

§ 91.701 Applicability.

(a) This subpart applies to the operations of civil aircraft of U.S. registry outside of the United States and the operations of foreign civil aircraft within the United States.

(b) Section 91.702 of this subpart also applies to each person on board an aircraft operated as follows:

(1) A U.S. registered civil aircraft operated outside the United States;

(2) Any aircraft operated outside the United States—

(i) That has its next scheduled destination or last place of departure in the United States if the aircraft next lands in the United States; or

(ii) If the aircraft lands in the United States with the individual still on the aircraft regardless of whether it was a scheduled or otherwise planned landing site.

[Doc. No. FAA-1998-4954, 64 FR 1079, Jan. 7, 1999]

§ 91.702 Persons on board.

Section 91.11 of this part (Prohibitions on interference with crewmembers) applies to each person on board an aircraft.

[Doc. No. FAA-1998-4954, 64 FR 1079, Jan. 7, 1999]

§ 91.703 Operations of civil aircraft of U.S. registry outside of the United States.

(a) Each person operating a civil aircraft of U.S. registry outside of the United States shall—

(1) When over the high seas, comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with §§91.117(c), 91.127, 91.129, and 91.131;

(2) When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force;

(3) Except for §§91.117(a), 91.307(b), 91.309, 91.323, and 91.711, comply with this part so far as it is not inconsistent with applicable regulations of the foreign country where the aircraft is operated or Annex 2 of the Convention on International Civil Aviation; and

(4) When operating within airspace designated as Reduced Vertical Separation

Minimum (RVSM) airspace, comply with §91.706.

(5) For aircraft subject to ICAO Annex 16, carry on board the aircraft documents that summarize the noise operating characteristics and certifications of the aircraft that demonstrate compliance with this part and part 36 of this chapter.

(b) Annex 2 to the Convention on International Civil Aviation, Rules of the Air, Tenth Edition—July 2005, with Amendments through Amendment 45, applicable November 10, 2016, is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the FAA must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590 and is available from the International Civil Aviation Organization (ICAO), Marketing and Customer Relations Unit, 999 Robert Bourassa Boulevard, Montreal, Quebec H3C 5H7, Canada; <http://store1.icao.int/>; or by contacting the ICAO Marketing and Customer Relations Unit by telephone at 514-954-8022 or by email at sales@icao.int. For questions about ICAO Annex 2, contact the FAA's Office of International Affairs at (202) 267-1000. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to http://www.archives.gov/federal-register/code_of_federal_regulations/ibr_locations.html.

[Doc. No. 18834, 54 FR 34320, Aug. 18, 1989, as amended by Amdt. 91-227, 56 FR 65661, Dec. 17, 1991; Amdt. 91-254, 62 FR 17487, Apr. 9, 1997; 69 FR 18803, Apr. 9, 2004; Amdt. 91-299, 73 FR 10143, Feb. 26, 2008; Amdt. 91-312, 75 FR 9333, Mar. 2, 2010; Docket FAA-2016-9154, Amdt. 91-348, 82 FR 39664, Aug. 22, 2017]