

(B) The lights or markings of the threshold;

(C) The runway touchdown zone landing surface; or

(D) The lights or markings of the touchdown zone.

(4) **Compliance Date.** Beginning on March 13, 2018, a person conducting an EFVS operation to 100 feet above the touchdown zone elevation must comply with the requirements of paragraph (b) of this section.

(c) *Public aircraft certification and training requirements.* A public aircraft operator, other than the U.S. military, may conduct an EFVS operation under paragraph (a) or (b) of this section only if:

(1) The aircraft meets all of the civil certification and airworthiness requirements of paragraph (a)(1) or (b)(1) of this section, as applicable to the EFVS operation to be conducted; and

(2) The pilot flightcrew member, or any other person who manipulates the controls of an aircraft during an EFVS operation, meets the training, recent flight experience and refresher training requirements of §61.66 of this chapter applicable to EFVS operations.

(d) *Exception for Experimental Aircraft.* The requirement to use an EFVS that meets the applicable airworthiness requirements specified in paragraphs (a)(1)(i), (a)(2)(iii), (b)(1)(i), and (b)(2)(iii) of this section does not apply to operations conducted in an aircraft issued an experimental certificate under §21.191 of this chapter for the purpose of research and development or showing compliance with regulations, provided the Administrator has determined that the operations can be conducted safely in accordance with operating limitations issued for that purpose.

[Docket FAA–2013–0485, Amdt. 91–345, 81 FR 90172, Dec. 13, 2016; 82 FR 2193, Jan. 9, 2017]

§91.177 Minimum altitudes for IFR operations.

(a) *Operation of aircraft at minimum altitudes.* Except when necessary for takeoff or landing, or unless otherwise authorized by the FAA, no person may operate an aircraft under IFR below—

(1) The applicable minimum altitudes prescribed in parts 95 and 97 of this chapter. However, if both a MEA and a

MOCA are prescribed for a particular route or route segment, a person may operate an aircraft below the MEA down to, but not below, the MOCA, provided the applicable navigation signals are available. For aircraft using VOR for navigation, this applies only when the aircraft is within 22 nautical miles of that VOR (based on the reasonable estimate by the pilot operating the aircraft of that distance); or

(2) If no applicable minimum altitude is prescribed in parts 95 and 97 of this chapter, then—

(i) In the case of operations over an area designated as a mountainous area in part 95 of this chapter, an altitude of 2,000 feet above the highest obstacle within a horizontal distance of 4 nautical miles from the course to be flown; or

(ii) In any other case, an altitude of 1,000 feet above the highest obstacle within a horizontal distance of 4 nautical miles from the course to be flown.

(b) *Climb.* Climb to a higher minimum IFR altitude shall begin immediately after passing the point beyond which that minimum altitude applies, except that when ground obstructions intervene, the point beyond which that higher minimum altitude applies shall be crossed at or above the applicable MCA.

[Doc. No. 18334, 54 FR 34294, Aug. 18, 1989, as amended by Amdt. 91–296, 72 FR 31678, June 7, 2007; Amdt. 91–315, 75 FR 30690, June 2, 2010]

§91.179 IFR cruising altitude or flight level.

Unless otherwise authorized by ATC, the following rules apply—

(a) *In controlled airspace.* Each person operating an aircraft under IFR in level cruising flight in controlled airspace shall maintain the altitude or flight level assigned that aircraft by ATC. However, if the ATC clearance assigns “VFR conditions on-top,” that person shall maintain an altitude or flight level as prescribed by §91.159.

(b) *In uncontrolled airspace.* Except while in a holding pattern of 2 minutes or less or while turning, each person operating an aircraft under IFR in level cruising flight in uncontrolled airspace shall maintain an appropriate altitude as follows: