



Guide to Flight Time
Limitations and
Rest Requirements

Published by ALPA for the Information and Guidance of its Members

6-A ed. (June 2004)
(reprinted March 2006)

FOREWORD

This revision of the *Guide to Flight Time Limitations and Rest Requirements*, as these limitations and rest requirements appear in Parts 121 (domestic scheduled) and 135 (regional and small charter operations) of the Federal Aviation Regulations, has been expanded to include guidance regarding Part 121, flag (international) and supplemental (non-scheduled) rules. The information contained in this booklet is based upon FAA legal interpretations, and is therefore considered authoritative.

This edition also contains guidance for domestic flight crewmembers assigned to reserve duty. Effective December 12, 1999, the FAA began enforcing the domestic rest requirements of Parts 121 and 135 as they apply to reserve pilots. Unfortunately, these requirements do not apply to crewmembers operating under the flag or supplemental rules. The reason that reserve rest is limited to domestic operations is because the look-back provision (the requirement to look back 24 hours to determine if a crewmember has had the required rest) is not present in the flag and supplemental rules.

This booklet is intended to inform ALPA members about the flight time rules and the applicable FAA interpretations, which should answer many of the recurring questions concerning the application of these rules. The FAA is currently considering a revision of the flight time limitation regulations. The flag and supplemental rules have not had any substantive changes for 50 years. In ALPA's view all of the flight time limitation regulations need to be updated to take into account the current science on pilot fatigue. ALPA is actively working to achieve a revision of these rules.

This booklet cannot answer all questions concerning the application of the rules to the various scheduling practices at individual airlines. Should you have a particular question about flight time rules that is not addressed in the booklet, ALPA members may contact the ALPA Legal Department (703-689-4323) for specific advice or visit the ALPA website at www.alpa.org for updates to this guide.

AIR LINE PILOTS ASSOCIATION, INT'L

/s/

Captain Don Wykoff, Chairman
Flight Time/Duty Time Committee

Copyright © 2000 - Air Line Pilots Association, International. All rights reserved. Publication in any form prohibited without permission. ALPA logo Reg. U.S. Pat. and T.M. Off.

6-A ed. (June 2004)
(reprinted March 2006)

TABLE OF CONTENTS

I. YEARLY, MONTHLY & WEEKLY FLIGHT LIMITS..... 1

II. GUARANTEED MINIMUM REST 11

III. SEVEN-DAY REST REQUIREMENT 16

IV. DEADHEADING IS NOT REST..... 18

V. THE EXCUSAL PROVISION..... 19

VI. RESERVE REST 21

VII. FLAG (INTERNATIONAL) FLIGHT TIME LIMITATIONS 27

VIII. SUPPLEMENTAL (NON-SCHEDULED) OPERATIONS 30

APPENDIX I: Part 121: Subpart Q – Flight Time Limitations and
Rest Requirements: Domestic Operations 34

APPENDIX 2: Part 121: Subpart R – Flight Time Limitations:
Flag Operations..... 36

APPENDIX 3: Part 121: Subpart S – Flight Time Limitations:
Supplemental Operation..... 39

APPENDIX 4: Part 121: § 121.541 Operations Schedules 44

APPENDIX 5: Part 135: Subpart F – Crewmember Flight Time and Duty Time
Limitations and Rest Requirements 45

APPENDIX 6: Part 91: § 91.103 Preflight Action 47

I. YEARLY, MONTHLY & WEEKLY FLIGHT LIMITS

To prevent daily and cumulative fatigue, the FAA has established yearly, monthly, weekly and daily flight time limits. These are **scheduling** limitations, not **actual** limits. An air carrier is prohibited from scheduling a pilot to fly in excess of these limits. These limits are set forth in FAR 121.471(a) and apply to all domestically scheduled air carriers operating aircraft having more than 30 seats and 7,500 pounds of payload capacity.

FAR 121.471(a) reads:

No certificate holder conducting domestic operations may schedule any flight crewmember and no flight crewmember may accept an assignment for flight time in scheduled air transportation or in other commercial flying if that crewmember's total flight time in all commercial flying will exceed –

- (1) 1,000 hours in any calendar year;
- (2) 100 hours in any calendar month;
- (3) 30 hours in any 7 consecutive days;
- (4) 8 hours between required rest periods.

The regulations impose the same restrictions on Part 135 (regional) operators except that the yearly, monthly and weekly limitations are slightly more liberal than Part 121. The Part 135 flight time rules apply to aircraft having no more than 30 passenger seats or a payload capacity of no more than 7,500 pounds. The One Level of Safety initiative resulted in most regional operators voluntarily complying with Part 121 even though they were “grandfathered” and allowed to continue operating under the Part 135 flight time regulations pending a revision of the rules. Several operators still comply with the Part 135 rules. Alaska operations are exempt from complying with the Part 135 flight limitations.

The “regional” rule, FAR 135.265(a), provides:

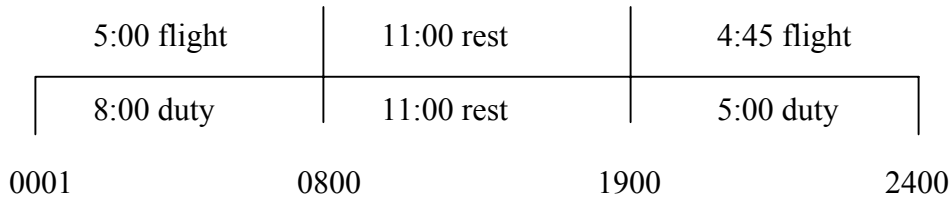
No certificate holder may schedule any flight crewmember, and no flight crewmember may accept an assignment, for flight time in scheduled operations or in other commercial flying if that crewmember's total flight time in all commercial flying will exceed –

- (1) 1,200 hour in any calendar year.
- (2) 120 hours in any calendar month.
- (3) 34 hours in any 7 consecutive days.
- (4) 8 hours during any 24 consecutive hours for a flight crew consisting of one pilot.
- (5) 8 hours between required rest periods for a flight crew consisting of two pilots qualified under this part for the operation being conducted.

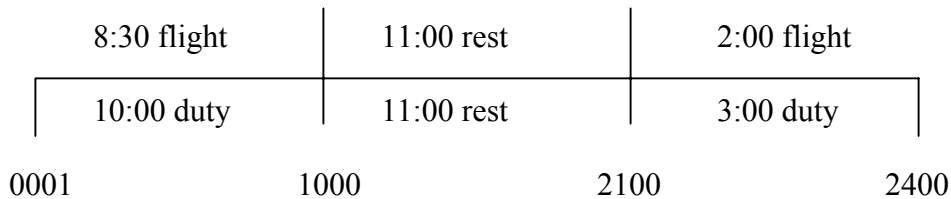
The regulations impose a “shared responsibility” upon the flight crewmember and the operator for compliance with the flight time limits. The FAA imposed this “dual” responsibility as a “policing” mechanism and to account for instances when a flight crewmember logged commercial flying other than that performed for the air carrier. Since the air carrier may not be aware of this additional flying, a responsibility was imposed upon the flight crewmember. Thus a flight crewmember cannot accept an assignment that exceeds the limit.

For example, if a flight crewmember had engaged in commercial flying (e.g., flight instruction charter flying, etc.) that totaled 10 hours during a seven-day period, the crewmember could only accept an assignment of 20 hours during this same period from a Part 121 air carrier. Flying for the Department of Defense (Reserve or National Guard) is not considered commercial flying time and need not be counted for purposes of the yearly, monthly or weekly flight time limitations.

Under the domestic flight-time limitation rules, a flight crewmember can be scheduled to fly more than eight hours during any 24 consecutive hours. However, the crewmember cannot be scheduled to fly more than eight hours between legal rest periods. The following is one example of how flight time in excess of eight hours during any 24 consecutive hours can be legally scheduled under the rules:



The following is an example of an illegally scheduled flight time in excess of eight hours between rest periods during any 24 consecutive hours. This schedule is illegal because the flight crewmember is scheduled for more than eight hours of flying time between rest periods within one duty period.



The most frequently asked questions concerning the application of the yearly, monthly and weekly flight time limitations are posed in the following examples:

- Q-1. A flight crew member is scheduled to fly five hours per day for six days. Prior to starting the schedule on the sixth day, the flight time has been extended by two hours due to weather. Is the crewmember “legal” to begin the last day’s scheduled flight knowing that he/she will exceed 30 hours of flight time before completing the flight schedule?
- A-1. No, the crewmember may not complete all of the scheduled flights on the sixth day since he/she would be scheduled to exceed 30 hours of flight within seven consecutive days. However, the crewmember may fly a portion of the schedule up to 30 hours, or be rescheduled to fly up to 30 hours, which in this example would allow the carrier to schedule the crewmember for three hours of flight on the sixth day.
- Q-2. A flight crewmember is scheduled to fly five hours each day for six days and has met the schedule for the first five days. During the first flight of this series-of-flights on the sixth day the pilot exceeds his/her schedule by one hour due to an ATC delay. Is the crewmember “legal” to complete the schedule knowing that he/she will exceed the 30-hour flight time limit?
- A-2. Yes. In this example when the crewmember began the last day of the scheduled series-of-flights, he/she was legally scheduled and could complete the flights and not exceed 30 hours. Because the delay was caused by circumstances beyond the control of the air carrier, FAR 121.471(g) provides the necessary relief to exceed 30 hours in this circumstance.
- Q-3. A flight crewmember has flown 30 hours in a six-day period. On the sixth day, can the carrier assign the crewmember to fly a ferry flight following the completion of the revenue flying that will cause the crewmember to exceed 30 hours of flying within a seven-day period?
- A-3. Yes. Ferry flights are normally conducted under Part 91, and the flight-time limitations are applicable only to Parts 121 and 135. Some carriers do apply Parts 121 and 135 to ferry and repositioning flights. If you are unsure as to whether it is Part 91 flying, you should make appropriate inquiries. However, ferry flight time under Part 91 must be counted as “other commercial flying” to determine compliance with the monthly and yearly flight-time limits. Moreover, if the ferry flight time is accumulated before attaining 30 hours of flight, then it must be counted in determining the 30-hour limitation.

