

and ½ mile respectively, but not to exceed the ceiling and visibility minimums for that airport when used as an alternate airport, for each pilot in command of a turbine-powered aircraft who has not served at least 100 hours as pilot in command in that type of aircraft.

(d) No person may take off an aircraft under IFR from an airport where weather conditions are at or above takeoff minimums but are below authorized IFR landing minimums unless there is an alternate airport within one hour's flying time (at normal cruising speed, in still air) of the airport of departure.

(e) Except as provided in §91.176 of this chapter, each pilot making an IFR takeoff or approach and landing at an airport must comply with applicable instrument approach procedures and takeoff and landing weather minimums prescribed by the authority having jurisdiction over the airport. In addition, no pilot may take off at that airport when the visibility is less than 600 feet, unless otherwise authorized in the program manager's management specifications for EFVS operations.

[Docket No. FAA-2001-10047, 68 FR 54561, Sept. 17, 2003, as amended by Docket FAA-2013-0485, Amdt. 91-345, 81 FR 90175, Dec. 13, 2016]

**§91.1041 Aircraft proving and validation tests.**

(a) No program manager may permit the operation of an aircraft, other than a turbojet aircraft, for which two pilots are required by the type certification requirements of this chapter for operations under VFR, if it has not previously proved such an aircraft in operations under this part in at least 25 hours of proving tests acceptable to the Administrator including—

- (1) Five hours of night time, if night flights are to be authorized;
- (2) Five instrument approach procedures under simulated or actual conditions, if IFR flights are to be authorized; and

(3) Entry into a representative number of en route airports as determined by the Administrator.

(b) No program manager may permit the operation of a turbojet airplane if it has not previously proved a turbojet

airplane in operations under this part in at least 25 hours of proving tests acceptable to the Administrator including—

- (1) Five hours of night time, if night flights are to be authorized;
- (2) Five instrument approach procedures under simulated or actual conditions, if IFR flights are to be authorized; and
- (3) Entry into a representative number of en route airports as determined by the Administrator.

(c) No program manager may carry passengers in an aircraft during proving tests, except those needed to make the tests and those designated by the Administrator to observe the tests. However, pilot flight training may be conducted during the proving tests.

(d) Validation testing is required to determine that a program manager is capable of conducting operations safely and in compliance with applicable regulatory standards. Validation tests are required for the following authorizations:

- (1) The addition of an aircraft for which two pilots are required for operations under VFR or a turbojet airplane, if that aircraft or an aircraft of the same make or similar design has not been previously proved or validated in operations under this part.

(2) Operations outside U.S. airspace.

(3) Class II navigation authorizations.

(4) Special performance or operational authorizations.

(e) Validation tests must be accomplished by test methods acceptable to the Administrator. Actual flights may not be required when an applicant can demonstrate competence and compliance with appropriate regulations without conducting a flight.

(f) Proving tests and validation tests may be conducted simultaneously when appropriate.

(g) The Administrator may authorize deviations from this section if the Administrator finds that special circumstances make full compliance with this section unnecessary.