

VOR or VORTAC facilities identified by those names.

[Doc. No. 29334, 73 FR 54495, Sept. 22, 2008, as amended by Amdt. 71–40, 73 FR 60940, Oct. 15, 2008; Amdt. 71–41, 74 FR 46490, Sept. 10, 2009; Amdt. 71–42, 75 FR 55269, Sept. 10, 2010; Amdt. 71–43, 76 FR 53329, Aug. 26, 2011; Amdt. 71–44, 77 FR 50908, Aug. 23, 2012; Amdt. 71–45, 78 FR 52848, Aug. 27, 2013; Amdt. 71–46, 79 FR 51888, Sept. 2, 2014; Amdt. 71–47, 80 FR 51937, Aug. 27, 2015; Amdt. 71–48, 81 FR 55372, Aug. 19, 2016; Amdt. 71–49, 82 FR 40069, Aug. 24, 2017; Amdt. 71–50, 83 FR 43757, Aug. 28, 2018; Amdt. 71–51, 84 FR 45652, Aug. 30, 2019; Amdt. 71–52, 85 FR 50780, Aug. 18, 2020; Amdt. No. 71–53, 86 FR 46963, Aug. 23, 2021; Docket No. FAA–2022–1022, Amdt. No. 71–54, 87 FR 54878, Sept. 8, 2022]

EFFECTIVE DATE NOTE: By Docket No. FAA–2022–1022, Amdt. No. 71–54, 87 FR 54878, Sept. 8, 2022, §71.901 was amended by removing the words “FAA Order 7400.11F” and adding, in their place, the words “FAA Order JO 7400.11G”, effective Sept. 15, 2022, through Sept. 15, 2023.

PART 73—SPECIAL USE AIRSPACE

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AUTHORITY: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

SOURCE: 46 FR 779, Jan. 2, 1981, unless otherwise noted.

Subpart A—General

§ 73.1 Applicability.

The airspace that is described in subpart B and subpart C of this part is designated as special use airspace. These parts prescribe the requirements for the use of that airspace.

§ 73.3 Special use airspace.

(a) Special use airspace consists of airspace of defined dimensions identified by an area on the surface of the earth wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both.

(b) The vertical limits of special use airspace are measured by designated altitude floors and ceilings expressed as flight levels or as feet above mean sea level. Unless otherwise specified, the word “to” (an altitude or flight level) means “to and including” (that altitude or flight level).

(c) The horizontal limits of special use airspace are measured by boundaries described by geographic coordinates or other appropriate references that clearly define their perimeter.

(d) The period of time during which a designation of special use airspace is in effect is stated in the designation.

§ 73.5 Bearings; radials; miles.

(a) All bearings and radials in this part are true from point of origin.

(b) Unless otherwise specified, all mileages in this part are stated as statute miles.

Subpart B—Restricted Areas

§ 73.11 Applicability.

This subpart designates restricted areas and prescribes limitations on the operation of aircraft within them.

§ 73.13 Restrictions.

No person may operate an aircraft within a restricted area between the designated altitudes and during the time of designation, unless he has the advance permission of

(a) The using agency described in § 73.15; or

(b) The controlling agency described in § 73.17.

§ 73.15 Using agency.

(a) For the purposes of this subpart, the following are using agencies;

(1) The agency, organization, or military command whose activity within a restricted area necessitated the area being so designated.

(b) Upon the request of the FAA, the using agency shall execute a letter establishing procedures for joint use of a restricted area by the using agency and the controlling agency, under which the using agency would notify the controlling agency whenever the controlling agency may grant permission for transit through the restricted area in accordance with the terms of the letter.

(c) The using agency shall—

(1) Schedule activities within the restricted area;

(2) Authorize transit through, or flight within, the restricted area as feasible; and

(3) Contain within the restricted area all activities conducted therein in accordance with the purpose for which it was designated.

§ 73.17 Controlling agency.

For the purposes of this part, the controlling agency is the FAA facility that may authorize transit through or flight within a restricted area in accordance with a joint-use letter issued under § 73.15.