Q-3a. A pilot is scheduled to fly 7.5 hours with a tail-end ferry of 2 hours for a total flight time of 9.5 hours. This example raises two questions: (a) can the pilot fly the ferry flight since that will cause him to exceed 8 hours without an intervening rest; (b) how much rest must be scheduled?

A-3a. (a) The pilot can operate the ferry flight since it follows revenue flying. If the ferry flight preceded the revenue flying, the pilot could not complete the schedule because it would exceed 8 hours without an intervening rest. The actual time flown must be counted towards the weekly, monthly and yearly time limitations.

(b) The pilot must be scheduled for 9 consecutive hours of rest. This rest may be reduced to 8 hours if the crewmember is given a 10-hour compensatory rest that must begin no later than 24 hours after the commencement of the reduced rest. Ferry flight time must be counted to calculate the rest period.

Q-4. A flight crewmember has been scheduled and has flown 25 hours under Part 121, domestic air carrier service, over a four-day period. Can the crewmember be assigned to fly additional hours in international or domestic Part 135 flying?

A-4. Yes. The Part 135 rule permits up to 34 hours of flying per week. Since the flight crewmember's flight time in all commercial flying at the time of being assigned to Part 135 flying was only 25 hours, the pilot could legally fly another 9 hours. The crewmember could also fly the additional time in international flying since the flag rules do not contain the 30-hour limitation. A crewmember in a two-pilot crew aircraft (*i.e.*, 777, etc.) could fly up to 32 hours in seven days. Three-pilot crew aircraft (*i.e.*, DC-10, etc.) and augmented crews have monthly limits, but no seven-day limits. However, if the 25 hours of flight time were first accumulated in either Part 135 or international flying, the crewmember could not be scheduled for more than five additional hours under Part 121, domestic flying, as the 30-hour limitation would apply.

Q-5. How is flight time computed for purposes of flight-time limitations?

A-5. Flight time is defined as the moment the aircraft moves under its own power for the purpose of flight until the moment it comes to rest at the next point of landing. In short, it is "block time," providing actual flight occurred.

Q-6. A flight crewmember departs the gate with the intention of flight, taxis to the runway and holds. After 30 minutes, the company cancels the flight and the crewmember returns to the gate. The crewmember "blocks in" 45 minutes after "blocking out." Is the 45 minutes counted as "flight time"?

- A-6. No. Taxi time and ground holding time, which are not followed by actual flight, are not considered “flight time” for purposes of calculating flight time limitations.
- Q-7. An air carrier’s procedures require that the aircraft be taxied to a de-icing pad prior to flight. Does this taxi time count toward the eight-hour limitation?
- A-7. Yes. If a flight occurs after de-icing, the taxi to the de-icing pad is with the intention of flight and a flight occurs after de-icing.
- Q-8. In a combined flag and domestic flight which duty rules apply? An example would be HNL-LAX-ORD or the reverse ORD-LAX-HNL.
- A-8. In the HNL-LAX-ORD example, if passengers or cargo are enplaned at LAX, the domestic rules would apply, and if the total scheduled flying time exceeds eight hours, a crew change would be required at LAX. However, if passengers or cargo are only deplaned at LAX, the entire trip would be considered a flag flight for flight time limitations. The reverse example ORD-LAX-HNL, if passengers are enplaned or deplaned at LAX, the ORD-LAX flight segment would be conducted under the domestic rules and the LAX-HNL segment would be flown under the flag rules.
- Q-9. Can a flight crewmember be scheduled to fly more than eight hours between rest periods in domestic scheduled service?
- A-9. No. Under no circumstances may a flight crewmember be scheduled to fly more than 8 hours between rest periods under the “domestic rule.” However, if the crewmember is scheduled to fly eight hours or less but due to circumstances beyond the control of the certificate holder the schedule is exceeded, the crewmember may complete the schedule even if the pilot flies more than eight hours between rest periods.
- Q-10. Can a flight crewmember be scheduled to fly more than eight hours within a 24-hour period?
- A-10. Yes. A flight crewmember can be scheduled to fly more than eight hours in a 24-hour period if the crewmember is given proper rest between periods of scheduled flight. [See example on page 2]
- Q-11. Can deadhead time be combined with scheduled flight time to exceed 8 hours between rest periods?

- A-11. Yes. However, the minimum guaranteed rest must still be provided based upon the number of flight hours scheduled within a 24-consecutive-hour period. Deadhead time is not rest.
- Q-12. Often flight crewmembers fly through several different time zones. In making the various calculations required by the flight time rules, what time zone is used?
- A-12. The FARs do not specify which time zone a carrier must use as long as that time zone is used consistently. Normally the time is GMT or domicile. For example, Eastern Standard Time (EST) might be used to calculate the beginning and end of a duty period for a flight crewmember based in that zone, even though the duty period may end outside that time zone.
- Q-13. Is the time accrued during a flight test [check ride] by an FAA designated flight examiner “other commercial flying” time for flight limitation purposes?
- A-13. No, because the designated pilot examiner is not a crewmember.
- Q-14. When a flight crewmember is a member of an augmented crew and the flight time is 12 hours but the crew member is only “in the seat” 8 hours, how much flight time does the crewmember accrue?
- A-14. The entire 12-hour flight must be counted in determining compliance with the daily, weekly, monthly and yearly limits.
- Q-15. A flight crewmember is scheduled for two three-hour flight segments for a total of six hours. The actual flight time of the first segment, due to weather delays, is four hours. The Company, at this point, reschedules the crewmember to a five-hour segment. Is the reschedule permissible?
- A-15. No. At the time a reschedule takes place, the actual time flown to that point must be added to the newly scheduled flight time. In this example the total time (4 hours actual + 5 hours scheduled) would total 9 hours and a crewmember cannot be scheduled for more than 8 hours between rest periods.
- Q-16. A flight crewmember is scheduled for 7:30 of flight. However, before the crewmember begins the assignment, the Company revises the schedule to take into account forecast winds. The revised schedule exceeds eight hours. Can the crewmember accept the assignment?

A-16. Yes. The wind conditions are circumstances beyond the control of the air carrier and the flight can be flown even though it will exceed eight hours.

Q-17. Can an air carrier schedule a flight or series of flights for less than eight hours if the schedule consistently exceeds eight hours?

A-17. No. An air carrier's schedule must be realistic. However, there are no precise standards in the FARs to determine whether a schedule is realistic. Such a determination will depend upon an examination of all the facts and circumstances in a particular case. Generally, if the actual flight is consistently higher than the scheduled flight time, the schedule should be adjusted.

Q-18. Is there any recourse when an air carrier consistently under-schedules a given flight or flights?

A-18. Yes. If an air carrier consistently schedules flights for less time than it actually takes, it is not a realistic schedule and would violate FAR 121.541. Normally, average or median times are used to determine if a schedule is realistic.

Q-19. A flight crewmember is scheduled for less than eight hours of flight time. However, the carrier substitutes slower equipment, which will cause the schedule to exceed eight hours. Can the flight crewmember accept this trip?

A-19. If the substitution is due to an unanticipated and recently discovered mechanical problem with the originally scheduled aircraft, the flight crewmember could complete the original schedule even if it would exceed eight hours. However, if the substitution is solely within the operational control of the air carrier, the schedule could not be completed.

Q-20. A flight crewmember is scheduled for a reduced rest and less than 8 hours of flight time in a 24-hour period. As a result of delays beyond the control of the air carrier the schedule cannot be completed in the 24-hour period. Can the schedule be completed?

A-20. No. A flight crewmember must always be able to look back 24 consecutive hours and find at least 8 hours of rest. Therefore, a flight crewmember can never exceed 16 actual hours of duty in a 24-hour period. Prior to departing the gate or taking off the crewmember must calculate based upon actual flight time, known delays, and weather, the ETA at the next destination. If that calculation will not allow the crewmember to be released by the 16-

hour duty limit, then the flight must not depart the gate or take off, as appropriate.

Q-21. How should I calculate my ETA to ensure I do not go beyond 16 hours?

A-21. The following examples detail the required calculation:

Step 1. Determine the time you signed in for flight duty or became available for a reserve assignment.

Step 2. Add 16 hours to that time to determine the maximum duty day.

[Note: if your duty period exceeds 15 hours, your FAR “look-back” rest is 8 hours – you must have compensatory rest at destination.]

Step 3. Before you depart the gate on each flight segment, you must calculate whether you will arrive and be released at the destination airport so that you can “look back” 24 hours from the release time and find at least 8 hours of rest. In determining your arrival time, you must consider actual conditions, such as weather, ATC, ground holds, or any other known delays. If you estimate you cannot reach the destination and at release meet the look-back provision, you should not depart the gate, even if you were legally scheduled.

Step 4. If you estimate at the gate that you will arrive at the destination and be released in time to comply with the look-back requirement, but you have an unexpected ground delay prior to take off so that you will not arrive in time to comply with the look-back requirement, you cannot take off and must return to the gate.

The following formula can be used to calculate your maximum legal FAR duty day:

Maximum FAR Duty Day = Line-Holder Report Time (or Time Reserve Comes Off Rest) + 15 hours (or 16 hours if reduced rest is used).

Example 1: You sign in (or are available for reserve assignment) at 0900: You must be released from duty at 2400 for a normal rest period.

Maximum FAR Duty Day:

$$0900 + 1500 = 2400.$$

If reduced rest is used to extend your duty day beyond 15 hours, you must be released no later than 0100 and be given a compensatory rest of at least 10 hours beginning no later than the 0100 release time.

Reduced rest, Maximum FAR Duty Day:

0900 + 1600 = 0100 and compensatory rest must be provided.

Example 2: You sign in at 0900. It is now 2000 the same day and you are beginning your fourth and final leg. You are at the gate ready to push back in 10 minutes. Your scheduled flight is 3:20. You expect 10 minutes to taxi out at departure and 5 minutes to taxi in at destination. Post-flight duties will take 15 minutes.

