

notes from the washington counsel

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Preflighting Required Documents

■ Paperwork is the hallmark of bureaucracy. Aviation, as one of the most intensively and extensively regulated activities, generates a great deal of paperwork. Before you can legally fly an aircraft you must ensure that certain paperwork is on board the aircraft and in your physical possession. The pilot who forgets even one of these pieces of paper can incur the wrath of the bureaucracy. In order to help you to avoid the danger, we are reminding you of the paperwork requirements for venturing forth into the wild blue yonder. In order not to confuse matters, we'll generally confine ourselves to the situation of a pilot with a United States license, flying a U.S.-registered aircraft on a noncommercial flight.

Let's start with the certificates the pilot must have in his possession.

Pilot certificate. You cannot act as pilot-in-command of a civil aircraft unless you have within your possession a current pilot certificate. The certificate must be of the appropriate kind (student, private, commercial, or ATP) and have the appropriate ratings (single-engine, multi-engine, instrument, type, etc.) for the flight intended. A pilot certificate (except student) issued by the FAA has no specific duration. It is valid until suspended or revoked by the FAA.

Medical certificate. To act as pilot-in-command of a civil aircraft you must have in your possession, in addition to a pilot certificate, an appropriate current medical certificate issued to you by the FAA. There is an exception for glider pilots flying gliders. There are three classes of medical certificates—first-class, second-class and third-class—ranging from the most stringent medical qualifications to the least stringent. All that is needed for a private (noncommercial) or student flight is a third-class medical certificate. A third-class ticket is good for approximately two years. Specifically, it expires at the end of the last day of the 24th month after

the month in which it is issued. Many pilots obtain first- or second-class certificates even though they fly only privately. These certificates have the same duration as the third-class certificate, so long as they are used in operations requiring only a private or student license. Otherwise, a first-class ticket expires in approximately six months for ATP operations; a second-class, in approximately one year for commercial operations.

Restricted radiotelephone operator permit. The third of the trio of certificates which a pilot usually must have in his possession is an FCC license. Before you can operate a transmitter on board an aircraft, you must be licensed by the Federal Communications Commission as a radio operator of the required class. The usual type of licensing obtained by general aviation pilots is the restricted radiotelephone operator permit. It is issued only to U.S. citizens or other U.S. nationals and normally is issued for the lifetime of the operator. Such a permit can be issued to an alien pilot with a waiver of the nationality requirement, but usually is not good for more than one year at a time.

The aircraft requires more paperwork.

Aircraft registration certificate. An aircraft can't be operated legally unless it has within it a registration certificate issued to its owner. This is a certificate which has no specified duration, and which is valid until suspended or revoked by the FAA, or until the aircraft is sold, destroyed or scrapped, or the registration is canceled by the certificate holder, or the holder loses his U.S. citizenship, or 30 days have elapsed since the death of the certificate holder. An aircraft can be operated on a temporary authorization (the pink copy of an application for registration) for up to 90 days after an application for registration.

Aircraft airworthiness certificate. A civil aircraft may not be operated unless it has within it an appropriate and current airworthiness certificate. It must be displayed at the cabin or cockpit entrance so that it is legible to passengers or crew. A standard airworthiness certificate has no specific duration. It is kept current by an annual inspection. If the aircraft is used for carrying any person for hire, or for flight instruction for hire, it must have a current 100-hour inspection. While there is no requirement that inspection and maintenance "sign offs" be kept in the aircraft, as a practical matter they must be, because the pilot-in-command is responsible for determining whether the aircraft is airworthy.

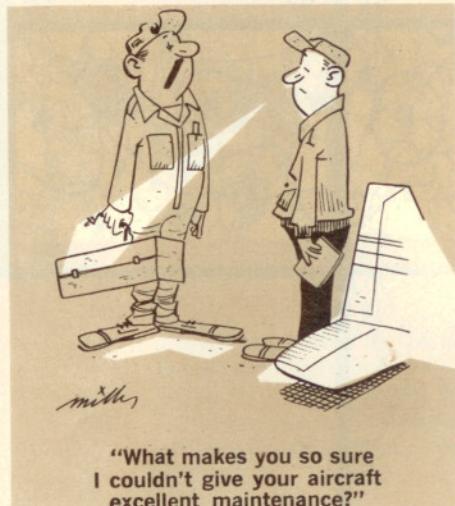
If the airworthiness certificate is not current—as, for example, if the aircraft is out of license, or if there has been failure of, or damage to, a component that renders the aircraft unairworthy—it may nevertheless be operated if you have a special flight permit issued by the FAA for that particular flight. This kind of permit is usually issued so that you can get the aircraft to a place where the discrepancy can be remedied. And, of course, the aircraft must be found safe for that flight.

Aircraft operating limitations. Other items of paperwork that must be on board the aircraft before it can be operated are the operating limitations of the aircraft. These limitations are contained in the current FAA-approved aircraft flight manual for that aircraft, placards, listings, instrument markings, or any combination thereof. These limitations include such things as weight-and-balance data, engine parameters (e.g., rpm, manifold pressure, gas temperature, etc.), airspeeds (e.g., normal operating speed, flaps-extended speed, etc.), minimum flight crew, kinds of operation, maximum operating altitude, maneuvering flight load factors, etc.

Aircraft radio station license. If the aircraft is equipped with any radio transmitters, it must have an aircraft radio station license prominently posted aboard the aircraft or kept with the aircraft registration certificate. This is a license issued by the Federal Communications Commission, and is good for five years. It automatically covers all type-accepted VHF transmitters, but such transmitters as transponders, DME equipment, and radar must be specifically listed.

Altimeter and VOR checks. Before an aircraft can be operated IFR, it must have a current altimeter and VOR check. The checks must be logged, and while the record of these checks technically need not be carried in the aircraft, practically they must. With respect to the altimeter check, each static-pressure system and each altimeter instrument must be tested, inspected, and found in compliance within the preceding 24 calendar months. With respect to the VOR equipment check, the VOR receivers must be operationally checked within the preceding 10 hours of flight time and within 10 days before flight, and found to be within the limits of the permissible indicated-bearing error.

Well, that's the paperwork that I feel is absolutely required before flight can be undertaken. If all of that paperwork is in good order, you can start to preflight your aircraft, secure in the knowledge that you have eliminated one of the major hazards to air navigation—paperwork. □



"What makes you so sure I couldn't give your aircraft excellent maintenance?"