

## Federal Aviation Administration, DOT

## §91.7

(5) Contain procedures to monitor the security of aircraft at the airport during operational and non-operational hours and to alert aircraft owners and operators, airport operators, and the Administrator of unsecured aircraft;

(6) Contain procedures to ensure that security awareness procedures are implemented and maintained at the airport;

(7) Contain procedures to ensure that a copy of the approved security procedures is maintained at the airport and can be made available for inspection upon request of the Administrator;

(8) Contain procedures to provide the Administrator with the means necessary to make any inspection to determine compliance with the approved security procedures; and

(9) Contain any additional procedures necessary to provide for the security of aircraft operations to or from the airport.

(b) Airport security procedures are approved without an expiration date and remain in effect unless the Administrator makes a determination that operations at the airport have not been conducted in accordance with those procedures or that those procedures must be amended in accordance with paragraph 4.(a)(9) of this SFAR.

5. *Waivers.* The Administrator may permit an operation to or from an airport to which this SFAR applies, in deviation from the provisions of this SFAR if the Administrator finds that such action is in the public interest, provides the level of security required by this SFAR, and the operation can be conducted safely under the terms of the waiver.

6. *Delegation.* The authority of the Administrator under this SFAR is also exercised by the Associate Administrator for Civil Aviation Security and the Deputy Associate Administrator for Civil Aviation Security. This authority may be further delegated.

7. *Expiration.* This Special Federal Aviation Regulation shall remain in effect until February 13, 2003.

[Doc. No. FAA-2002-11580, 67 FR 7544, Feb. 19, 2002]

EFFECTIVE DATE NOTE: At 67 FR 7544, Feb. 19, 2002, SFAR No. 94 was added, effective Feb. 13, 2002, until Feb. 13, 2003.

### Subpart A—General

SOURCE: Docket No. 18334, 54 FR 34292, Aug. 18, 1989, unless otherwise noted.

#### §91.1 Applicability.

(a) Except as provided in paragraphs (b) and (c) of this section and §§91.701 and 91.703, this part prescribes rules governing the operation of aircraft (other than moored balloons, kites, un-

manned rockets, and unmanned free balloons, which are governed by part 101 of this chapter, and ultralight vehicles operated in accordance with part 103 of this chapter) within the United States, including the waters within 3 nautical miles of the U.S. coast.

(b) Each person operating an aircraft in the airspace overlying the waters between 3 and 12 nautical miles from the coast of the United States shall comply with §§91.1 through 91.21; §§91.101 through 91.143; §§91.151 through 91.159; §§91.167 through 91.193; §91.203; §91.205; §§91.209 through 91.217; §91.221; §§91.303 through 91.319; §91.323; §91.605; §91.609; §§91.703 through 91.715; and 91.903.

(c) This part applies to each person on board an aircraft being operated under this part, unless otherwise specified.

[Doc. No. 18334, 54 FR 34292, Aug. 18, 1989, as amended by Amdt. 91-257, 64 FR 1079, Jan. 7, 1999]

#### §91.3 Responsibility and authority of the pilot in command.

(a) The pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft.

(b) In an in-flight emergency requiring immediate action, the pilot in command may deviate from any rule of this part to the extent required to meet that emergency.

(c) Each pilot in command who deviates from a rule under paragraph (b) of this section shall, upon the request of the Administrator, send a written report of that deviation to the Administrator.

(Approved by the Office of Management and Budget under control number 2120-0005)

#### §91.5 Pilot in command of aircraft requiring more than one required pilot.

No person may operate an aircraft that is type certificated for more than one required pilot flight crewmember unless the pilot in command meets the requirements of §61.58 of this chapter.

#### §91.7 Civil aircraft airworthiness.

(a) No person may operate a civil aircraft unless it is in an airworthy condition.