FAR Legal Estimated Time on Duty:

11:00 (duty time so far) + 00:10 (time until push back) + 3:20 (flight plan time) + 00:15 (total taxi time) + 00:15 (debrief) = 15:00 hours estimated total time on duty. You are legal under the FARs and may depart on your flight.

Example 3: Same as Example 2, above, but you do not push back for 20 minutes and the total taxi time takes 25 minutes, 10 minutes more than expected.

The FAR legal estimated time on Duty:

11:00 + 00:20 + 3:20 + 00:25 + 00:15 = 15:20 hours estimated total time on duty. You are FAR legal to take off but must be provided compensatory rest upon release from duty at your destination because you were on duty more than 15 hours.

Example 4: Same as Example 3, but you are advised of headwinds that will increase flight time by 00:20 to 3:40. After push back you are told to expect a 30-minute ground hold.

The FAR Legal Estimated Time on Duty:

11:00 + 00:20 + 3:40 + 00:25 + 00:30 + 00:15 =
16:10 hours

Upon receiving notice of the ground hold, you are no longer legal under the FARs and must return to the gate. The only

exception to this example is if you estimate you will arrive on time, but are delayed in the air after takeoff. In that event, you may continue to your destination.

Q-22. How are the seven days calculated to determine the 30-hours in seven days limitation?

A-22. The seven days are consecutive calendar days. The period begins at midnight on Day One and ends at midnight on Day Seven.

II. GUARANTEED MINIMUM REST

In 1985 the flight time limitation regulations were revised to provide for a guaranteed minimum rest. Prior to this revision, there was no rest required if the scheduled flight time was less than eight hours. Before accepting a flight assignment, a flight crewmember must be able to prospectively determine that he/she will be able to look back 24 hours from the scheduled completion of each flight segment and find a legally scheduled rest within the previous 24 hours. The regulations allow for a rest to be reduced to eight or nine hours depending on the scheduled flight time. Under no circumstances may a flight crewmember receive less than an eight-consecutive-hour rest within a 24 consecutive-hour period. However, if rest is reduced, then within 24 hours from the beginning of the reduced rest, the flight crewmember must be given a compensatory rest of 10, 11 or 12 hours depending on the scheduled flight time. The rest must be determined prospectively, be continuous, and be free of all duty and restraint and free from responsibility for work should the occasion arise. An air carrier cannot require a flight crewmember to call or answer a phone call or beeper during a rest period. The crewmember can voluntarily answer a call or make contact with the air carrier during a rest period, but cannot be required to do so.

The required rest provision is set forth in FAR 121.471(b) and (c). The same rest is required for regional operations and is set forth in FAR 135.265(b) and (c).

FAR 121.471(b) provides:

Except as provided in paragraph (c) of this section, no certificate holder conducting domestic operations may schedule a flight crewmember and no flight crewmember may accept an assignment, for flight time during the 24 consecutive hours preceding the scheduled completion of any flight segment without a scheduled rest period during that 24 hours of at least the following:

- (1) 9 consecutive hours of rest for less than 8 hours of scheduled flight time.*
- (2) 10 consecutive hours of rest for 8 or more but less than 9 hours of scheduled flight time.*
- (3) 11 consecutive hours of rest for 9 or more hours of scheduled flight time.*

FAR 121.471(c) provides:

A certificate holder may schedule a flight crewmember for less than the rest required in paragraph (b) of this section or may reduce a scheduled rest under the following conditions:

- (1) *A rest required under paragraph (b)(2) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 11 hours that must begin no later than 24 hours after the commencement of the reduced rest period.*
- (2) *A rest required under paragraph (b)(1) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 10 hours that must begin no later than 24 hours after the commencement of the reduced rest period.*
- (3) *A rest required under paragraph (b)(2) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 11 hours that must begin no later than 24 hours after the commencement of the reduced rest period.*
- (4) *A rest required under paragraph (b)(3) of this section may be scheduled for or reduced to a minimum of 9 hours if the flight crewmember is given a rest period of at least 12 hours that must begin no later than 24 hours after the commencement of the reduced rest period.*

During a rest period a flight crewmember is not obligated to answer the phone or to call the air carrier. If the crewmember is required to answer the phone or check in with the carrier during any rest period, that time is not “rest” because the crewmember has a “present responsibility for duty.”

Some of the frequent questions that have arisen concerning the rest requirements are set forth below:

Q-23. How do you determine when the required rest period begins and ends?

A-23. The rest period begins when you are released from duty and ends when you report for duty. It is not computed based upon block times.

Q-24. Is the time required for transportation to the hotel and back to the airport, as well as the time required to check into the hotel, considered a part of the rest period?

A-24. Yes. It is permissible to include local transportation and time checking into the hotel as part of the required rest period.

Q-25. A flight crewmember is co-domiciled at SNA and LAX which means he/she may start at LAX and end at SNA. He/she must then commute to his/her home. Can the time spent in traveling from a co-domicile be counted as part of a rest period?

A-25. Yes. The time a pilot spends in traveling between his/her residence and an airport out of which he/she is to operate, or from that airport to his residence, is considered "transportation that is local in nature" and may be considered as "rest" for purposes of flight time limitations.

Q-26. How much time must a carrier allow to perform pre-flight duties (report time) and post-flight duties (release time)?

A-26. The FAA has steadfastly refused to establish a standard time for pre- and post-flight duties. However, the generally accepted times are one hour for pre-flight duties and 15 minutes for post-flight duties. Some carriers have reduced these times without the FAA objecting. Pre-flight duties are required under FAR 91.103.

Q-27. Can deadheading be considered a part of a rest period?

A-27. No. Deadheading is not considered to be "transportation that is local in nature" and, therefore, is not considered part of a rest period.

Q-28. If I am scheduled to fly more than eight hours but less than nine hours in a 24-hour period, and scheduled for a reduced rest of eight hours, must the eight-hour rest be increased to nine hours if I actually exceed my scheduled time and fly over nine hours?

A-28. No. The minimum rest and compensatory rest a pilot must receive is based upon scheduled flight time and not actual flight time.

Q-29. If I am given a reduced rest on Day One, when must my compensatory rest begin?

A-29. The compensatory rest must begin no later than 24 hours after the commencement of the reduced rest. Thus, if a crewmember were to be released from duty for purposes of a reduced rest at 2000 hours on a given day, he/she would have to be released for his/her compensatory rest no later than 2000 hours the next day. This is an absolute time, not a scheduled time. Therefore, if a compensatory rest was scheduled to begin within 24 hours, but due to unanticipated delays completion of the assigned flights will extend beyond 2000 hours, the crewmember must be released to begin the compensatory rest.

Q-30. I have a compensatory period that must begin at 2000 hours. My flights are scheduled to terminate prior to 2000 hours. However, on the last segment of the day after blocking out, the flight was given a ground hold. When finally cleared for departure, because of the delay, the arrival time would be after 2000 hours. Can I fly the last segment?

A-30. No. A crewmember cannot accept an assignment that would encroach upon the compensatory rest period. The compensatory rest period must begin not later than 24 hours after the start of a reduced rest. This is an absolute and not scheduled time. The only exception is if the delay in the arrival occurs “enroute” on the last segment.

Q-31. A flight crewmember is scheduled for a reduced eight-hour rest, but due to circumstances beyond the control of the carrier, the crewmember’s flight is delayed. Under these circumstances can the carrier shorten the reduced rest in order to meet the scheduled departure time?

A-31. No. The minimum (reduced) rest cannot be further reduced below eight hours under any circumstances, and the departure time of the flight must be rescheduled to permit the minimum rest.

Q-32. I have been scheduled to fly eight hours and then scheduled to deadhead for one hour to my domicile to begin my rest period. Can I accept this schedule?

A-32. Yes. Deadheading is not considered duty aloft or rest. Therefore, you can deadhead to begin your rest, but the deadhead time cannot count as part of your rest period.

Q-33. I had a reduced rest on Day One of my trip, which began at 2000 hours. On Day Two, I complete my scheduled flying at 19:30 hours and then I am scheduled to deadhead for one hour to my domicile to begin a compensatory rest. Can I accept this schedule?

A-33. No. The situation differs from the preceding example because the rest on Day Two is compensatory and must begin no later than 2000 hours. Since deadhead is not rest, you would not be able to begin your rest at the required time.

Q-34. I am scheduled for a nine-hour rest with a report time of 0600. However, the air carrier requires that I answer the phone beginning at 0500. Is the hour I am required to answer the phone counted as rest?

A-34. No. If the air carrier imposes an obligation to answer the phone, it is a present responsibility for work and is not rest.

Q-35. Can the air carrier call me once during my designated rest period either to give me an assignment or to change my rest period?

A-35. Yes. The FAA has consistently interpreted Section 121.471(e) to mean that a certificate holder can contact a flight crewmember one time during a required rest period. Once contact is made, it cannot be made again without interrupting the rest period. That interruption would restart the required rest period. However, the flight crewmember is under no obligation to answer the telephone or contact the air carrier during a rest period.

Q-36. After 24 hours free of duty, I am scheduled to report at 0800 and fly less than eight hours before being released at 23:30 for a reduced rest. I am scheduled to report at 0800 on Day Two. Can I accept this assignment?

A-36. No. Looking back 24 hours from 23:30, you have had only 8:30 of rest. Therefore, you must have a compensatory rest of 10 hours at the end of Day One. Your report time of 0800 would have to be delayed to 0930 in order to accept this schedule.

Q-37. I blocked in from a flight and was ordered to report for random drug/alcohol testing which took an hour to complete. Is this hour considered duty for the air carrier?

A-37. Yes, it is duty and cannot be considered as rest.

Q-37a. I was scheduled for a reduced 8-hour rest to begin at 2200 hours with a report time of 0600 the following morning. However, after blocking in I was ordered to undergo random drug/alcohol testing which was not completed until 2245 hours at which time I was released. Can I still report at 0600 hours?

A-37a. No. You must have a minimum rest of 8 hours and your rest did not begin until 2245 hours. Therefore, your report time must be delayed to 0645 hours.

To prevent air carriers from assigning non-flight duties during a rest period, the rules contain a provision precluding such conduct. This provision is contained in FAR 121.471(e) and a similar requirement is contained in FAR 135.263(b). FAR 135.263(b) specifically reads:

(b) No certificate holder may assign any flight crewmember to any duty with the certificate holder during any required rest period.

