

(1) During the day, to fly after that for at least 30 minutes; or

(2) At night, to fly after that for at least 45 minutes.

(b) No person may begin a flight operation in a helicopter under VFR unless, considering wind and forecast weather conditions, it has enough fuel to fly to the first point of intended landing and, assuming normal cruising fuel consumption, to fly after that for at least 20 minutes.

**§ 135.211 VFR: Over-the-top carrying passengers: Operating limitations.**

Subject to any additional limitations in § 135.181, no person may operate an aircraft under VFR over-the-top carrying passengers, unless—

(a) Weather reports or forecasts, or any combination of them, indicate that the weather at the intended point of termination of over-the-top flight—

(1) Allows descent to beneath the ceiling under VFR and is forecast to remain so until at least 1 hour after the estimated time of arrival at that point; or

(2) Allows an IFR approach and landing with flight clear of the clouds until reaching the prescribed initial approach altitude over the final approach facility, unless the approach is made with the use of radar under § 91.175(f) of this chapter; or

(b) It is operated under conditions allowing—

(1) For multiengine aircraft, descent or continuation of the flight under VFR if its critical engine fails; or

(2) For single-engine aircraft, descent under VFR if its engine fails.

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

**§ 135.213 Weather reports and forecasts.**

(a) Whenever a person operating an aircraft under this part is required to use a weather report or forecast, that person shall use that of the U.S. National Weather Service, a source approved by the U.S. National Weather Service, or a source approved by the Administrator. However, for operations under VFR, the pilot in command may, if such a report is not available, use weather information based on that pi-

lot's own observations or on those of other persons competent to supply appropriate observations.

(b) For the purposes of paragraph (a) of this section, weather observations made and furnished to pilots to conduct IFR operations at an airport must be taken at the airport where those IFR operations are conducted, unless the Administrator issues operations specifications allowing the use of weather observations taken at a location not at the airport where the IFR operations are conducted. The Administrator issues such operations specifications when, after investigation by the U.S. National Weather Service and the certificate-holding district office, it is found that the standards of safety for that operation would allow the deviation from this paragraph for a particular operation for which an air carrier operating certificate or operating certificate has been issued.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135–60, 61 FR 2616, Jan. 26, 1996]

**§ 135.215 IFR: Operating limitations.**

(a) Except as provided in paragraphs (b), (c) and (d) of this section, no person may operate an aircraft under IFR outside of controlled airspace or at any airport that does not have an approved standard instrument approach procedure.

(b) The Administrator may issue operations specifications to the certificate holder to allow it to operate under IFR over routes outside controlled airspace if—

(1) The certificate holder shows the Administrator that the flight crew is able to navigate, without visual reference to the ground, over an intended track without deviating more than 5 degrees or 5 miles, whichever is less, from that track; and

(2) The Administrator determines that the proposed operations can be conducted safely.

(c) A person may operate an aircraft under IFR outside of controlled airspace if the certificate holder has been approved for the operations and that operation is necessary to—

(1) Conduct an instrument approach to an airport for which there is in use

a current approved standard or special instrument approach procedure; or

(2) Climb into controlled airspace during an approved missed approach procedure; or

(3) Make an IFR departure from an airport having an approved instrument approach procedure.

(d) The Administrator may issue operations specifications to the certificate holder to allow it to depart at an airport that does not have an approved standard instrument approach procedure when the Administrator determines that it is necessary to make an IFR departure from that airport and that the proposed operations can be conducted safely. The approval to operate at that airport does not include an approval to make an IFR approach to that airport.

**§ 135.217 IFR: Takeoff limitations.**

No person may takeoff an aircraft under IFR from an airport where weather conditions are at or above takeoff minimums but are below authorized IFR landing minimums unless there is an alternate airport within 1 hour's flying time (at normal cruising speed, in still air) of the airport of departure.

**§ 135.219 IFR: Destination airport weather minimums.**

No person may take off an aircraft under IFR or begin an IFR or over-the-top operation unless the latest weather reports or forecasts, or any combination of them, indicate that weather conditions at the estimated time of arrival at the next airport of intended landing will be at or above authorized IFR landing minimums.

**§ 135.221 IFR: Alternate airport weather minimums.**

No person may designate an alternate airport unless the weather reports or forecasts, or any combination of them, indicate that the weather conditions will be at or above authorized alternate airport landing minimums for that airport at the estimated time of arrival.

**§ 135.223 IFR: Alternate airport requirements.**

(a) Except as provided in paragraph (b) of this section, no person may operate an aircraft in IFR conditions unless it carries enough fuel (considering weather reports or forecasts or any combination of them) to—

(1) Complete the flight to the first airport of intended landing;

(2) Fly from that airport to the alternate airport; and

(3) Fly after that for 45 minutes at normal cruising speed or, for helicopters, fly after that for 30 minutes at normal cruising speed.

(b) Paragraph (a)(2) of this section does not apply if part 97 of this chapter prescribes a standard instrument approach procedure for the first airport of intended landing and, for at least one hour before and after the estimated time of arrival, the appropriate weather reports or forecasts, or any combination of them, indicate that—

(1) The ceiling will be at least 1,500 feet above the lowest circling approach MDA; or

(2) If a circling instrument approach is not authorized for the airport, the ceiling will be at least 1,500 feet above the lowest published minimum or 2,000 feet above the airport elevation, whichever is higher; and

(3) Visibility for that airport is forecast to be at least three miles, or two miles more than the lowest applicable visibility minimums, whichever is the greater, for the instrument approach procedure to be used at the destination airport.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-20, 51 FR 40710, Nov. 7, 1986]

**§ 135.225 IFR: Takeoff, approach and landing minimums.**

(a) Except to the extent permitted by paragraph (b) of this section, no pilot may begin an instrument approach procedure to an airport unless—

(1) That airport has a weather reporting facility operated by the U.S. National Weather Service, a source approved by U.S. National Weather Service, or a source approved by the Administrator; and