

§ 135.64 Retention of contracts and amendments: Commercial operators who conduct intrastate operations for compensation or hire.

Each commercial operator who conducts intrastate operations for compensation or hire shall keep a copy of each written contract under which it provides services as a commercial operator for a period of at least one year after the date of execution of the contract. In the case of an oral contract, it shall keep a memorandum stating its elements, and of any amendments to it, for a period of at least one year after the execution of that contract or change.

[Doc. No. 28154, 60 FR 65939, Dec. 20, 1995, as amended by Amdt. 135-65, 61 FR 30435, June 14, 1996; Amdt. 135-66, 62 FR 13257, Mar. 19, 1997]

§ 135.65 Reporting mechanical irregularities.

(a) Each certificate holder shall provide an aircraft maintenance log to be carried on board each aircraft for recording or deferring mechanical irregularities and their correction.

(b) The pilot in command shall enter or have entered in the aircraft maintenance log each mechanical irregularity that comes to the pilot's attention during flight time. Before each flight, the pilot in command shall, if the pilot does not already know, determine the status of each irregularity entered in the maintenance log at the end of the preceding flight.

(c) Each person who takes corrective action or defers action concerning a reported or observed failure or malfunction of an airframe, powerplant, propeller, rotor, or appliance, shall record the action taken in the aircraft maintenance log under the applicable maintenance requirements of this chapter.

(d) Each certificate holder shall establish a procedure for keeping copies of the aircraft maintenance log required by this section in the aircraft for access by appropriate personnel and shall include that procedure in the manual required by § 135.21.

§ 135.67 Reporting potentially hazardous meteorological conditions and irregularities of communications or navigation facilities.

Whenever a pilot encounters a potentially hazardous meteorological condition or an irregularity in a ground communications or navigational facility in flight, the knowledge of which the pilot considers essential to the safety of other flights, the pilot shall notify an appropriate ground radio station as soon as practicable.

[Doc. No. 16097, 43 FR 46783, Oct. 1, 1978, as amended at Amdt. 135-1, 44 FR 26737, May 7, 1979]

§ 135.69 Restriction or suspension of operations: Continuation of flight in an emergency.

(a) During operations under this part, if a certificate holder or pilot in command knows of conditions, including airport and runway conditions, that are a hazard to safe operations, the certificate holder or pilot in command, as the case may be, shall restrict or suspend operations as necessary until those conditions are corrected.

(b) No pilot in command may allow a flight to continue toward any airport of intended landing under the conditions set forth in paragraph (a) of this section, unless, in the opinion of the pilot in command, the conditions that are a hazard to safe operations may reasonably be expected to be corrected by the estimated time of arrival or, unless there is no safer procedure. In the latter event, the continuation toward that airport is an emergency situation under § 135.19.

§ 135.71 Airworthiness check.

The pilot in command may not begin a flight unless the pilot determines that the airworthiness inspections required by § 91.409 of this chapter, or § 135.419, whichever is applicable, have been made.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-32, 54 FR 34332, Aug. 18, 1989]

§ 135.73 Inspections and tests.

Each certificate holder and each person employed by the certificate holder shall allow the Administrator, at any time or place, to make inspections or

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tests (including en route inspections) to determine the holder's compliance with the Federal Aviation Act of 1958, applicable regulations, and the certificate holder's operating certificate, and operations specifications.

§ 135.75 Inspectors credentials: Admission to pilots' compartment: Forward observer's seat.

(a) Whenever, in performing the duties of conducting an inspection, an FAA inspector presents an Aviation Safety Inspector credential, FAA Form 110A, to the pilot in command of an aircraft operated by the certificate holder, the inspector must be given free and uninterrupted access to the pilot compartment of that aircraft. However, this paragraph does not limit the emergency authority of the pilot in command to exclude any person from the pilot compartment in the interest of safety.

(b) A forward observer's seat on the flight deck, or forward passenger seat with headset or speaker must be provided for use by the Administrator while conducting en route inspections. The suitability of the location of the seat and the headset or speaker for use in conducting en route inspections is determined by the Administrator.

§ 135.77 Responsibility for operational control.

Each certificate holder is responsible for operational control and shall list, in the manual required by §135.21, the name and title of each person authorized by it to exercise operational control.

§ 135.79 Flight locating requirements.

(a) Each certificate holder must have procedures established for locating each flight, for which an FAA flight plan is not filed, that—

(1) Provide the certificate holder with at least the information required to be included in a VFR flight plan;

(2) Provide for timely notification of an FAA facility or search and rescue facility, if an aircraft is overdue or missing; and

(3) Provide the certificate holder with the location, date, and estimated time for reestablishing radio or telephone communications, if the flight

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will operate in an area where communications cannot be maintained.

(b) Flight locating information shall be retained at the certificate holder's principal place of business, or at other places designated by the certificate holder in the flight locating procedures, until the completion of the flight.

(c) Each certificate holder shall furnish the representative of the Administrator assigned to it with a copy of its flight locating procedures and any changes or additions, unless those procedures are included in a manual required under this part.

§ 135.81 Informing personnel of operational information and appropriate changes.

Each certificate holder shall inform each person in its employment of the operations specifications that apply to that person's duties and responsibilities and shall make available to each pilot in the certificate holder's employ the following materials in current form:

(a) Airman's Information Manual (Alaska Supplement in Alaska and Pacific Chart Supplement in Pacific-Asia Regions) or a commercial publication that contains the same information.

(b) This part and part 91 of this chapter.

(c) Aircraft Equipment Manuals, and Aircraft Flight Manual or equivalent.

(d) For foreign operations, the International Flight Information Manual or a commercial publication that contains the same information concerning the pertinent operational and entry requirements of the foreign country or countries involved.

§ 135.83 Operating information required.

(a) The operator of an aircraft must provide the following materials, in current and appropriate form, accessible to the pilot at the pilot station, and the pilot shall use them:

(1) A cockpit checklist.

(2) For multiengine aircraft or for aircraft with retractable landing gear, an emergency cockpit checklist containing the procedures required by paragraph (c) of this section, as appropriate.