III. SEVEN-DAY REST REQUIREMENT

The rule has a requirement that flight crewmembers engaged in scheduled air transportation be given 24 consecutive hours free of duty every seven days. This requirement extends to regional operators. These provisions [FAR 121.471(d) and 135.265(d)] read:

FAR 121.471(d) provides:

Each certificate holder conducting domestic operations shall relieve each flight crewmember engaged in scheduled air transportation from all further duty for at least 24 consecutive hours during any 7 consecutive days.

FAR 135.265(d) provides:

Each certificate holder shall relieve each flight crewmember engaged in scheduled air transportation from all further duty for at least 24 consecutive hours during any 7 consecutive days.

In interpreting this provision, the “seven consecutive days” are calendar days while the “24 consecutive hours” are only 24 hours, which may extend over two calendar days.

The FAA has consistently interpreted this provision to be a flight-time limitation, not a duty-time limitation. Its purpose is to insure that a flight crewmember is adequately rested prior to flying as a crewmember in scheduled air transportation. Therefore, this provision is violated only if the crewmember is used in scheduled air transportation without having had relief from duty for 24 consecutive hours during any seven consecutive days.

The following are some of the frequently asked questions concerning this provision.

Q-38. If I am scheduled to fly for six days, can I be scheduled for training on the seventh day?

A-38. Yes. An air carrier is permitted to assign a crewmember to training or other non-flight (duty aloft) duties without first giving 24 hours free of duty. However, before the air carrier can again use the crewmember in scheduled air transportation, you must be given 24 hours free from all duty.

Q-39. If I am scheduled to fly for six days, can I deadhead as a crewmember on the seventh day?

A-39. Yes. However, after the deadheading, 24 hours of rest would be required before you could be returned to flight duties.

Q-40. Can I deadhead on Day One and be scheduled for flight duties for the next six days?

A-40. No. The flight crewmember could not be assigned flight duties on the seventh day because the seven-day period does not contain 24 hours free of duty.

Q-41. Can I be assigned four days of training followed by three days of flight duties?

A-41. No. As in the above example, the seven-day period did not contain 24 hours free of duty.

Q-42. Can I be assigned to reserve status during a 24-consecutive-hour rest period?

A-42. Yes. Duty as provided by FAR 121.471(d) does not include time spent by a flight crewmember in reserve status and a crewmember may be assigned to such reserve duty on the seventh day providing you are not actually placed on duty aloft. Before you could be given a flight assignment, you would have to be given 24 hours free of all duty.

IV. DEADHEADING IS NOT REST

The regulation prohibits air carriers from considering deadheading as a part of a flight crewmember's rest period. This provision is set out in FAR 121.471(f):

Time spent in transportation, not local in character, that a certificate holder requires of a flight crewmember and provides to transport the crewmember to an airport at which he is to serve on a flight as a crewmember, or from an airport at which he was relieved from duty to return to his home station, is not considered a part of a rest period.

Transportation that is considered to be "local in character" is generally ground transportation from airport to hotel or to a co-domicile. There are no mileage or time of travel limits that have been established to define "local in character." This transportation can be considered as a part of the required rest period under the regulation even though such transportation can be very time consuming in congested areas such as New York, Newark, LAX and other large cities. However, any "deadheading" required by a carrier cannot be considered "local transportation" and therefore cannot be considered to be a part of a required rest period under the regulations.

Q-43. I am co-domiciled at Washington, Dulles (IAD) and Baltimore-Washington (BWI). If I initiate my flight assignment to IAD and terminate it at BWI, is the travel time from BWI to IAD to retrieve my automobile considered deadheading, or is it transportation that is local in nature and therefore considered part of my rest period?

A-43. The travel time between IAD and BWI is considered local in character and can be included in your rest period.

Q-44. Can I deadhead on the seventh day to my domicile to begin the 24 hours in 7 days rest period or to begin a required daily rest period?

A-44. Yes, however, you cannot accept any flight assignment until after receiving the required rest.

Q-45. Is surface transportation considered deadheading?

A-45. Yes, it is considered the same as air travel.

V. THE EXCUSAL PROVISION

Air carriers usually operate on set schedules and there are times when, for reasons beyond the control of the carrier, these schedules cannot be met. This provision is designed to give both the carrier and the flight crewmember relief from violating the Flight Time Limitations under these circumstances. This relief is set forth in FAR 121.471(g) and is restated below:

A flight crewmember is not considered to be scheduled for flight time in excess of flight time limitations if the flights to which he is assigned are scheduled and normally terminate within the limitations, but due to circumstances beyond the control of the certificate holder (such as adverse weather conditions), are not at the time of departure expected to reach their destination within the scheduled time.

The key to this provision is that it applies only if at the beginning of the duty period a flight crewmember can complete the assigned schedule and not exceed any flight time limitations. If as a result of unavoidable delays prior to the duty period in question the flight crewmember cannot complete the assigned schedule and still be within the applicable flight limitations of this rule, the crewmember is not “legal” to complete the schedule.

It is also important to understand that this provision can never be used to further reduce any reduced rest period as specified in FAR 121.471(c).

The following examples illustrate these principles:

Q-46. A flight crewmember is scheduled to fly 95 hours in a given calendar month. On the last day of the month he/she is scheduled to fly five hours, but in completing his schedule during the previous days of the month, due to circumstances beyond the control of the air carrier, he/she has exceeded the schedule by six hours. Can the flight crewmember complete his schedule on the last day?

A-46. No. The crewmember has accumulated 96 hours of flight time prior to the last day and his/her scheduled flight time of five hours would exceed the 100-hour monthly limitation. If in the previous days of the month only 95 hours had been accumulated, then the flight crewmember could complete the schedule in this example even if on the last day he/she exceeded the scheduled five hours by one hour, provided the schedule was exceeded due to circumstances beyond the control of the air carrier.

Q-46a. On Day 1, a pilot reports for flight duty at 1500 hours and flies a total of 5.5 hours in revenue flights. Upon the completion of these flights, the pilot performs a 3-hour ferry flight which is completed at 0300 hours on Day 2. He receives a rest of 0815 hours and reports to duty at 1115 hours

and is deadheaded, arriving at 1230 hours. He is then placed on reserve but receives no flight assignment. At 1800 hours, he is again deadheaded to another station and released at 2040 hours for an 8:35 rest. He is scheduled to report on Day 3 at 0515 hours for a flight assignment. Since he only received a reduced rest on Day 2, is he entitled to a 10-hour compensatory rest when he is released at 2040 hours on Day 2?

A-46a. No, because the performance of standby and deadhead duties do not trigger compensatory rest. At the conclusion of the flight assignment on Day 3, the pilot would be entitled to a compensatory rest of 10 hours.

Q-47. A flight crewmember is scheduled to arrive at 2300 and begin a reduced eight-hour rest period after flying less than eight hours in a 24-consecutive-hour period. Assume further that the carrier allows 1:15 for pre- and post-flight duties and the crewmember is scheduled to report the following morning at 0715 for an 0815 departure. If, due to circumstances beyond the control of the air carrier, the flight is delayed and the flight crewmember does not arrive until 2345, can he/she still depart at 0815 as scheduled?

A-47. No. The “excusal” provision cannot be used to further reduce a reduced rest period. The flight crewmember will either have to be replaced or the morning departure delayed.

Q-48. A flight crewmember is scheduled to fly less than eight hours in a 24-consecutive hour period and is scheduled for a reduced eight-hour rest period. Due to adverse weather conditions, the final flight segment cannot be completed within the planned 24-hour period. Can the flight crewmember complete the scheduled flights even though they will exceed the scheduled 24-hour period?

A-48. No. A flight crewmember cannot exceed 16 actual hours of duty in a 24-hour period. See Q-20 and Q-21.

VI. RESERVE REST

On December 12, 1999, the FAA required that the rest requirements contained in 121.471(b) and (c) and 135.265(b) and (c) be applied to domestic reserve pilots. The FAA has determined that reserve duty is a “present responsibility for work should the occasion arise.” This means that pilots assigned to reserve duty must be provided a prospective assigned rest period of 9 hours, 10 hours or 11 hours as appropriate in every 24-hour period. This rest period can be reduced to 8 or 9 hours if an appropriate compensatory rest period is given not later than 24 hours after the reduced rest started. If a pilot is given a flight assignment, he/she must be able to look back 24 hours from the scheduled completion of the assignment and find a required rest period, which is normally 9 hours. If the required rest period is not present, the pilot cannot accept the assignment. The reserve rest rule does not apply to flag or supplemental flights because these rules do not have a look-back provision.

The following are answers to some frequently asked questions concerning this rest requirement:

Q-49. Does this rule apply to all operations?

A-49. No. This rule applies only to domestically scheduled operations.

Q-50. Does this rule apply only to reserves or does it apply to lineholders as well?

A-50. The rest rules apply equally to lineholders and reserve pilots.

Q-51. Does the designated rest period end at check-in time or departure time?

A-51. The rest period ends at check-in time and begins at the time of release. The FAA has consistently interpreted the term “rest” to mean that a flight crewmember is free from actual work for the air carrier or from the present responsibility for work should the occasion arise. A pilot on duty during briefing and debriefing is not free from actual work.

Q-52. Can the air carrier call me and extend my designated rest period?

A-52. Yes. For example, you are not required to be available by telephone until 0001 following your rest. In this case, the air carrier would have to contact you before 0000, to extend your rest period. However, the air carrier could contact you during your rest period and if you answered, the Company could extend your rest period.

Q-53. I have just completed a designated rest period. Can the air carrier now call me and give me another designated rest period that starts very shortly after my previous rest period ended?

A-53. Yes. While this may not be desirable from a physiological point of view, for the purposes of the 24-hour look-back test, it satisfies the rule. Also, the air carrier may not extend a rest period if that period has terminated. A new rest period of nine hours must be given to the flight crewmember. For example, the designated rest period is 1500 to 2400. The air carrier may call the crewmember at 2300 to extend the rest period by whatever amount it desires. If telephone contact is not made with the crewmember during the rest period, the crewmember goes on duty at 0001. After going on duty, the previous rest period expires and cannot be extended. Any subsequent rest period assigned by the air carrier must be for the full 9 hours.

