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Authority: 49 U.S.C. 106(g), 1153, 40101, 40102, 40103, 40113, 44105, 44106, 44111, 44701-44717, 44722, 44901, 44903, 44904, 44906, 44912, 44914, 44936, 44938, 46103, 46105.

Subpart A—General

§ 119.1 Applicability.

(a) This part applies to each person operating or intending to operate civil aircraft—

- (1) As an air carrier or commercial operator, or both, in air commerce; or
- (2) When common carriage is not involved, in operations of U.S.-registered civil airplanes with a seat configuration of 20 or more passengers, or a maximum payload capacity of 6,000 pounds or more.

(b) This part prescribes—

- (1) The types of air operator certificates issued by the Federal Aviation Administration, including air carrier certificates and operating certificates;
- (2) The certification requirements an operator must meet in order to obtain and hold a certificate authorizing operations under part 121, 125, or 135 of this chapter and operations specifications for each kind of operation to be conducted and each class and size of aircraft to be operated under part 121 or 135 of this chapter;
- (3) The requirements an operator must meet to conduct operations under part 121, 125, or 135 of this chapter and in

operating each class and size of aircraft authorized in its operations specifications;

(4) Requirements affecting wet leasing of aircraft and other arrangements for transportation by air;

(5) Requirements for obtaining deviation authority to perform operations under a military contract and obtaining deviation authority to perform an emergency operation; and

(6) Requirements for management personnel for operations conducted under part 121 or part 135 of this chapter.

(c) Persons subject to this part must comply with the other requirements of this chapter, except where those requirements are modified by or where additional requirements are imposed by part 119, 121, 125, or 135 of this chapter.

(d) This part does not govern operations conducted under part 129, 133, 137, or 139 of this chapter.

(e) Except for operations when common carriage is not involved conducted with airplanes having a passenger-seat configuration of 20 seats or more, excluding any required crewmember seat, or a payload capacity of 6,000 pounds or more, this part does not apply to—

- (1) Student instruction;
- (2) Nonstop sightseeing flights conducted with aircraft having a passenger seat configuration of 30 or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, that begin and end at the same airport, and are conducted within a 25 statute mile radius of that airport; however, for nonstop sightseeing flights for compensation or hire conducted in the vicinity of the Grand Canyon National Park, Arizona, the requirements of SFAR 50-2 of this part and SFAR 38-2 of 14 CFR part 121 or 14 CFR part 119, as applicable, apply;
- (3) Ferry or training flights;
- (4) Aerial work operations, including—
 - (i) Crop dusting, seeding, spraying, and bird chasing;
 - (ii) Banner towing;
 - (iii) Aerial photography or survey;
 - (iv) Fire fighting;
 - (v) Helicopter operations in construction or repair work (but it does apply to transportation to and from the site of operations); and
 - (vi) Powerline or pipeline patrol;
- (5) Sightseeing flights conducted in hot air balloons;
- (6) Nonstop flights conducted within a 25 statute mile radius of the airport of takeoff carrying persons for the purpose of intentional parachute jumps;

(7) Helicopter flights conducted within a 25 statute mile radius of the airport of takeoff if—

(i) Not more than two passengers are carried in the helicopter in addition to the required flightcrew;

(ii) Each flight is made under day VFR conditions;

(iii) The helicopter used is certificated in the standard category and complies with the 100-hour inspection requirements of part 91 of this chapter;

(iv) The operator notifies the FAA Flight Standards District Office responsible for the geographic area concerned at least 72 hours before each flight and furnishes any essential information that the office requests;

(v) The number of flights does not exceed a total of six in any calendar year;

(vi) Each flight has been approved by the Administrator; and

(vii) Cargo is not carried in or on the helicopter;

(8) Operations conducted under part 133 of this chapter or 375 of this title;

(9) Emergency mail service conducted under 49 U.S.C. 41906; or

(10) Operations conducted under the provisions of § 91.321 of this chapter.

§ 119.2 Compliance with 14 CFR part 119 or SFAR 38-2 of 14 CFR part 121.

(a) Each certificate holder that before January 19, 1996 was issued an air carrier certificate or operating certificate and operations specifications under the requirements of part 121, part 135, or SFAR 38-2 of part 121 of this chapter shall continue to comply with SFAR 38-2 of 14 CFR part 121 until March 20, 1997 or until the date on which the certificate holder is issued operations specifications in accordance with part 119, whichever occurs first. If a certificate holder is issued operation specifications in accordance with part 119 before March 20, 1997 then, notwithstanding all provisions in SFAR 38-2 of 14 CFR part 121, such certificate holder shall comply with the provisions of part 119.

(b) Each person who on or after January 19, 1996 applies for or obtains an initial air carrier certificate or operating certificate and operations specifications to conduct operations under part 121 or 135 of this chapter shall comply with this part notwithstanding all provisions of SFAR 38-2 of 14 CFR part 121.

§ 119.3 Definitions.

For the purpose of subchapter G of this chapter, the term—

All-cargo operation means any operation for compensation or hire that is other than a passenger-carrying