

26 905 Repl. 5915005B

AC NO: 91-5A

DATE: 5/6/69



ADVISORY CIRCULAR

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

SUBJECT: WAIVERS OF SUBPART B, PART 91 OF THE FEDERAL
AVIATION REGULATIONS (FARs)

1. **PURPOSE.** This Advisory Circular provides updated information concerning the submission of applications for and the issuance of waivers of Subpart B, FAR 91.
 2. **CANCELLATION.** AC 91-5, Waivers of Part 91, Federal Aviation Regulations, dated February 27, 1964.
 3. **DISCUSSION.** FAR 91.63 provides for issuance of a certificate of waiver authorizing the operation of aircraft in deviation of any rule of Subpart B, Part 91, if it is found that the proposed operation can be safely conducted under the terms of that certificate of waiver.
 4. **CERTIFICATE OF WAIVER.** A waiver, FAA Form 663, will only authorize flight operations contrary to specified rules. It will not relieve the holder from compliance with other FARs not specifically waived, or state or local laws or ordinances which may apply to the operation.
 5. **SPECIAL PROVISIONS.** A waiver will contain such special provisions or conditions as may be necessary in the interest of safety or appropriate to good operating practice.
 6. **DURATION.** A waiver will expire on the date specified or it may be surrendered by the holder at any time. It may be canceled or amended, as appropriate, by the Administrator for failure to comply with its provisions, for violations of regulations that have not been waived, or when a need for the waiver no longer exists.
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7. APPLICATION FOR CERTIFICATE OF WAIVER. Applications (FAA Form 400) should be completed in conformance with the following instructions. Forms may be obtained at any Federal Aviation Administration office or air traffic facility, and applicants are urged to request assistance in preparation of the forms:
 - a. Type or print in ink.
 - b. Give complete information on all applicable items with particular attention to the following:
 - (1) Describe the proposed operation in detail - speeds, altitudes, areas, time periods, etc.
 - (2) The means by which an adequate level of safety can be achieved in lieu of that provided by the regulation to be waived.
 - c. List the name of the organization in preference to that of an individual, and indicate name and title of the individual authorized to act for the organization.

8. SUBMITTING APPLICATIONS. It is requested that applications for waiver be submitted at least 30 days in advance of the proposed operation. Any FAA office or facility will accept the application and forward it as necessary. The addresses and phone numbers of FAA area offices are listed below for the convenience of applicants. These offices will, in some cases, act on the requests for waiver, and in other cases will forward them. In the case of industrial operations or agricultural support operations, applications for waiver may be sent to the nearest General Aviation District Office (GADO) or Flight Standards District Office (FSDO). Paragraph 10 contains a typical list of such operations.

FAA AREA OFFICES.

REGION	AREA OFFICE	ADDRESS	
EASTERN	Boston	N.W. Industrial Park, Burlington, Mass. 01803	617-272-2350
	New York	181 Franklin Ave., Valley Stream, N. Y. 11581	212-995-3333
	Washington	900 S. Washington Street, Falls Church, Va. 22046	703-557-1390
	Cleveland	21010 Center Ridge, Rocky River, Ohio 44116	216-333-6439
SOUTHERN	Atlanta	3400 Whipple St., East Point, Georgia 30320	404-526-7283
	Memphis	3400 Democrat Rd., Memphis, Tennessee 38118	901-534-4201
	Miami	International Airport, Miami, Florida 33159	305-634-5481
CENTRAL	Kansas City	4747 Troost Ave., Kansas City, Missouri 64110	816-374-3706
	Chicago	3166 Des Plaines Ave., Des Plaines, Ill. 60018	312-296-1161
	Minneapolis	6301 34th Ave., South, Minneapolis, Minn. 55450	612-334-3367
SOUTHWEST	Fort Worth	819 Taylor St., Fort Worth, Texas 76102	817-334-3501
	Houston	8345 Telephone Rd., Houston, Texas 77060	713-643-0661
	Albuquerque	5301 Central Ave. N.E., Albuquerque, N. Mex. 87108	505-265-8091
WESTERN	Los Angeles	5885 W. Imperial Highway, Los Angeles, Calif. 90045	213-670-7030
	San Francisco	831 Mitten Rd., Burlingame, California 94010	415-692-2441
	Seattle	Boeing Field, Seattle, Washington 98108	206-762-4100
	Salt Lake City	2398 W. North Temple, Salt Lake City, Utah 84116	801-524-4201
	Denver	10255 East 25th Ave., Aurora, Colorado 80010	303-297-3646
ALASKAN	Anchorage	632 Sixth Avenue, Anchorage, Alaska 99501	907-277-1333
	Fairbanks	5640 Airport Way, Fairbanks, Alaska 99701	907-456-5822
PACIFIC	Honolulu	1833 Kalakaua Ave., Honolulu, Hawaii 96812	546-588-489

9. WAIVERS FOR AIR SHOWS, RACES, MEETS, ETC. - A waiver authorizing an acrobatic aerial demonstration may be issued only if the demonstration can be conducted without creating a hazard to persons or property in the air or on the ground, and will not cause an undue hardship to other flight operations. A suitable show site must be available since such waivers will contain special provisions to prohibit conduct of the demonstration over congested areas of cities, towns, settlements, or open-air assemblies of persons. In addition, air show waivers will, as a minimum, prescribe weather minimums and specify:

- a. The minimum distance required between the area designated for spectators and air show aircraft in flight. This distance will be determined on the basis of aircraft speed.
- b. Acceptable directions of flight relative to the spectator area boundaries.
- c. That oral or visual communication capability as required for safe operation, shall be provided.

10. TYPICAL INDUSTRIAL AND AGRICULTURAL SUPPORT OPERATIONS.

- a. Towing signs or gliders.
- b. Radiation measurement survey.
- c. Sailplane and water-ski towing.
- d. Chasing birds from rice fields.
- e. Oil research (radar, magnetometer).
- f. Knocking ripe fruit from trees.
- g. Patrolling pipelines and powerlines.
- h. Mineral prospecting.
- i. Agitating cherry trees.
- j. Dropping beaver, pheasant, fish, mail or newspapers.
- k. Antifrost agitation.
- l. Checking fallow land.
- m. Checking crops.
- n. Skywriting.
- o. Rainmaking.

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