Q-54. Can the air carrier move up a previously designated rest period? For example, a flight crewmember has a designated rest period from 2400 to 0900 and a trip opens up with a check in time of 0800 – can this crewmember’s rest period now be changed to begin at 2300 and end at 0800?

A-54. Yes. Actually, in this example, there are two possible solutions. If the Company contacts the crewmember before 2300, the rest period could be moved up in order to have the crewmember available for check in at 0800. The second solution would be for the Company to call during the designated rest period and if the crewmember answered, the rest period could be reduced to eight hours in order to have him/her available for the 0800 check in.

Q-55. When a reserve is assigned a multi-day trip following a scheduled or reduced rest of eight hours, is he/she required to have a minimum 10-hour rest on his/her first layover?

A-55. Yes. If you are scheduled to fly less than eight hours, and if your rest period prior to starting the trip is less than nine hours, you must have a 10-hour rest to satisfy the FARs. The compensatory rest period must begin within 24 hours of the beginning of the reduced rest and this time cannot be extended due to “circumstances beyond the control of the air carrier.”

Q-56. If my flight is delayed, can I begin a leg that will cause me to fly beyond 24-hours from the beginning of my last designated rest period?

A-56. Yes. You would not be in violation of the FARs if you fly past the 24-hour point from the beginning of your designated rest period so long as you actually receive at least 8 consecutive hours of rest in every 24 hour period, and your time on duty does not exceed 16 hours. (See A-21.) If the reduced rest provision is used to retroactively reschedule a designated rest period, a compensatory rest must be given and that compensatory rest must begin no later than 24 hours after the commencement of the reduced rest period. Note that if the crew and certificate holder expect at any time prior to take-off roll, that the flight will infringe on the required start of a compensatory rest period or exceed 16 hours of duty before being released, the crew may not legally depart or take-off.

Q-57. Is a flight crewmember who is assigned reserve status required to be given rest?

A-57. Yes. If a crewmember on reserve status is to be given a flight assignment, he/she must be able to look back 24 hours at the completion of each segment of the flight assignment and have had, at a minimum, nine hours of continuous rest which can be reduced to eight hours in the 24-hour period. The rest period must be pre-assigned; it is not possible to retroactively designate a rest period. Alternatively, a carrier may keep a crewmember on call for the entire 24-hour period providing that if the crewmember is given a flight assignment, he/she must be given the required rest (nine hours reducible to eight hours) prior to reporting for the assignment.

Q-58. Can the nine hours of required rest be reduced?

A-58. Yes. The nine hours can be reduced to eight hours providing a compensatory rest is given. The compensatory rest is 10 hours if the flight time is less than eight hours; 11 hours if the flight time is less than nine hours; and 12 hours if the flight time is more than nine hours. The compensatory rest must begin no later than 24 hours from the beginning of the reduced rest.

Q-59. How does the FAA define rest?

A-59. The FAA has consistently interpreted “rest” to mean a continuous period of time during which the flight crewmember is free from all restraint by a certificate holder. This includes freedom from work and freedom from responsibility for work should the occasion arise. Thus, a crewmember who is required to be near a phone, carry a beeper, or maintain contact by computer so that he/she would be available should the carrier need to notify him/her of a reassignment would not be on rest. However, there would be no rest violation where an air carrier does not impose any requirement on the

crewmember during the rest period, and the crewmember just happens to answer the phone (or otherwise contact the employer) when the air carrier calls to notify him/her of a reassignment that will begin after the completion of his/her rest.

Q-60. If a reserve or any flight crewmember is on an assigned rest period can the air carrier require the crewmember to respond to the telephone, pager, or beeper?

A-60. No. If the air carrier requires a flight crewmember to respond to its call, that is a present responsibility for duty and is not rest.

Q-61. Can an air carrier require a flight crewmember to call the air carrier when he/she is on an assigned rest period?

A-61. No. To require a crewmember to call the air carrier would be a present responsibility for duty and is not rest.

Q-62. Can a flight crewmember voluntarily accept a contact from the air carrier when he/she is on an assigned rest period?

A-62. Yes. A carrier can call a flight crewmember once during the assigned rest period and it will not interrupt the rest period. If the crewmember chooses to answer the call, a flight duty assignment can be given.

Q-63. Can a flight crewmember be given advance notice of a flight assignment?

A-63. Yes. A flight crewmember can be placed on "long call" reserve for an entire 24-hour period. However, before he/she can accept a flight assignment, the crewmember must be placed on rest for at least 9 hours reducible to eight hours with a following compensatory rest prior to the flight assignment.

Q-64. What action should a flight crewmember take if he/she believes they are too fatigued to fly?

A-64. The crewmember should inform the air carrier of his/her condition and decline to fly. The FAA has consistently said that if a crewmember operates an aircraft with insufficient rest, the crewmember could be charged with a careless and reckless violation, as provided by FAR 91.13. The FAA has also stated that the "lack of rest of the pilot is certainly a circumstance which could endanger others, and it is not necessary that the situation devolve into actual endangerment for there to be a violation of FAR 91.13."

- Q-65. What does the FAA advise a reserve crewmember to do if he/she is scheduled for flight duty and he/she has not received an appropriate prospective rest period as required by FAR 121.471(b)?
- A-65. First, the reserve crewmember must determine whether all of the elements of FAR 121.471, including the reduced rest provisions in FAR 121.471(c), have been met. Second, if FAR 121.471(c) requirements are not met, the FAA advises that FAR 121.471(b) specifically prohibits a flight crewmember from accepting an assignment that violates this provision. In the event any flight crewmember finds himself/herself scheduled in violation of FAR 121.471, he/she should, at a minimum, advise the appropriate person at the air carrier. Depending on the air carrier's protocol, this may be the Chief Pilot, the Director of Operations or the Director of Safety. Additionally, a pilot always has a duty under FAR 91.13(a) to notify the certificate holder when he/she is too fatigued to fly.
- Q-66. Must a flight crewmember assigned domestic reserve status be given 24 hours free of duty every seven days?
- A-66. The 24 hours free of duty every seven days is also a look-back to determine compliance. Therefore, if a flight crewmember is scheduled for flight time, the crewmember should look back seven days and if there has not been a 24-hour period free of all duty or responsibility for duty, then the flight crewmember cannot accept the assignment.
- Q-67. Can a flight crewmember be assigned reserve status for more than six consecutive days?
- A-67. Yes, but in this circumstance, before the crewmember can accept a flight assignment, he/she must be given 24 hours free of all duty.
- Q-68. A flight crewmember has just completed a designated rest period. Can the Company now call and give the crewmember another designated rest period that starts very shortly after the previous rest period ended?
- A-68. Yes. While this may not be desirable from a physiological point of view, for the purposes of the 24-hour look-back test it satisfies the rule.

Q-69. A flight crewmember is assigned reserve status for a mixed line (domestic and international) of flying. Can he/she be on 24-hour call and required to answer the phone and accept a flight assignment?

A-69. A crewmember can be placed on call for a 24-hour period. He/she can be required to answer the phone and can accept an international flight assignment. However, if the assignment is for a domestic flight, the crewmember must be placed on rest for 9 hours that can be reduced to eight hours before he/she can report for the assignment. During the rest period the crewmember has no obligation to answer the phone.

VII. FLAG (INTERNATIONAL) FLIGHT TIME LIMITATIONS

The regulations for flag or international flight time limitations apply to scheduled operations to points outside of the 48 contiguous states of the United States. They also apply to flights from points in the 48 contiguous states to points in Alaska and Hawaii. There have been no substantive changes to these rules for over 50 years. Unlike the domestic rules, these rules apply to the air carrier and there is no shared responsibility on the part of the crewmember.

FAR 121.481(a) states:

A certificate holder conducting flag operations may schedule a pilot to fly in an airplane that has a crew of one or two pilots for eight hours or less during any 24 consecutive hours without a rest period during these eight hours.

The following are some of the common questions and answers that have arisen concerning these rules.

Q-70. An air carrier schedules a flight crewmember to fly a two-leg trip on a two-crew aircraft. The first leg is less than eight hours of scheduled flying time, but when the second leg is added, the total flying time exceeds eight hours. Can the carrier schedule two crewmembers for the first leg and augment with a third crewmember only for the second leg?

A-70. No. This series of flights must be considered as a single flight assignment and the carrier must assign a third flight crewmember for both legs.

Q-71. A flight crewmember is assigned to a three-pilot (augmented) crew on a two-crew aircraft scheduled for a 12-hour flight and cannot be at the controls more than eight hours. Does he/she log eight or 12 hours of flight time?

A-71. The pilot logs 12 hours as the entire time is duty aloft. Therefore, the total time must be counted in computing the monthly and yearly limits.

Q-72. A flight crewmember is scheduled for 7:30 of flight time. However, due to weather, the crewmember's actual flight time exceeds eight hours. How much rest must be given to the crewmember?

A-72. The pilot must receive 18 hours of rest. FAR 121.481(c) requires an 18-hour rest if a crewmember has actually flown more than eight hours in a 24-consecutive-hour period.

FAR 121.481(b) provides:

If a certificate holder conducting flag operations schedules a pilot to fly more than eight hours during any 24 consecutive hours, it shall give him an intervening rest period, at or before the end of eight scheduled hours of flight duty. This rest period must be at least twice the number of hours flown since the preceding rest period, but not less than eight hours. The certificate holder shall relieve that pilot of all duty with it during that rest period.

The most frequently asked questions concerning flag operations appear below.

Q-73. A flight crewmember is assigned to fly from New York - Mexico City - New York. The total scheduled flight time is 10 hours, five hours for each leg. A 10-hour rest is scheduled after the New York – Mexico City segment. The actual flight time of the first segment, due to weather conditions, is six hours. How much rest must be given at Mexico City?

A-73. The pilot must receive 12 hours of rest. The rest required is twice the hours actually flown, not the scheduled flight time.

