

Transponder Failure	
<p>Pilot will:</p> <ul style="list-style-type: none"> •Contact ATC and request authority to continue to operate at cleared flight level •Comply with revised ATC clearance, if issued <p><i>NOTE– 14 CFR Section 91.215 (ATC transponder and altitude reporting equipment and use) regulates operation with the transponder inoperative.</i></p>	<p>Controller will:</p> <ul style="list-style-type: none"> •Consider request to continue to operate at cleared flight level •Issue revised clearance, if necessary

4–6–10. Procedures for Accommodation of Non–RVSM Aircraft

a. General Policies for Accommodation of Non–RVSM Aircraft

1. The RVSM mandate calls for only RVSM authorized aircraft/operators to fly in designated RVSM airspace with limited exceptions. The policies detailed below are intended exclusively for use by aircraft that the FAA has agreed to accommodate. They are not intended to provide other operators a means to circumvent the normal RVSM approval process.

2. If either the operator or aircraft or both have not been authorized to conduct RVSM operations, the aircraft will be referred to as a “non–RVSM” aircraft. 14 CFR Section 91.180 and Part 91 Appendix G enable the FAA to authorize a deviation to operate a non–RVSM aircraft in RVSM airspace.

3. Non–RVSM aircraft flights will be handled on a workload permitting basis. The vertical separation standard applied between aircraft not approved for RVSM and all other aircraft must be 2,000 feet.

4. **Required Pilot Calls.** The pilot of non–RVSM aircraft will inform the controller of the lack of RVSM approval in accordance with the direction provided in Paragraph 4–6–8, Pilot/Controller Phraseology.

b. Categories of Non–RVSM Aircraft that may be Accommodated

Subject to FAA approval and clearance, the following categories of non–RVSM aircraft may operate in domestic U.S. RVSM airspace provided they have an operational transponder.

1. Department of Defense (DOD) aircraft.
2. Flights conducted for aircraft certification and development purposes.
3. Active air ambulance flights utilizing a “MEDEVAC” call sign.
4. Aircraft climbing/descending through RVSM flight levels (without intermediate level off) to/from FLs above RVSM airspace (Policies for these flights are detailed in Paragraph 4–6–11, Non–RVSM Aircraft Requesting Climb to and Descent from Flight Levels Above RVSM Airspace Without Intermediate Level Off.
5. Foreign State (government) aircraft.

c. Methods for operators of non–RVSM aircraft to request access to RVSM Airspace. Operators may:

1. **LOA/MOU.** Enter into a Letter of Agreement (LOA)/Memorandum of Understanding (MOU) with the RVSM facility (the Air Traffic facility that provides air traffic services in RVSM airspace). Operators must comply with LOA/MOU.

2. **File–and–Fly.** File a flight plan to notify the FAA of their intention to request access to RVSM airspace.

*NOTE–
Priority for access to RVSM airspace will be afforded to RVSM compliant aircraft, then File–and–Fly flights.*