

§ 121.445

which that person is to operate, and ensures that that person has adequate knowledge of, and the ability to use, the information:

- (1) Weather characteristics appropriate to the season.
- (2) Navigation facilities.
- (3) Communication procedures, including airport visual aids.
- (4) Kinds of terrain and obstructions.
- (5) Minimum safe flight levels.
- (6) En route and terminal area arrival and departure procedures, holding procedures and authorized instrument approach procedures for the airports involved.
- (7) Congested areas and physical layout of each airport in the terminal area in which the pilot will operate.
- (8) Notices to Airmen.

[Doc. No. 17897, 45 FR 41594, June 19, 1980; Amdt. 121-159, 45 FR 43154, June 26, 1980]

§ 121.445 Pilot in command airport qualification: Special areas and airports.

(a) The Administrator may determine that certain airports (due to items such as surrounding terrain, obstructions, or complex approach or departure procedures) are special airports requiring special airport qualifications and that certain areas or routes, or both, require a special type of navigation qualification.

(b) Except as provided in paragraph (c) of this section, no certificate holder may use any person, nor may any person serve, as pilot in command to or from an airport determined to require special airport qualifications unless, within the preceding 12 calendar months:

(1) The pilot in command or second in command has made an entry to that airport (including a takeoff and landing) while serving as a pilot flight crewmember; or

(2) The pilot in command has qualified by using pictorial means acceptable to the Administrator for that airport.

(c) Paragraph (b) of this section does not apply when an entry to that airport (including a takeoff or a landing) is being made if the ceiling at that airport is at least 1,000 feet above the lowest MEA or MOCA, or initial approach altitude prescribed for the instrument

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approach procedure for that airport, and the visibility at that airport is at least 3 miles.

(d) No certificate holder may use any person, nor may any person serve, as pilot in command between terminals over a route or area that requires a special type of navigation qualification unless, within the preceding 12 calendar months, that person has demonstrated qualification on the applicable navigation system in a manner acceptable to the Administrator, by one of the following methods:

(1) By flying over a route or area as pilot in command using the applicable special type of navigation system.

(2) By flying over a route or area as pilot in command under the supervision of a check airman using the special type of navigation system.

(3) By completing the training program requirements of appendix G of this part.

[Doc. No. 17897, 45 FR 41594, June 19, 1980]

§ 121.447 [Reserved]

§ 121.453 Flight engineer qualifications.

(a) No certificate holder may use any person nor may any person serve as a flight engineer on an airplane unless, within the preceding 6 calendar months, he has had at least 50 hours of flight time as a flight engineer on that type airplane or the certificate holder or the Administrator has checked him on that type airplane and determined that he is familiar and competent with all essential current information and operating procedures.

(b) A flight check given in accordance with § 121.425(a)(2) satisfies the requirements of paragraph (a) of this section.

[Doc. No. 9509, 35 FR 96, Jan. 3, 1970]

§ 121.455 Use of prohibited drugs.

(a) This section applies to persons who perform a function listed in appendix I to this part for the certificate holder or operator. For the purpose of this section, a person who performs such a function pursuant to a contract with the certificate holder or operator is considered to be performing that

function for the certificate holder or operator.

(b) No certificate holder or operator may knowingly use any person to perform, nor may any person perform for a certificate holder or operator, either directly or by contract, any function listed in appendix I to this part while that person has a prohibited drug, as defined in that appendix, in his or her system.

(c) No certificate holder or operator shall knowingly use any person to perform, nor shall any person perform for a certificate holder or operator, either directly or by contract, any safety-sensitive function if the person has a verified positive drug test result on or has refused to submit to a drug test required by appendix I to part 121 of this chapter and the person has not met the requirements of appendix I for returning to the performance of safety-sensitive duties.

[Doc. No. 25148, 53 FR 47057, Nov. 21, 1988, as amended by Amdt. 121-240, 59 FR 42928, Aug. 19, 1994; Amdt. 121-251, 60 FR 65934, Dec. 20, 1995]

§ 121.457 Testing for prohibited drugs.

(a) Each certificate holder or operator shall test each of its employees who performs a function listed in appendix I to this part in accordance with that appendix.

(b) No certificate holder or operator may use any contractor to perform a function listed in appendix I to this part unless that contractor tests each employee performing such a function for the certificate holder or operator in accordance with that appendix.

[Doc. No. 25148, 53 FR 47057, Nov. 21, 1988, as amended by Amdt. 121-251, 60 FR 65934, Dec. 20, 1995]

§ 121.458 Misuse of alcohol.

(a) *General.* This section applies to employees who perform a function listed in appendix J to this part for a certificate holder (*covered employees*). For the purpose of this section, a person who meets the definition of covered employee in appendix J is considered to be performing the function for the certificate holder.

(b) *Alcohol concentration.* No covered employee shall report for duty or remain on duty requiring the perform-

ance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No certificate holder having actual knowledge that an employee has an alcohol concentration of 0.04 or greater shall permit the employee to perform or continue to perform safety-sensitive functions.

(c) *On-duty use.* No covered employee shall use alcohol while performing safety-sensitive functions. No certificate holder having actual knowledge that a covered employee is using alcohol while performing safety-sensitive functions shall permit the employee to perform or continue to perform safety-sensitive functions.

(d) *Pre-duty use.* (1) No covered employee shall perform flight crew-member or flight attendant duties within 8 hours after using alcohol. No certificate holder having actual knowledge that such an employee has used alcohol within 8 hours shall permit the employee to perform or continue to perform the specified duties.

(2) No covered employee shall perform safety-sensitive duties other than those specified in paragraph (d)(1) of this section within 4 hours after using alcohol. No certificate holder having actual knowledge that such an employee has used alcohol within 4 hours shall permit the employee to perform or continue to perform safety-sensitive functions.

(e) *Use following an accident.* No covered employee who has actual knowledge of an accident involving an aircraft for which he or she performed a safety-sensitive function at or near the time of the accident shall use alcohol for 8 hours following the accident, unless he or she has been given a post-accident test under appendix J of this part, or the employer has determined that the employee's performance could not have contributed to the accident.

(f) *Refusal to submit to a required alcohol test.* A covered employee must not refuse to submit to any alcohol test required under appendix J to this part. A certificate holder must not permit an employee who refuses to submit to such a test to perform or continue to perform safety-sensitive functions.

[Amdt. 121-237, 59 FR 7389, Feb. 15, 1994, as amended by Amdt. 121-325, 71 FR 35764, June 21, 2006]