Q-74. A flight crewmember in an augmented crew (three pilots) is scheduled for flight time less than 12 hours, but due to winds it is known at the time of departure that the flight will exceed 12 hours. Can the assignment be accepted?

A-74. Yes. Although there is no explicit exception in the flag regulations for circumstances beyond the control of the air carrier, the FAA has determined it to be reasonable to interpret the rules using this principle. Therefore, since the reason for exceeding 12 hours is weather, the circumstances are beyond the control of the carrier.

FAR 121.483(b) provides:

If a pilot has flown 20 or more hours during any 48 consecutive hours or 24 or more hours during any 72 consecutive hours, he must be given at least 18 hours of rest before being assigned to any duty with the air carrier. In any case, he must be given at least 24 consecutive hours of rest during any seven consecutive days.

Q-75. A flight crewmember is assigned to a three-crew aircraft (two pilots and an additional crewmember.) Although the scheduled flying time is less than 12 hours and only two pilots are required, the carrier, pursuant to a condition of a collective bargaining agreement, assigns an additional pilot. Must this crew upon return to base receive rest that is double the hours actually flown?

A-75. Yes. Even though the additional crewmember was not required, and since an additional pilot was assigned, the rest requirement of FAR 121.485 would apply.

Q-76. A flight crew of three or more and an additional flight crewmember domiciled in San Francisco is scheduled to fly SFO-NRT-SFO, deadhead to Los Angeles, then fly to NRT and return to San Francisco. Must the flight crewmembers receive rest equal to twice the number of hours flown on their first return to San Francisco?

A-76. Yes. FAR 121.485(b) requires that the air carrier provide the “double out” rest upon return to the flight crewmember’s base from a flight or series of flights. The first time the crewmember returns to his/her base the rest must be given.

Q-77. A flight crewmember is scheduled to fly 7:30 each day for three days. Due to weather and ATC delays, the crewmember actually flew 20 hours in the first two days (48 hours). Can the crewmember fly the third day?

A-77. The flight crewmember must be given at least 18 hours of rest before the pilot can continue his schedule. The rest is required because the crewmember has actually flown 20 hours in 48 consecutive hours.

VIII. SUPPLEMENTAL (NON-SCHEDULED) OPERATIONS

Subpart S-Flight Time Limitations: Supplemental Operations apply to the flights of air carriers that are not scheduled, and whose aircraft have more than 30 seats or a payload in excess of 7,500 pounds. These regulations are divided into two parts: one for domestic flying and one for international flying. FARs 121.503 - .511 cover domestic operations. FARs 121.513-.525 pertain to international operations, and an operator can choose to operate under these rules rather than FARs 121.503-.511. These rules like the flag rules have not been substantially changed for over 50 years, and they need to be revised to reflect modern day operations.

FAR 121.503 provides:

- (a) *A certificate holder conducting supplemental operations may schedule a pilot to fly in an airplane for eight hours or less during any 24 consecutive hours without a rest period during those eight hours.*
- (b) *Each pilot who has flown more than eight hours during any 24 consecutive hours must be given at least 16 hours of rest before being assigned to any duty with the certificate holder.*
- (c) *Each certificate holder conducting supplemental operations shall relieve each pilot from all duty for at least 24 consecutive hours at least once during any seven consecutive days.*
- (d) *No pilot may fly as a crewmember in air transportation more than 100 hours during any 30 consecutive days.*
- (e) *No pilot may fly as a crewmember in air transportation more than 1,000 hours during any calendar year.*
- (f) *Notwithstanding paragraph (a) of this section, the certificate holder may, in conducting a transcontinental nonstop flight, schedule a flight crewmember for more than eight but not more than 10 hours of continuous duty aloft without an intervening rest period, if –*
 - (1) *The flight is in an airplane with a pressurization system that is operative at the beginning of the flight;*
 - (2) *The flight crew consists of at least two pilots and a flight engineer; and*
 - (3) *The certificate holder uses, in conducting the operation, an air/ground communication service that is independent of systems operated by the United States, and a dispatch organization, both of which are approved by the*

Administrator as adequate to serve the terminal points concerned.

FAR 121.505 provides:

- (a) *If a certificate holder conducting supplemental operations schedules a pilot to fly more than eight hours during any 24 consecutive hours, it shall give him an intervening rest period at or before the end of eight scheduled hours of flight duty. This rest period must be at least twice the number of hours flown since the preceding rest period, but not less than eight hours. The certificate holder conducting supplemental operations shall relieve that pilot of all duty with it during that rest period.*
- (b) *No pilot of an airplane that has a crew of two pilots may be on duty for more than 16 hours during any 24 consecutive hours.*

Some of the questions concerning supplemental operations are answered below.

Q-78. A flight crewmember is scheduled to fly less than eight hours in a 24-hour period. How much rest must be provided?

A-78. None. There is no rest requirement for flight crewmembers who are scheduled to fly less than eight hours under the supplemental rules.

Q-79. A flight crewmember is assigned duty on a two-crewmember aircraft. Are there any limits on the time the crewmember can be on duty?

A-79. Yes. In supplemental operations you are limited to 16 hours of duty in a 24-consecutive-hour period.

Q-80. A flight crewmember is scheduled to fly less than eight hours, but due to delays, actually flew more than eight hours. Is the crewmember required to have a rest period?

A-80. Yes. The supplemental regulations require that you be given 16 hours of rest anytime you fly more than eight hours in a 24-consecutive-hour period.

Q-81. A flight crew is scheduled to fly more than eight hours in a 24-consecutive-hour period. What are the rest requirements?

A-81. Assume the flight crew is scheduled for flight time from 0000-0500. The crew is scheduled for 10 hours of rest (twice the hours flown). If the actual time had been six hours, then the required rest is 12

hours. At 1500 the crew flies a four-hour segment. At the completion of this segment, the crew has flown nine hours in 24 consecutive hours. Therefore, they must be given 16 hours of rest before being assigned any duties.

Q-82. The air carrier deadheads a crew (two pilots and a flight engineer) from Salt Lake City to Honolulu. Upon arrival in Honolulu, the crew is assigned to fly the return trip. Can the crew accept this trip?

A-82. Yes. The duty time for the crew does not commence until the crew reports for duty for the purpose of flight. In this case that reporting occurs at Honolulu.

Q-83. A flight crewmember is scheduled to report for duty at 0800 and fly 4:41. A rest of 11:36 is provided (double scheduled flight time) and the crew reports for duty at 13:35 on Day Two and they fly for 4:10 arriving at 0655. At 0824 the crewmember is scheduled for an additional flight of 1:24. Can the last segment be flown?

A-83. No. The flight crewmember must be given 16 hours rest upon completion of the flight at 0655. The crewmember flew over eight hours in a series of flights in a 24-hour period, which ended at 0800. Therefore, the crewmember must receive the 16 hours of rest before any further flight assignment can be accepted.

FAR 121.507 provides:

(a) *No certificate holder conducting supplemental operations may schedule a pilot.*

(1) *For flight deck duty in an airplane that has a crew of three pilots for more than eight hours in any 24 consecutive hours; or*

(2) *To be aloft in an airplane that has a crew of three pilot(s) for more than 12 hours in any 24 consecutive hours.*

(b) *No pilot of an airplane that has a crew of three pilots may be on duty for more than 18 hours in any 24 consecutive hours.*

Q-84. An MD-11 aircraft (two-pilot crew) is scheduled to operate New York-Los Angeles-New York for 10:30 of scheduled flight time. An additional pilot augments the crew. Can this flight operate?

A-84. Yes. The supplemental rules limit flight deck duty to eight hours so with three pilots and 10:30 of flight time, the air carrier can limit

each pilot's duty at the controls to less than eight hours. If the duty time was less than 18 hours, then the flight could operate.

Q-85. Do the supplemental rules allow a flight crewmember to exceed his/her scheduled flight time for circumstances beyond the control of the air carrier?

A-85. Yes. Unlike the domestic rules (FAR 121.471(g)), the supplemental rules do not contain a specific provision that allows a flight crewmember to exceed the flight time limitations if the extension is due to circumstances beyond the control of the air carrier. However, the FAA by interpretation has applied FAR 121.471(g) to the supplemental rules.

**APPENDIX 1: PART 121: SUBPART Q – FLIGHT TIME
LIMITATIONS AND REST REQUIREMENTS:
DOMESTIC OPERATIONS**

§ 121.470 Applicability

This subpart prescribes flight time limitations and rest requirements for domestic operations, except that:

(a) Certificate holders conducting operations with airplanes having a passenger seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, may comply with the applicable requirements of §§ 135.261 through 135.273 of this chapter.

(b) Certificate holders conducting scheduled operations entirely within the State of Alaska or Hawaii with airplanes having a passenger seat configuration of more than 30 seats, excluding each crewmember seat, or a payload capacity of more than 7,500 pounds, may comply with the requirements of subpart R of this part for those operations.

**§ 121.471 Flight Time Limitations and Rest Requirements:
All Flight Crewmembers**

(a) No certificate holder conducting domestic operations may schedule any flight crewmember and no flight crewmember may accept an assignment for flight time in scheduled air transportation or in other commercial flying if that crewmember's total flight time in all commercial flying will exceed –

- (1) 1,000 hours in any calendar year;
- (2) 100 hours in any calendar month;
- (3) 30 hours in any 7 consecutive days;
- (4) 8 hours between required rest periods.

(b) Except as provided in paragraph (c) of this section, no certificate holder conducting domestic operations may schedule a flight crewmember and no flight crewmember may accept an assignment for flight time during the 24 consecutive hours preceding the scheduled completion of any flight segment without a scheduled rest period during that 24 hours of at least the following:

- (1) 9 consecutive hours of rest for less than 8 hours of scheduled flight time.
- (2) 10 consecutive hours of rest for 8 or more but less than 9 hours of scheduled flight time.
- (3) 11 consecutive hours of rest for 9 or more hours of scheduled flight time.

