

Federal Aviation Administration, DOT

§ 99.3

and other publishers of aeronautical charts.

(Sec. 6(c) Department of Transportation Act. 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1))

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PART 99—SECURITY CONTROL OF AIR TRAFFIC

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Subpart A—General

§ 99.1 Applicability.

(a) This subpart prescribes rules for operating civil aircraft in a defense area, or into, within, or out of the United States through an Air Defense Identification Zone (ADIZ), designated in subpart B.

(b) Except for §§99.7 and 99.12, this subpart does not apply to the operation of any aircraft—

(1) Within the 48 contiguous States and the District of Columbia, or within the State of Alaska, on a flight which remains within 10 nautical miles of the point of departure;

(2) Operating at true airspeed of less than 180 knots in the Hawaii ADIZ or over any island, or within 12 nautical miles of the coastline of any island, in the Hawaii ADIZ;

(3) Operating at true airspeed of less than 180 knots in the Alaska ADIZ while the pilot maintains a continuous listening watch on the appropriate frequency; or

(4) Operating at true airspeed of less than 180 knots in the Guam ADIZ.

(c) An FAA ATC center may exempt the following operations from this subpart (except §99.7), on a local basis only, with the concurrence of the military commanders concerned:

(1) Aircraft operations that are conducted wholly within the boundaries of an ADIZ and are not currently significant to the air defense system.

(2) Aircraft operations conducted in accordance with special procedures prescribed by the military authorities concerned.

[Doc. No. 25113, 53 FR 18217, May 20, 1988, as amended by Amdt. 99-14, 53 FR 44182, Nov. 2, 1988; 66 FR 49822, Sept. 28, 2001]

§ 99.3 Definitions.

Aeronautical facility means, for the purposes of this subpart, a communications facility where flight plans or position reports are normally filed during flight operations.

Air defense identification zone (ADIZ) means an area of airspace over land or water in which the ready identification, location, and control of civil aircraft is required in the interest of national security.

Defense area means any airspace of the contiguous United States that is not an ADIZ in which the control of aircraft is required for reasons of national security.

Defense visual flight rules (DVFR) *flight* means, for the purposes of this subpart, a flight within an ADIZ conducted by a civil aircraft under the visual flight rules in part 91 of this title.

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