

35-foot height at V_2 speed (including any additional speed increment obtained in the tests) multiplied by 115 percent and determined with—

- (i) The landing gear extended;
- (ii) The critical engine inoperative and its propeller removed or in a configuration desired by the operator (if applicable); and
- (iii) The other engine operating at not more than the power selected for type certification as set forth in § 25.101 of this chapter.

(3) The takeoff, flight, and landing procedures such as the approximate trim setting, method of power application, maximum power, and speed must be established. The airplane must be satisfactorily controllable during the entire takeoff run when operated according to these procedures.

(4) The performance must be determined at a maximum weight not greater than the weight determined under § 25.121(c) of this chapter but with—

(i) The actual steady gradient of the final takeoff climb requirement not less than 1.2 percent at the end of the takeoff path with two critical engines inoperative; and

(ii) The climb speed not less than the two-engine inoperative trim speed for the actual steady gradient of the final takeoff climb prescribed by paragraph (c)(4)(i) of this section.

(5) The airplane must be satisfactorily controllable in a climb with two critical engines inoperative. Climb performance may be shown by calculations based on, and equal in accuracy to, the results of testing.

(6) The performance must be determined using temperature accountability for takeoff distance and final takeoff climb computed in accordance with § 25.101 of this chapter.

For the purpose of paragraphs (c)(4) and (5) of this section, *two critical engines* means two adjacent engines on one side of an airplane with four engines, and the center engine and one outboard engine on an airplane with three engines.

§ 91.613 Materials for compartment interiors.

(a) No person may operate an airplane that conforms to an amended or supplemental type certificate issued in

accordance with SFAR No. 41 for a maximum certificated takeoff weight in excess of 12,500 pounds unless within 1 year after issuance of the initial airworthiness certificate under that SFAR the airplane meets the compartment interior requirements set forth in § 25.853 (a), (b), (b-1), (b-2), and (b-3) of this chapter in effect on September 26, 1978.

(b) Thermal/acoustic insulation materials. For transport category airplanes type certificated after January 1, 1958:

(1) For airplanes manufactured before September 2, 2005, when thermal/acoustic insulation is installed in the fuselage as replacements after September 2, 2005, the insulation must meet the flame propagation requirements of § 25.856 of this chapter, effective September 2, 2003, if it is:

- (i) Of a blanket construction or
- (ii) Installed around air ducting.

(2) For airplanes manufactured after September 2, 2005, thermal/acoustic insulation materials installed in the fuselage must meet the flame propagation requirements of § 25.856 of this chapter, effective September 2, 2003.

[Doc. No. 18334, 54 FR 34318, Aug. 18, 1989, as amended by Amdt. 91-279, 68 FR 45083, July 31, 2003; Amdt. 91-290, 70 FR 77752, Dec. 30, 2005]

§§ 91.615–91.699 [Reserved]

Subpart H—Foreign Aircraft Operations and Operations of U.S.-Registered Civil Aircraft Outside of the United States; and Rules Governing Persons on Board Such Aircraft

SOURCE: Docket No. 18334, 54 FR 34320, Aug. 18, 1989, unless otherwise noted.

§ 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;

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(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]

§ 91.705 [Reserved]

§ 91.706 Operations within airspace designed as Reduced Vertical Separation Minimum Airspace.

(a) Except as provided in paragraph (b) of this section, no person may operate a civil aircraft of U.S. registry in airspace designated as Reduced Vertical Separation Minimum (RVSM) airspace unless:

(1) The operator and the operator’s aircraft comply with the requirements of appendix G of this part; and

(2) The operator is authorized by the Administrator to conduct such operations.