(c) A certificate holder may schedule a flight crewmember for less than the rest required in paragraph (b) of this section or may reduce a scheduled rest under the following conditions:

- (1) A rest required under paragraph (b)(1) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 10 hours that must begin no later than 24 hours after the commencement of the reduced rest period.
- (2) A rest required under paragraph (b)(2) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 11 hours that must begin no later than 24 hours after the commencement of the reduced rest period.
- (3) A rest required under paragraph (b)(3) of this section may be scheduled for or reduced to a minimum of 9 hours if the flight crewmember is given a rest period of at least 12 hours that must begin no later than 24 hours after the commencement of the reduced rest period.
- (4) No certificate holder may assign, nor may any flight crewmember perform any flight time with the certificate holder unless the flight crewmember has had at least the minimum rest required under this paragraph.

(d) Each certificate holder conducting domestic operations shall relieve each flight crewmember engaged in scheduled air transportation from all further duty for at least 24 consecutive hours during any 7 consecutive days.

(e) No certificate holder conducting domestic operations may assign any flight crewmember and no flight crewmember may accept assignment to any duty with the air carrier during any required rest period.

(f) Time spent in transportation, not local in character, that a certificate holder requires of a flight crewmember and provides to transport the crewmember to an airport at which he is to serve on a flight as a crewmember, or from an airport at which he was relieved from duty to return to his home station, is not considered part of a rest period.

(g) A flight crewmember is not considered to be scheduled for flight time in excess of flight time limitations if the flights to which he is assigned are scheduled and normally terminate within the limitations, but due to circumstances beyond the control of the certificate holder (such as adverse weather conditions), are not at the time of departure expected to reach their destination within the scheduled time.

**APPENDIX 2: PART 121: SUBPART R – FLIGHT TIME
LIMITATIONS: FLAG OPERATIONS**

§ 121.480 Applicability.

This subpart prescribes flight time limitations and rest requirements for flag operations, except that certificate holders conducting operations with airplanes having a passenger seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, may comply with the applicable requirements of §§ 135.261 through 135.273 of this chapter.

§ 121.481 Flight time limitations: One or two pilot crews.

- (a) A certificate holder conducting flag operations may schedule a pilot to fly in an airplane that has a crew of one or two pilots for eight hours or less during any 24 consecutive hours without a rest period during these eight hours.
- (b) If a certificate holder conducting flag operations schedules a pilot to fly more than eight hours during any 24 consecutive hours, it shall give him an intervening rest period, at or before the end of eight scheduled hours of flight duty. This rest period must be at least twice the number of hours flown since the preceding rest period, but not less than eight hours. The certificate holder shall relieve that pilot of all duty with it during that rest period.
- (c) Each pilot who has flown more than eight hours during 24 consecutive hours must be given at least 18 hours of rest before being assigned to any duty with the certificate holder.
- (d) No pilot may fly more than 32 hours during any seven consecutive days, and each pilot must be relieved from all duty for at least 24 consecutive hours at least once during any seven consecutive days.
- (e) No pilot may fly as a member of a crew more than 100 hours during any one calendar month.
- (f) No pilot may fly as a member of a crew more than 1,000 hours during any 12-calendar-month period.

§ 121.483 Flight time limitations: Two pilots and one additional flight crewmember.

- (a) No certificate holder conducting flag operations may schedule a pilot to fly, in an airplane that has a crew of two pilots and at least one additional flight crewmember, for a total of more than 12 hours during any 24 consecutive hours.
- (b) If a pilot has flown 20 or more hours during any 48 consecutive hours or 24 or more hours during any 72 consecutive hours, he must be given at least 18 hours of rest before being assigned to any duty with the air carrier. In any case, he must be given at least 24 consecutive hours of rest during any seven consecutive days.
- (c) No pilot may fly as a flight crewmember more than –
 - (1) 120 hours during any 30 consecutive days;
 - (2) 300 hours during any 90 consecutive days; or
 - (3) 1,000 hours during any 12-calendar-month period.

§ 121.485 Flight time limitations: Three or more pilots and an additional flight crewmember.

- (a) Each certificate holder conducting flag operations shall schedule its flight hours to provide adequate rest periods on the ground for each pilot who is away from his base and who is a pilot on an airplane that has a crew of three or more pilots and an additional flight crewmember. It shall also provide adequate sleeping quarters on the airplane whenever a pilot is scheduled to fly more than 12 hours during any 24 consecutive hours.
- (b) The certificate holder conducting flag operations shall give each pilot, upon return to his base from any flight or series of flights, a rest period that is at least twice the total number of hours he flew since the last rest period at his base. During the rest period required by this paragraph, the air carrier may not require him to perform any duty for it. If the required rest period is more than seven days, that part of the rest period in excess of seven days may be given at any time before the pilot is again scheduled for flight duty on any route.
- (c) No pilot may fly as a flight crewmember more than –
 - (1) 350 hours during any 90 consecutive days; or
 - (2) 1,000 hours during any 12-calendar-month period.

§ 121.487 Flight time limitations: Pilots not regularly assigned.

- (a) Except as provided in paragraphs (b) through (e) of this section, a pilot who is not regularly assigned as a flight crewmember for an entire calendar month under § 121.483 or 121.485 may not fly more than 100 hours in any 30 consecutive days.
- (b) The monthly flight time limitations for a pilot who is scheduled for duty aloft for more than 20 hours in two-pilot crews in any calendar month, or whose assignment in such a crew is interrupted more than once in that calendar month by assignment to a crew consisting of two or more pilots and an additional flight crewmember, are those set forth in § 121.481.
- (c) Except for a pilot covered by paragraph (b) of this section, the monthly and quarterly flight time limitations for a pilot who is scheduled for duty aloft for more than 20 hours in two-pilot and additional flight crewmember crews in any calendar month, or whose assignment in such a crew is interrupted more than once in that calendar month by assignment to a crew consisting of three pilots and additional flight crewmember, are those set forth in § 121.483.
- (d) The quarterly flight time limitations for a pilot to whom paragraphs (b) and (c) of this section do not apply and who is scheduled for duty aloft for a total of not more than 20 hours within any calendar month in two-pilot crews (with or without additional flight crewmembers) are those set forth in § 121.485.
- (e) The monthly and quarterly flight time limitations for a pilot assigned to each of two-pilot, two-pilot and additional flight crewmember, and three-pilot and additional flight crewmember crews in a given calendar month, and who is not subject to paragraph (b), (c), or (d) of this section, are those set forth in § 121.483.

§ 121.489 Flight time limitations: Other commercial flying.

No pilot that is employed as a pilot by a certificate holder conducting flag operations may do any other commercial flying if that commercial flying plus his flying in air transportation will exceed any flight time limitation in this part.

§ 121.491 Flight time limitations: Deadhead transportation.

Time spent in deadhead transportation to or from duty assignment is not considered to be a part of a rest period.

§ 121.493 Flight time limitations: Flight engineers and flight navigators.

- (a) In any operation in which one flight engineer or flight navigator is required, the flight time limitations in § 121.483 apply to that flight engineer or flight navigator.
- (b) In any operation in which more than one flight engineer or flight navigator is required, the flight time limitations in § 121.485 apply to those flight engineers or flight navigators.

APPENDIX 3. PART 121: SUBPART S – FLIGHT TIME LIMITATIONS: SUPPLEMENTAL OPERATIONS

§ 121.500 Applicability.

This subpart prescribes flight time limitations and rest requirements for supplemental operations, except that certificate holders conducting operations with airplanes having a passenger seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, may comply with the applicable requirements of §§ 135.261 through 135.273 of this chapter.

§ 121.503 Flight time limitations: Pilots: airplanes.

- (a) A certificate holder conducting supplemental operations may schedule a pilot to fly in an airplane for eight hours or less during any 24 consecutive hours without a rest period during those eight hours.
- (b) Each pilot who has flown more than eight hours during any 24 consecutive hours must be given at least 16 hours of rest before being assigned to any duty with the certificate holder.
- (c) Each certificate holder conducting supplemental operations shall relieve each pilot from all duty for at least 24 consecutive hours at least once during any seven consecutive days.
- (d) No pilot may fly as a crewmember in air transportation more than 100 hours during any 30 consecutive days.
- (e) No pilot may fly as a crewmember in air transportation more than 1,000 hours during any calendar year.

- (f) Notwithstanding paragraph (a) of this section, the certificate holder may, in conducting a transcontinental nonstop flight, schedule a flight crewmember for more than eight but not more than 10 hours of continuous duty aloft without an intervening rest period, if –
 - (1) The flight is in an airplane with a pressurization system that is operative at the beginning of the flight;
 - (2) The flight crew consists of at least two pilots and a flight engineer; and
 - (3) The certificate holder uses, in conducting the operation, an air/ground communication service that is independent of systems operated by the United States, and a dispatch organization, both of which are approved by the Administrator as adequate to serve the terminal points concerned.

§ 121.505 Flight time limitations: Two pilot crews: airplanes.

- (a) If a certificate holder conducting supplemental operations schedules a pilot to fly more than eight hours during any 24 consecutive hours, it shall give him an intervening rest period at or before the end of eight scheduled hours of flight duty. This rest period must be at least twice the number of hours flown since the preceding rest period, but not less than eight hours. The certificate holder conducting supplemental operations shall relieve that pilot of all duty with it during that rest period.
- (b) No pilot of an airplane that has a crew of two pilots may be on duty for more than 16 hours during any 24 consecutive hours.

§ 121.507 Flight time limitations: Three pilot crews: airplanes.

- (a) No certificate holder conducting supplemental operations may schedule a pilot –
 - (1) For flight deck duty in an airplane that has a crew of three pilots for more than eight hours in any 24 consecutive hours; or
 - (2) To be aloft in an airplane that has a crew of three pilots for more than 12 hours in any 24 consecutive hours.
- (b) No pilot of an airplane that has a crew of three pilots may be on duty for more than 18 hours in any 24 consecutive hours.

§ 121.509 Flight time limitations: Four pilot crews: airplanes.

- (a) No certificate holder conducting supplemental operations may schedule a pilot –
 - (1) For flight deck duty in an airplane that has a crew of four pilots for more than eight hours in any 24 consecutive hours; or
 - (2) To be aloft in an airplane that has a crew of four pilots for more than 16 hours in any 24 consecutive hours.
- (b) No pilot of an airplane that has a crew of four pilots may be on duty for more than 20 hours in any 24 consecutive hours.

