

## §91.321

limitations on the persons that may be carried in the aircraft.

(Approved by the Office of Management and Budget under control number 2120-0005)

[Doc. No. 18334, 54 FR 34308, Aug. 18, 1989, as amended by Amdt. 91-282, 69 FR 44881, July 27, 2004]

### §91.321 Carriage of candidates in elections.

(a) As an aircraft operator, you may receive payment for carrying a candidate, agent of a candidate, or person traveling on behalf of a candidate, running for Federal, State, or local election, without having to comply with the rules in parts 121, 125 or 135 of this chapter, under the following conditions:

(1) Your primary business is not as an air carrier or commercial operator;

(2) You carry the candidate, agent, or person traveling on behalf of a candidate, under the rules of part 91; and

(3) By Federal, state or local law, you are required to receive payment for carrying the candidate, agent, or person traveling on behalf of a candidate. For federal elections, the payment may not exceed the amount required by the Federal Election Commission. For a state or local election, the payment may not exceed the amount required under the applicable state or local law.

(b) For the purposes of this section, for Federal elections, the terms *candidate* and *election* have the same meaning as set forth in the regulations of the Federal Election Commission. For State or local elections, the terms *candidate* and *election* have the same meaning as provided by the applicable State or local law and those terms relate to candidates for election to public office in State and local government elections.

[Doc. No. FAA-2005-20168, 70 FR 4982, Jan. 31, 2005]

### §91.323 Increased maximum certificated weights for certain airplanes operated in Alaska.

(a) Notwithstanding any other provision of the Federal Aviation Regulations, the Administrator will approve, as provided in this section, an increase in the maximum certificated weight of an airplane type certificated under Aeronautics Bulletin No. 7-A of the

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U.S. Department of Commerce dated January 1, 1931, as amended, or under the normal category of part 4a of the former Civil Air Regulations (14 CFR part 4a, 1964 ed.) if that airplane is operated in the State of Alaska by—

(1) A certificate holder conducting operations under part 121 or part 135 of this chapter; or

(2) The U.S. Department of Interior in conducting its game and fish law enforcement activities or its management, fire detection, and fire suppression activities concerning public lands.

(b) The maximum certificated weight approved under this section may not exceed—

(1) 12,500 pounds;

(2) 115 percent of the maximum weight listed in the FAA aircraft specifications;

(3) The weight at which the airplane meets the positive maneuvering load factor requirement for the normal category specified in §23.337 of this chapter; or

(4) The weight at which the airplane meets the climb performance requirements under which it was type certificated.

(c) In determining the maximum certificated weight, the Administrator considers the structural soundness of the airplane and the terrain to be traversed.

(d) The maximum certificated weight determined under this section is added to the airplane's operation limitations and is identified as the maximum weight authorized for operations within the State of Alaska.

[Doc. No. 18334, 54 FR 34308, Aug. 18, 1989; Amdt. 91-211, 54 FR 41211, Oct. 5, 1989, as amended by Amdt. 91-253, 62 FR 13253, Mar. 19, 1997]

### §91.325 Primary category aircraft: Operating limitations.

(a) No person may operate a primary category aircraft carrying persons or property for compensation or hire.

(b) No person may operate a primary category aircraft that is maintained by the pilot-owner under an approved special inspection and maintenance program except—

(1) The pilot-owner; or