

§ 101.25

- (c) Within five miles of the boundary of any airport;
- (d) At any altitude where clouds or obscuring phenomena of more than five-tenths coverage prevails;
- (e) At any altitude where the horizontal visibility is less than five miles;
- (f) Into any cloud;
- (g) Within 1,500 feet of any person or property that is not associated with the operations; or
- (h) Between sunset and sunrise.

(Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

[Doc. No. 1580, 28 FR 6722, June 29, 1963, as amended by Amdt. 101-4, 39 FR 22252, June 21, 1974]

§ 101.25 Notice requirements.

No person may operate an unmanned rocket unless that person gives the following information to the FAA ATC facility nearest to the place of intended operation no less than 24 hours prior to and no more than 48 hours prior to beginning the operation:

- (a) The names and addresses of the operators; except when there are multiple participants at a single event, the name and address of the person so designated as the event launch coordinator, whose duties include coordination of the required launch data estimates and coordinating the launch event;
- (b) The estimated number of rockets to be operated;
- (c) The estimated size and the estimated weight of each rocket; and
- (d) The estimated highest altitude or flight level to which each rocket will be operated.
- (e) The location of the operation.
- (f) The date, time, and duration of the operation.
- (g) Any other pertinent information requested by the ATC facility.

[Doc. No. 1580, 28 FR 6722, June 29, 1963, as amended by Amdt. 101-6, 59 FR 50393, Oct. 3, 1994]

Subpart D—Unmanned Free Balloons

SOURCE: Docket No. 1457, 29 FR 47, Jan. 3, 1964, unless otherwise noted.

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§ 101.31 Applicability.

This subpart applies to the operation of unmanned free balloons. However, a person operating an unmanned free balloon within a restricted area must comply only with §101.33 (d) and (e) and with any additional limitations that are imposed by the using or controlling agency, as appropriate.

§ 101.33 Operating limitations.

No person may operate an unmanned free balloon—

- (a) Unless otherwise authorized by ATC, below 2,000 feet above the surface within the lateral boundaries of the surface areas of Class B, Class C, Class D, or Class E airspace designated for an airport;
- (b) At any altitude where there are clouds or obscuring phenomena of more than five-tenths coverage;
- (c) At any altitude below 60,000 feet standard pressure altitude where the horizontal visibility is less than five miles;
- (d) During the first 1,000 feet of ascent, over a congested area of a city, town, or settlement or an open-air assembly of persons not associated with the operation; or
- (e) In such a manner that impact of the balloon, or part thereof including its payload, with the surface creates a hazard to persons or property not associated with the operation.

[Doc. No. 1457, 29 FR 47, Jan. 3, 1964, as amended by Amdt. 101-5, 56 FR 65662, Dec. 17, 1991]

§ 101.35 Equipment and marking requirements.

- (a) No person may operate an unmanned free balloon unless—
 - (1) It is equipped with at least two payload cut-down systems or devices that operate independently of each other;
 - (2) At least two methods, systems, devices, or combinations thereof, that function independently of each other, are employed for terminating the flight of the balloon envelope; and
 - (3) The balloon envelope is equipped with a radar reflective device(s) or material that will present an echo to surface radar operating in the 200 MHz to 2700 MHz frequency range.