§ 73.19 Reports by using agency.

(a) Each using agency must prepare a report on the use of each restricted area assigned thereto during any part of the preceding 12-month period ended September 30, and transmit it by the following January 31 of each year to the Manager, Operations Support Group in the ATO Service Center office of the Federal Aviation Administration having jurisdiction over the area in which the restricted area is located, with a copy to the Manager, Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

(b) In the report under this section the using agency must:

(1) State the name and number of the restricted area as published in this part, and the period covered by the report.

(2) State the activities (including average daily number of operations if ap-

propriate) conducted in the area, and any other pertinent information concerning current and future electronic monitoring devices.

(3) State the number of hours daily, the days of the week, and the number of weeks during the year that the area was used.

(4) For restricted areas having a joint-use designation, also state the number of hours daily, the days of the week, and the number of weeks during the year that the restricted area was released to the controlling agency for public use.

(5) State the mean sea level altitudes or flight levels (whichever is appropriate) used in aircraft operations and the maximum and average ordinate of surface firing (expressed in feet, mean sea level altitude) used on a daily, weekly, and yearly basis.

(6) Include a chart of the area (of optional scale and design) depicting, if used, aircraft operating areas, flight patterns, ordnance delivery areas, surface firing points, and target, fan, and impact areas. After once submitting an appropriate chart, subsequent annual charts are not required unless there is a change in the area, activity or altitude (or flight levels) used, which might alter the depiction of the activities originally reported. If no change is to be submitted, a statement indicating “no change” shall be included in the report.

(7) Include any other information not otherwise required under this part which is considered pertinent to activities carried on in the restricted area.

(c) If it is determined that the information submitted under paragraph (b) of this section is not sufficient to evaluate the nature and extent of the use of a restricted area, the FAA may request the using agency to submit supplementary reports. Within 60 days after receiving a request for additional information, the using agency must submit such information as the FAA Service Center Operations Support Group Manager considers appropriate. Supplementary reports must be sent to

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the FAA officials designated in paragraph (a) of this section.

(Secs. 307 and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1354(a)))

[Doc. No. 15379, 42 FR 54798, Oct. 11, 1977, as amended by Amdt. 73-5, 54 FR 39292, Sept. 25, 1989; Amdt. 73-6, 58 FR 42001, Aug. 6, 1993; Amdt. 73-8, 61 FR 26435, May 28, 1996; Amdt. 73-8, 63 FR 16890, Apr. 7, 1998; Docket No. FAA-2022-1355, Amdt. No. 73-1, 87 FR 75845, Dec. 9, 2022]

EDITORIAL NOTE: The restricted areas formerly carried as §§ 608.21 to 608.72 of this title were transferred to part 73 as §§ 73.21 to 73.72 under subpart B but are not carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these restricted areas, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

Subpart C—Prohibited Areas

§ 73.81 Applicability.

This subpart designates prohibited areas and prescribes limitations on the operation of aircraft therein.

§ 73.83 Restrictions.

No person may operate an aircraft within a prohibited area unless authorization has been granted by the using agency.

§ 73.85 Using agency.

For the purpose of this subpart, the using agency is the agency, organization or military command that established the requirements for the prohibited area.

EDITORIAL NOTE: Sections 73.87 through 73.99 are reserved for descriptions of designated prohibited areas. For FEDERAL REGISTER citations affecting these prohibited areas, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

PART 75 [RESERVED]

PART 77—SAFE, EFFICIENT USE, AND PRESERVATION OF THE NAVIGABLE AIRSPACE

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AUTHORITY: 49 U.S.C. 106 (g), 40103, 40113–40114, 44502, 44701, 44718, 46101–46102, 46104.

SOURCE: Docket No. FAA-2006-25002, 75 FR 42303, July 21, 2010, unless otherwise noted.

Subpart A—General

§ 77.1 Purpose.

This part establishes:

(a) The requirements to provide notice to the FAA of certain proposed construction, or the alteration of existing structures;

(b) The standards used to determine obstructions to air navigation, and navigational and communication facilities;

(c) The process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and