

**§ 135.3**

**14 CFR Ch. I (1-1-08 Edition)**

(iv) Manufactured on or after March 12, 1999: Section 121.310(b)(1), Interior emergency exit locating sign.

(2) For transport category turbo-propeller powered airplanes that have a passenger seat configuration of 20-30 seats manufactured on or after March 20, 1997: Section 121.305(j), Third attitude indicator.

(f) *New type certification requirements.* No person may operate an airplane for which the application for a type certificate was filed after March 29, 1995, in 14 CFR part 121 operations unless that airplane is type certificated under part 25 of this chapter.

(g) *Transition plan.* Before March 19, 1996 each certificate holder described in paragraph (a)(1) of this section must submit to the FAA a transition plan (containing a calendar of events) for moving from conducting its scheduled operations under the commuter requirements of part 135 of this chapter to the requirements for domestic or flag operations under part 121 of this chapter. Each transition plan must contain details on the following:

(1) Plans for obtaining new operations specifications authorizing domestic or flag operations;

(2) Plans for being in compliance with the applicable requirements of part 121 of this chapter on or before March 20, 1997; and

(3) Plans for complying with the compliance date schedules contained in paragraphs (d) and (e) of this section.

[Doc. No. 28154, 60 FR 65938, Dec. 20, 1995, as amended by Amdt. 135-65, 61 FR 30435, June 14, 1996; Amdt. 135-66, 62 FR 13257, Mar. 19, 1997]

**§ 135.3 Rules applicable to operations subject to this part.**

(a) Each person operating an aircraft in operations under this part shall—

(1) While operating inside the United States, comply with the applicable rules of this chapter; and

(2) While operating outside the United States, comply with Annex 2, Rules of the Air, to the Convention on International Civil Aviation or the regulations of any foreign country, whichever applies, and with any rules of parts 61 and 91 of this chapter and this part that are more restrictive than that Annex or those regulations and

that can be complied with without violating that Annex or those regulations. Annex 2 is incorporated by reference in §91.703(b) of this chapter.

(b) After March 19, 1997, each certificate holder that conducts commuter operations under this part with airplanes in which two pilots are required by the type certification rules of this chapter shall comply with subparts N and O of part 121 of this chapter instead of the requirements of subparts E, G, and H of this part. Each affected certificate holder must submit to the Administrator and obtain approval of a transition plan (containing a calendar of events) for moving from its present part 135 training, checking, testing, and qualification requirements to the requirements of part 121 of this chapter. Each transition plan must be submitted by March 19, 1996, and must contain details on how the certificate holder plans to be in compliance with subparts N and O of part 121 on or before March 19, 1997.

(c) If authorized by the Administrator upon application, each certificate holder that conducts operations under this part to which paragraph (b) of this section does not apply, may comply with the applicable sections of subparts N and O of part 121 instead of the requirements of subparts E, G, and H of this part, except that those authorized certificate holders may choose to comply with the operating experience requirements of §135.244, instead of the requirements of §121.434 of this chapter.

[Doc. No. 27993, 60 FR 65949, Dec. 20, 1995, as amended by Amdt. 135-65, 61 FR 30435, June 14, 1996]

**§ 135.4 Applicability of rules for eligible on-demand operations.**

(a) An “eligible on-demand operation” is an on-demand operation conducted under this part that meets the following requirements:

(1) *Two-pilot crew.* The flightcrew must consist of at least two qualified pilots employed or contracted by the certificate holder.

(2) *Flight crew experience.* The crewmembers must have met the applicable requirements of part 61 of this chapter and have the following experience and ratings: