

§ 102-33.155

(b) Is required to follow §§ 102-33.140 through 102-33.185 under a Memorandum of Agreement governing the loan.

§ 102-33.155 How must we establish Flight Program Standards?

To establish Flight Program Standards, you must write, publish (as appropriate), implement, and comply with detailed, agency-specific standards, which establish or require (contractually, where applicable) policies and procedures for—

- (a) Management/administration of your flight program (in this part, “flight program” includes CAS contracts);
- (b) Operation of your flight program;
- (c) Maintenance of your Government aircraft;
- (d) Training for your flight program personnel; and
- (e) Safety of your flight program.

MANAGEMENT/ADMINISTRATION

§ 102-33.160 What standards must we establish or require (contractually, where applicable) for management/administration of our flight program?

For management/administration of your flight program, you must establish or require (contractually, where applicable) the following:

- (a) A management structure responsible for the administration, operation, safety, training, maintenance, and financial needs of your aviation operation (including establishing minimum requirements for these items for any commercial contracts).
- (b) Guidance describing the roles, responsibilities, and authorities of your flight program personnel, *e.g.*, managers, pilots and other crewmembers, flight safety personnel, maintenance personnel, and dispatchers.
- (c) Procedures to record and track flight time, duty time, and training of crewmembers.
- (d) Procedures to record and track duty time and training of maintenance personnel.

41 CFR Ch. 102 (7-1-05 Edition)

OPERATIONS

§ 102-33.165 What standards must we establish or require (contractually, where applicable) for operation of our flight program?

For operation of your flight program, you must establish or require (contractually, where applicable) the following:

- (a) Basic qualifications and currency requirements for your pilots and other crewmembers, maintenance personnel, and other mission-related personnel.
- (b) Limitations on duty time and flight time for pilots and other crewmembers.
- (c) Compliance with owning-agency or military safety of flight notices and operational bulletins.
- (d) Flight-following procedures to notify management and initiate search and rescue operations for lost or downed aircraft.
- (e) Dissemination, as your agency determines appropriate, of a disclosure statement to all crewmembers and qualified non-crewmembers who fly aboard your agency’s Government aircraft, as follows:

Disclosure Statement for Crewmembers and Qualified Non-Crewmembers Flying on Board Government Aircraft Operated as Public Aircraft

Generally, an aircraft used exclusively for the U.S. Government may be considered a “public aircraft” as defined in Public Law 106-181, provided it is not a Government-owned aircraft transporting passengers or operating for commercial purposes. A public aircraft is not subject to many Federal Aviation Regulations, including requirements relating to aircraft certification, maintenance, and pilot certification. If an agency transports passengers on a Government-owned aircraft or uses that aircraft for commercial purposes, the agency must comply with all Federal Aviation Regulations applicable to civil aircraft. If you have any questions concerning whether a particular flight will be a public aircraft operation or a civil aircraft operation, you should contact the agency sponsor of that flight.

You have certain rights and benefits in the unlikely event you are injured or killed while working aboard a Government-owned or operated aircraft. Federal employees and some private citizens are eligible for workers’ compensation benefits under the Federal Employees’ Compensation Act (FECA). When FECA applies, it is the sole remedy. For more information about FECA and its coverage, consult with your agency’s benefits