

at least one kind of operation authorized in the certificate holder's operations specifications. In addition, for each kind of operation for which the certificate holder does not have the exclusive use of an aircraft, the certificate holder must have available for use under a written agreement (including arrangements for performing required maintenance) at least one aircraft that meets the requirements for that kind of operation. However, this paragraph does not prohibit the operator from using or authorizing the use of the aircraft for other than operations under this part and does not require the certificate holder to have exclusive use of all aircraft that the certificate holder uses.

(c) For the purposes of paragraph (b) of this section, a person has exclusive use of an aircraft if that person has the sole possession, control, and use of it for flight, as owner, or has a written agreement (including arrangements for performing required maintenance), in effect when the aircraft is operated, giving the person that possession, control, and use for at least 6 consecutive months.

(d) A certificate holder may operate in common carriage, and for the carriage of mail, a civil aircraft which is leased or chartered to it without crew and is registered in a country which is a party to the Convention on International Civil Aviation if—

(1) The aircraft carries an appropriate airworthiness certificate issued by the country of registration and meets the registration and identification requirements of that country;

(2) The aircraft is of a type design which is approved under a U.S. type certificate and complies with all of the requirements of this chapter (14 CFR chapter I) that would be applicable to that aircraft were it registered in the United States, including the requirements which must be met for issuance of a U.S. standard airworthiness certificate (including type design conformity, condition for safe operation, and the noise, fuel venting, and engine emission requirements of this chapter), except that a U.S. registration certificate and a U.S. standard airworthiness certificate will not be issued for the aircraft;

(3) The aircraft is operated by U.S.-certificated airmen employed by the certificate holder; and

(4) The certificate holder files a copy of the aircraft lease or charter agreement with the FAA Aircraft Registry, Department of Transportation, 6400 South MacArthur Boulevard, Oklahoma City, OK (Mailing address: P.O. Box 25504, Oklahoma City, OK 73125).

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-8, 45 FR 68649, Oct. 16, 1980; Amdt. 135-66, 62 FR 13257, Mar. 19, 1997]

§ 135.41 Carriage of narcotic drugs, marihuana, and depressant or stimulant drugs or substances.

If the holder of a certificate operating under this part allows any aircraft owned or leased by that holder to be engaged in any operation that the certificate holder knows to be in violation of § 91.19(a) of this chapter, that operation is a basis for suspending or revoking the certificate.

[Doc. No. 28154, 60 FR 65939, Dec. 20, 1995]

§ 135.43 Crewmember certificates: International operations.

(a) This section describes the certificates that were issued to United States citizens who were employed by air carriers at the time of issuance as flight crewmembers on United States registered aircraft engaged in international air commerce. The purpose of the certificate is to facilitate the entry and clearance of those crewmembers into ICAO contracting states. They were issued under Annex 9, as amended, to the Convention on International Civil Aviation.

(b) The holder of a certificate issued under this section, or the air carrier by whom the holder is employed, shall surrender the certificate for cancellation at the nearest FAA Flight Standards District Office at the termination of the holder's employment with that air carrier.

[Doc. No. 28154, 61 FR 30435, June 14, 1996]

Subpart B—Flight Operations

§ 135.61 General.

This subpart prescribes rules, in addition to those in part 91 of this chapter,

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that apply to operations under this part.

§ 135.63 Recordkeeping requirements.

(a) Each certificate holder shall keep at its principal business office or at other places approved by the Administrator, and shall make available for inspection by the Administrator the following—

- (1) The certificate holder's operating certificate;
- (2) The certificate holder's operations specifications;
- (3) A current list of the aircraft used or available for use in operations under this part and the operations for which each is equipped;
- (4) An individual record of each pilot used in operations under this part, including the following information:
 - (i) The full name of the pilot.
 - (ii) The pilot certificate (by type and number) and ratings that the pilot holds.
 - (iii) The pilot's aeronautical experience in sufficient detail to determine the pilot's qualifications to pilot aircraft in operations under this part.
 - (iv) The pilot's current duties and the date of the pilot's assignment to those duties.
 - (v) The effective date and class of the medical certificate that the pilot holds.
 - (vi) The date and result of each of the initial and recurrent competency tests and proficiency and route checks required by this part and the type of aircraft flown during that test or check.
 - (vii) The pilot's flight time in sufficient detail to determine compliance with the flight time limitations of this part.
 - (viii) The pilot's check pilot authorization, if any.
 - (ix) Any action taken concerning the pilot's release from employment for physical or professional disqualification.
 - (x) The date of the completion of the initial phase and each recurrent phase of the training required by this part; and
- (5) An individual record for each flight attendant who is required under this part, maintained in sufficient de-

tail to determine compliance with the applicable portions of §135.273 of this part.

(b) Each certificate holder must keep each record required by paragraph (a)(3) of this section for at least 6 months, and must keep each record required by paragraphs (a)(4) and (a)(5) of this section for at least 12 months.

(c) For multiengine aircraft, each certificate holder is responsible for the preparation and accuracy of a load manifest in duplicate containing information concerning the loading of the aircraft. The manifest must be prepared before each takeoff and must include:

- (1) The number of passengers;
 - (2) The total weight of the loaded aircraft;
 - (3) The maximum allowable takeoff weight for that flight;
 - (4) The center of gravity limits;
 - (5) The center of gravity of the loaded aircraft, except that the actual center of gravity need not be computed if the aircraft is loaded according to a loading schedule or other approved method that ensures that the center of gravity of the loaded aircraft is within approved limits. In those cases, an entry shall be made on the manifest indicating that the center of gravity is within limits according to a loading schedule or other approved method;
 - (6) The registration number of the aircraft or flight number;
 - (7) The origin and destination; and
 - (8) Identification of crew members and their crew position assignments.
- (d) The pilot in command of an aircraft for which a load manifest must be prepared shall carry a copy of the completed load manifest in the aircraft to its destination. The certificate holder shall keep copies of completed load manifests for at least 30 days at its principal operations base, or at another location used by it and approved by the Administrator.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-52, 59 FR 42993, Aug. 19, 1994]