amdt. 137-13, 54 FR 39294, Sept. 25, 1989; 54 FR 52872, Dec. 22, 1989; Docket FAA-2018-0119, Amdt. 137-17, 83 FR 9175, Mar. 5, 2018]

## PART 139—CERTIFICATION OF AIRPORTS

### Subpart A—General

Sec.

139.1 Applicability.

139.3 Delegation of authority.

139.5 Definitions.

139.7 Methods and procedures for compliance.

### Subpart B—Certification

139.101 General requirements.

139.103 Application for certificate.

139.105 Inspection authority.

139.107 Issuance of certificate.

139.109 Duration of certificate.

139.111 Exemptions.

139.113 Deviations.

139.115 Falsification, reproduction, or alteration of applications, certificates, reports, or records.

### Subpart C—Airport Certification Manual

139.201 General requirements.

## 14 CFR Ch. I (1–1–25 Edition)

139.203 Contents of Airport Certification Manual.

139.205 Amendment of Airport Certification Manual.

### Subpart D—Operations

139.301 Records.

139.303 Personnel.

139.305 Paved areas.

139.307 Unpaved areas.

139.309 Safety areas.

139.311 Marking, signs, and lighting.

139.313 Snow and ice control.

139.315 Aircraft rescue and firefighting: Index determination.

139.317 Aircraft rescue and firefighting: Equipment and agents.

139.319 Aircraft rescue and firefighting: Operational requirements.

139.321 Handling and storing of hazardous substances and materials.

139.323 Traffic and wind direction indicators.

139.325 Airport emergency plan.

139.327 Self-inspection program.

139.329 Pedestrians and Ground Vehicles.

139.331 Obstructions.

139.333 Protection of NAVAIDS.

139.335 Public protection.

139.337 Wildlife hazard management.

139.339 Airport condition reporting.

139.341 Identifying, marking, and lighting construction and other unserviceable areas.

139.343 Noncomplying conditions.

### Subpart E—Airport Safety Management System

139.401 General requirements.

139.402 Components of Airport Safety Management System.

139.403 Airport Safety Management System implementation.

AUTHORITY: 49 U.S.C. 106(f), 106(g), 40113, 44701–44706, 44709, 44719, 47175.

SOURCE: Docket FAA-2000-7479, 69 FR 6424, Feb. 10, 2004, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 139 appear at 69 FR 24069, May 3, 2004.

### Subpart A—General

#### § 139.1 Applicability.

(a) This part prescribes rules governing the certification and operation of airports in any State of the United States, the District of Columbia, or any territory or possession of the United States serving any—