

§ 93.151

hours from 3 p.m. through 7:59 p.m., local time; and

(c) O'Hare International Airport from 9:15 p.m. to 6:44 a.m., local time.

[Doc. No. 24471, 49 FR 8244, Mar. 6, 1984]

Subpart L [Reserved]

Subpart M—Ketchikan International Airport Traffic Rule

SOURCE: Docket No. 14687, 41 FR 14879, Apr. 8, 1976, unless otherwise noted.

§ 93.151 Applicability.

This subpart prescribes a special air traffic rule for aircraft conducting VFR operations in the vicinity of the Ketchikan International Airport or Ketchikan Harbor, Alaska.

[Doc. No. FAA-2002-13235, 68 FR 9795, Feb. 28, 2003]

§ 93.152 Description of area.

Within that airspace below 3,000 feet MSL within the lateral boundary of the surface area of the Ketchikan Class E airspace regardless of whether that airspace is in effect.

[Doc. No. FAA-2002-13235, 68 FR 9795, Feb. 28, 2003]

§ 93.153 Communications.

(a) When the Ketchikan Flight Service Station is in operation, no person may operate an aircraft within the airspace specified in § 93.151, or taxi onto the runway at Ketchikan International Airport, unless that person has established two-way radio communications with the Ketchikan Flight Service Station for the purpose of receiving traffic advisories and continues to monitor the advisory frequency at all times while operating within the specified airspace.

(b) When the Ketchikan Flight Service Station is not in operation, no person may operate an aircraft within the airspace specified in § 93.151, or taxi onto the runway at Ketchikan International Airport, unless that person continuously monitors and communicates, as appropriate, on the designated common traffic advisory frequency as follows:

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(1) *For inbound flights.* Announces position and intentions when no less than 10 miles from Ketchikan International Airport, and monitors the designated frequency until clear of the movement area on the airport or Ketchikan Harbor.

(2) *For departing flights.* Announces position and intentions prior to taxiing onto the active runway on the airport or onto the movement area of Ketchikan Harbor and monitors the designated frequency until outside the airspace described in § 93.151 and announces position and intentions upon departing that airspace.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, if two-way radio communications failure occurs in flight, a person may operate an aircraft within the airspace specified in § 93.151, and land, if weather conditions are at or above basic VFR weather minimums.

[Doc. No. 26653, 56 FR 48094, Sept. 23, 1991]

§ 93.155 Aircraft operations.

(a) When an advisory is received from the Ketchikan Flight Service Station stating that an aircraft is on final approach to the Ketchikan International Airport, no person may taxi onto the runway of that airport until the approaching aircraft has landed and has cleared the runway.

(b) Unless otherwise authorized by ATC, each person operating a large airplane or a turbine engine powered airplane shall—

(1) When approaching to land at the Ketchikan International Airport, maintain an altitude of at least 900 feet MSL until within three miles of the airport; and

(2) After takeoff from the Ketchikan International Airport, maintain runway heading until reaching an altitude of 900 feet MSL.

Subparts N-R [Reserved]

**Subpart S—Allocation of Com-
muter and Air Carrier IFR Op-
erations at High Density Traffic
Airports**

SOURCE: Docket No. 24105, 50 FR 52195, Dec. 20, 1985, unless otherwise noted.

§ 93.211 Applicability.

(a) This subpart prescribes rules applicable to the allocation and withdrawal of IFR operational authority (takeoffs and landings) to individual air carriers and commuter operators at the High Density Traffic Airports identified in subpart K of this part except for Newark Airport.

(b) This subpart also prescribes rules concerning the transfer of allocated IFR operational authority and the use of that authority once allocated.

§ 93.213 Definitions and general provisions.

(a) For purposes of this subpart—

(1) *New entrant carrier* means a commuter operator or air carrier which does not hold a slot at a particular airport and has never sold or given up a slot at that airport after December 16, 1985.

(2) *Slot* means the operational authority to conduct one IFR landing or take-off operation each day during a specific hour or 30 minute period at one of the High Density Traffic Airports, as specified in subpart K of this part.

(3) *Summer season* means the period of time from the first Sunday in April until the last Sunday in October.

(4) *Winter season* means the period of time from the last Sunday in October until the first Sunday in April.

(5) *Limited incumbent carrier* means an air carrier or commuter operator that holds or operates fewer than 12 air carrier or commuter slots, in any combination, at a particular airport, not including international slots, Essential Air Service Program slots, or slots between the hours of 2200 and 0659 at Washington National Airport or LaGuardia Airport. However, for the purposes of this paragraph (a)(5), the carrier is considered to hold the number of slots at that airport that the carrier has, since December 16, 1985:

(i) Returned to the FAA;

(ii) Had recalled by the FAA under § 93.227(a); or

(iii) Transferred to another party other than by trade for one or more slots at the same airport.

(b) The definitions specified in subpart K of this part also apply to this subpart.

(c) For purposes of this subpart, if an air carrier, commuter operator, or other person has more than a 50-percent ownership or control of one or more other air carriers, commuter operators, or other persons, they shall be considered to be a single air carrier, commuter operator, or person. In addition, if a single company has more than a 50-percent ownership or control of two or more air carriers and/or commuter operators or any combination thereof, those air carriers and/or commuter operators shall be considered to be a single operator. A single operator may be considered to be both an air carrier and commuter operator for purposes of this subpart.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93-52, 51 FR 21717, June 13, 1986; Amdt. 93-57, 54 FR 34906, Aug. 22, 1989; 54 FR 37303, Sept. 8, 1989; Amdt. 93-65, 57 FR 37314, Aug. 18, 1992]

§ 93.215 Initial allocation of slots.

(a) Each air carrier and commuter operator holding a permanent slot on December 16, 1985, as evidenced by the records of the air carrier and commuter operator scheduling committees, shall be allocated those slots subject to withdrawal under the provisions of this subpart. The Chief Counsel of the FAA shall be the final decisionmaker for initial allocation determinations.

(b) Any permanent slot whose use on December 16, 1985 is divided among different operators, by day of the week, or otherwise, as evidenced by records of the scheduling committees, shall be allocated in conformity with those records. The Chief Counsel of the FAA shall be the final decisionmaker for these determinations.

(c) A carrier may permanently designate a slot it holds at Kennedy International Airport as a seasonal slot, to be held by the carrier only during the corresponding season in future years, if it notifies the FAA (at the address specified in § 93.225(e)), in writing, the preceding winter seasons or by October 15 of the preceding year for summer seasons.

(d) Within 30 days after December 16, 1985, each U.S. air carrier and commuter operator must notify the office specified in § 93.221(a)(1), in writing, of