



# ADVISORY CIRCULAR

## DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

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

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1. **PURPOSE.** This Advisory Circular provides information concerning the submission of applications for and the issuance of waivers of Subpart B, FAR 91.
  2. **CANCELLATION.** AC 91-5A, Waivers of Part 91, Federal Aviation Regulations, dated May 6, 1969, is canceled.
  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 address, phone number, and geographic area of jurisdiction of each FAA regional and area office is in Appendix 1 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.
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.

  
William M. Flener  
Director, Air Traffic Service

## ADDRESS OF REGIONAL and San Juan Area Offices

**1 AL-ALASKAN REGION**

Alaskan Regional Office  
632 Sixth Avenue  
Anchorage, Alaska 99501  
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**2 WE-WESTERN REGION**

Western Regional Office  
5651 West Manchester Blvd.  
Mail Address:  
P.O. Box 92007  
Worldway Postal Center  
Los Angeles, California 90009  
Tel. 213-670-7030 Ext. 548

**3 EA-EASTERN REGION**

Eastern Regional Office  
JFK International Airport  
Federal Building  
Jamaica, New York 11430  
Tel. 212-995-3333

**4 NW-NORTHWEST REGION**

Northwest Regional Office  
FAA Building, Boeing Field  
Seattle, Washington 98108  
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**5 SO-SOUTHERN REGION**

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3400 Whipple Street  
East Point, Georgia 30344  
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**8 RM-ROCKY MOUNTAIN REGION**

Rocky Mountain Regional Office  
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Aurora, Colorado 80010  
Mail Address:  
Park Hill Station, P.O. Box 7213  
Denver, Colorado 80207  
Tel. 303-837-3646

**9 GL-GREAT LAKES REGION**

Great Lakes Regional Office  
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**10 SW-SOUTHWEST REGION**

Southwest Regional Office  
4400 Blue Mound Road  
Mail Address:  
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Fort Worth, Texas 76101  
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**11 CE-CENTRAL REGION**

Central Regional Office  
601 E. 12th Street  
Kansas City, Mo. 64106  
Tel. 816-374-3246

**12 PC-PACIFIC REGION**

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P.O. Box 4009  
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