

**§ 136.11 Helicopter floats for over water.**

(a) A helicopter used in commercial air tours over water beyond the shoreline must be equipped with fixed floats or an inflatable flotation system adequate to accomplish a safe emergency ditching, if—

- (1) It is a single-engine helicopter; or
- (2) It is a multi-engine helicopter that cannot be operated with the critical engine inoperative at a weight that will allow it to climb, at least 50 feet a minute, at an altitude of 1,000 feet above the surface, as provided in the Rotorcraft Flight Manual (RFM).

(b) Each helicopter that is required to be equipped with an inflatable flotation system must have:

- (1) The activation switch for the flotation system on one of the primary flight controls, and
- (2) The flotation system armed when the helicopter is over water and is flying at a speed that does not exceed the maximum speed prescribed in the Rotorcraft Flight Manual for flying with the flotation system armed.

(c) Fixed floats or an inflatable flotation system is not required for a helicopter under this section if:

- (1) The helicopter is over water only during the takeoff or landing portion of the flight, or
- (2) The helicopter is operated within power-off gliding distance to the shoreline for the duration of the flight and each occupant is wearing a life preserver from before takeoff until the aircraft is no longer over water.

(d) Air tour operators required to comply with paragraphs (a) and/or (b) of this section must meet these requirements on or before September 5, 2008.

**§ 136.13 Helicopter performance plan and operations.**

(a) Each operator must complete a performance plan before each helicopter commercial air tour, or flight operated under 14 CFR 91.146 or 91.147. The pilot in command must review for accuracy and comply with the performance plan on the day the flight is flown. The performance plan must be based on the information in the Rotorcraft Flight Manual (RFM) for that helicopter, taking into consideration

the maximum density altitude for which the operation is planned, in order to determine:

- (1) Maximum gross weight and center of gravity (CG) limitations for hovering in ground effect;
- (2) Maximum gross weight and CG limitations for hovering out of ground effect; and
- (3) Maximum combination of weight, altitude, and temperature for which height/velocity information in the RFM is valid.

(b) Except for the approach to and transition from a hover for the purpose of takeoff and landing, or during takeoff and landing, the pilot in command must make a reasonable plan to operate the helicopter outside of the caution/warning/avoid area of the limiting height/velocity diagram.

(c) Except for the approach to and transition from a hover for the purpose of takeoff and landing, during takeoff and landing, or when necessary for safety of flight, the pilot in command must operate the helicopter in compliance with the plan described in paragraph (b) of this section.

**§§ 136.15–136.29 [Reserved]****Subpart B—National Parks Air Tour Management**

SOURCE: Docket No. FAA-1998-4521, 72 FR 6912, Feb. 13, 2007, unless otherwise noted.

**§ 136.31 Applicability.**

(a) This part restates and paraphrases several sections of the National Parks Air Tour Management Act of 2000, including section 803 (codified at 49 U.S.C. 40128) and sections 806 and 809. This subpart clarifies the requirements for the development of an air tour management plan for each park in the national park system where commercial air tour operations are flown.

(b) Except as provided in paragraph (c) of this section, this subpart applies to each commercial air tour operator who conducts a commercial air tour operation over—

- (1) A unit of the national park system;
- (2) Tribal lands as defined in this subpart; or