§ 121.511 Flight time limitations: Flight engineers: airplanes.

- (a) In any operation in which one flight engineer is serving the flight time limitations in §§ 121.503 and 121.505 apply to that flight engineer.
- (b) In any operation in which more than one flight engineer is serving and the flight crew contains more than two pilots the flight time limitations in § 121.509 apply in place of those in § 121.505.

§ 121.513 Flight time limitations: Overseas and international operations: airplanes.

In place of the flight time limitations in §§ 121.503 through 121.511, a certificate holder conducting supplemental operations may elect to comply with the flight time limitations of §§ 121.515 and 121.521 through 121.525 for operations conducted –

- (a) Between a place in the 48 contiguous States and the District of Columbia, or Alaska, and any place outside thereof;
- (b) Between any two places outside the 48 contiguous States, the District of Columbia, and Alaska; or
- (c) Between two places within the State of Alaska or the State of Hawaii.

§ 121.515 Flight time limitations: All airmen: airplanes.

No airman may be aloft as a flight crewmember more than 1,000 hours in any 12-calendar-month period.

§121.517 Flight time limitations: Other commercial flying: airplanes.

No airman who is employed by a certificate holder conducting supplemental operations may do any other commercial flying, if that commercial flying plus his flying in operations under this part will exceed any flight time limitation in this part.

§ 121.519 Flight time limitations: Deadhead transportation: airplanes.

Time spent by an airman in deadhead transportation to or from a duty assignment is not considered to be part of any rest period.

§ 121.521 Flight time limitations: Crew of two pilots and one additional airman as required.

- (a) No certificate holder conducting supplemental operations may schedule an airman to be aloft as a member of the flight crew in an airplane that has a crew of two pilots and at least one additional flight crewmember for more than 12 hours during any 24 consecutive hours.
- (b) If an airman has been aloft as a member of a flight crew for 20 or more hours during any 48 consecutive hours or 24 or more hours during any 72 consecutive hours, he must be given at least 18 hours of rest before being assigned to any duty with the certificate holder. In any case, he must be relieved of all duty for at least 24 consecutive hours during any seven consecutive days.
- (c) No airman may be aloft as a flight crewmember more than –
 - (1) 120 hours during any 30 consecutive days; or
 - (2) 300 hours during any 90 consecutive days.

§ 121.523 Flight time limitations: Crew of three or more pilots and additional airmen as required.

- a) No certificate holder conducting supplemental operations may schedule an airman for flight deck duty as a flight engineer, or navigator in a crew of three or more pilots and additional airmen for a total of more than 12 hours during any 24 consecutive hours.

- b) Each certificate holder conducting supplemental operations shall schedule its flight hours to provide adequate rest periods on the ground for each airman who is away from his principal operations base. It shall also provide adequate sleeping quarters on the airplane whenever an airman is scheduled to be aloft as a flight crewmember for more than 12 hours during any 24 consecutive hours.
- c) No certificate holder conducting supplemental operations may schedule any flight crewmember to be on continuous duty for more than 30 hours. Such a crewmember is considered to be on continuous duty from the time he reports for duty until the time he is released from duty for a rest period of at least 10 hours on the ground. If a flight crewmember is on continuous duty for more than 24 hours (whether scheduled or not) duty any scheduled duty period, he must be given at least 16 hours for rest on the ground after completing the last flight scheduled for that scheduled duty period before being assigned any further flight duty.
- d) If a flight crewmember is required to engage in deadhead transportation for more than four hours before beginning flight duty, one half of the time spent in deadhead transportation must be treated as duty time for the purpose of complying with duty time limitations, unless he is given at least 10 hours of rest on the ground before being assigned to flight duty.
- e) Each certificate holder conducting supplemental operations shall give each airman, upon return to his operations base from any flight or series of flights, a rest period that is at least twice the total number of hours he was aloft as a flight crewmember since the last rest period at his base, before assigning him to any further duty. If the required rest period is more than seven days, that part of the rest period that is more than seven days may be given at any time before the pilot is again scheduled for flight duty.
- f) No airman may be aloft as a flight crewmember for more than 350 hours in any 90 consecutive days.

§ 121.525 Flight time limitations: Pilots serving in more than one kind of flight crew.

- a) This section applies to each pilot assigned during any 30 consecutive days to more than one type of flight crew.

- b) The flight time limitations for a pilot who is scheduled for duty aloft for more than 20 hours in two-pilot crews in 30 consecutive days, or whose assignment in such a crew is interrupted more than once in any 30 consecutive days by assignment to a crew of two or more pilots and an additional flight crewmember, are those listed in §§ 121.503 through 121.509, as appropriate.
- c) Except for a pilot covered by paragraph (b) of this section, the flight time limitations for a pilot scheduled for duty aloft for more than 20 hours in two pilot and additional flight crewmember crews in 30 consecutive days or whose assignment in such a crew is interrupted more than once in any 30 consecutive days by assignment to a crew consisting of three pilots and an additional flight crewmember, are those set forth in § 121.521.
- d) The flight time limitations for a pilot to whom paragraphs (b) and (c) of this section do not apply, and who is scheduled for duty aloft for a total of not more than 20 hours within 30 consecutive days in two-pilot crews (with or without additional flight crewmembers) are those set forth in § 121.523.
- e) The flight time limitations for a pilot assigned to each of two pilot, two-pilot and additional flight crewmember, and three-pilot and additional flight crewmember crews in 30 consecutive days, and who is not subject to paragraph (b), (c), or (d) of this section, are those listed in § 121.523.

APPENDIX 4: PART 121: OPERATIONS SCHEDULES

§ 121.541 Operations Schedules: Domestic and Flag Air Carriers

In establishing flight operations schedules, each certificate holder conducting domestic or flag air carrier shall allow enough time for the proper servicing of aircraft at intermediate stops, and shall consider the prevailing winds en route and the cruising speed of the type of aircraft used. This cruising speed may not be more than that resulting from the specified cruising output of the engines.

APPENDIX 5: PART 135: SUBPART F – CREWMEMBER FLIGHT TIME AND DUTY TIME LIMITATIONS AND REST REQUIREMENTS

**§ 135.263 Flight time limitations and rest requirements:
All certificate holders.**

- (a) A certificate holder may assign a flight crewmember and a flight crewmember may accept an assignment for flight time only when the applicable requirements of §§ 135.263 through 135.271 are met.
- (b) No certificate holder may assign any flight crewmember to any duty with the certificate holder during any required rest period.
- (c) Time spent in transportation, not local in character, that a certificate holder requires of a flight crewmember and provides to transport the crewmember to an airport at which he is to serve on a flight as a crewmember, or from an airport at which he was relieved from duty to return to his home station, is not considered part of a rest period.
- (d) A flight crewmember is not considered to be assigned flight time in excess of flight time limitations if the flights to which he is assigned normally terminate within the limitations, but due to circumstances beyond the control of the certificate holder or flight crewmember (such as adverse weather conditions), are not at the time of departure expected to reach their destination within the planned flight time.

**§ 135.265 Flight time limitations and rest requirements:
Scheduled operations.**

- (a) No certificate holder may schedule any flight crewmember, and no flight crewmember may accept an assignment, for flight time in scheduled operations or in other commercial flying if that crewmember's total flight time in all commercial flying will exceed –
 - (1) 1,200 hours in any calendar year.
 - (2) 120 hours in any calendar month.
 - (3) 34 hours in any 7 consecutive days.
 - (4) 8 hours during any 24 consecutive hours for a flight crew consisting of one pilot.
 - (5) 8 hours between required rest periods for a flight crew consisting of two pilots qualified under this part of the operation being conducted.

- (b) Except as provided in paragraph (c) of this section, no certificate holder may schedule a flight crewmember, and no flight crewmember may accept an assignment, for flight time during the 24 consecutive hours preceding the scheduled completion of any flight segment without a scheduled rest period during that 24 hours of at least the following:
 - (1) 9 consecutive hours of rest for less than 8 hours of scheduled flight time.
 - (2) 10 consecutive hours of rest for 8 or more but less than 9 hours of scheduled flight time.
 - (3) 11 consecutive hours of rest for 9 or more hours of scheduled flight time.

- (c) A certificate holder may schedule a flight crewmember for less than the rest required in paragraph (b) of this section or may reduce a scheduled rest under the following conditions:
 - (1) A rest required under paragraph (b)(1) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 10 hours that must begin no later than 24 hours after the commencement of the reduced rest period.
 - (2) A rest required under paragraph (b)(2) of this section may be scheduled for or reduced to a minimum of 8 hours if the flight crewmember is given a rest period of at least 11 hours that must begin no later than 24 hours after the commencement of the reduced rest period.
 - (3) A rest required under paragraph (b)(3) of this section may be scheduled for or reduced to a minimum of 9 hours if the flight crewmember is given a rest period of at least 12 hours that must begin no later than 24 hours after the commencement of the reduced rest period.

- (d) Each certificate holder shall relieve each flight crewmember engaged in scheduled air transportation from all further duty for at least 24 consecutive hours during any 7 consecutive days.

APPENDIX 6: PART 91: GENERAL OPERATING AND FLIGHT RULES

§91.103 Preflight Action

Each pilot in command shall, before beginning a flight, become familiar with all available information concerning that flight. This information must include:

- (a) For a flight under IFR or a flight not in the vicinity of an airport, weather reports and forecasts, fuel requirements, alternatives available if the planned flight cannot be completed, and any known traffic delays of which the pilot in command has been advised by ATC;
- (b) For any flight, runway lengths at airports of intended use, and the following takeoff and landing distance information:
 - (1) For civil aircraft for which an approved Airplane or Rotocraft Flight Manual containing takeoff and landing distance data is required, the takeoff and landing distance data contained therein; and
 - (2) For civil aircraft other than those specified in paragraph (b)(1) of this section, other reliable information appropriate to the aircraft, relating to aircraft performance under expected values of airport elevation and runway slope, aircraft gross weight, and wind and temperature.