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(d) Each certificate holder shall make available to the public at each airport it serves a copy of each procedure it establishes in accordance with paragraph (a)(1) of this section.

[Doc. No. 12881, 42 FR 18394, Apr. 7, 1977, as amended by Amdt. 121-174, 46 FR 38051, July 23, 1981; Amdt. 121-207, 54 FR 39293, Sept. 25, 1989; Amdt. 121-253, 61 FR 2614, Jan. 26, 1996]

§ 121.587 Closing and locking of flightcrew compartment door.

(a) Except as provided in paragraph (b) of this section, a pilot in command of an airplane that has a lockable flightcrew compartment door in accordance with §121.313 and that is carrying passengers shall ensure that the door separating the flightcrew compartment from the passenger compartment is closed and locked at all times when the aircraft is being operated.

(b) The provisions of paragraph (a) of this section do not apply at any time when it is necessary to permit access and egress by persons authorized in accordance with §121.547 and provided the part 119 operator complies with FAA approved procedures regarding the opening, closing and locking of the flightdeck doors.

[Doc. No. FAA-2001-11032, 67 FR 2128, Jan. 15, 2002]

§ 121.589 Carry-on baggage.

(a) No certificate holder may allow the boarding of carry-on baggage on an airplane unless each passenger's baggage has been scanned to control the size and amount carried on board in accordance with an approved carry-on baggage program in its operations specifications. In addition, no passenger may board an airplane if his/her carry-on baggage exceeds the baggage allowance prescribed in the carry-on baggage program in the certificate holder's operations specifications.

(b) No certificate holder may allow all passenger entry doors of an airplane to be closed in preparation for taxi or pushback unless at least one required crewmember has verified that each article of baggage is stowed in accordance with this section and §121.285 (c) and (d).

(c) No certificate holder may allow an airplane to take off or land unless each article of baggage is stowed:

(1) In a suitable closet or baggage or cargo stowage compartment placarded for its maximum weight and providing proper restraint for all baggage or cargo stowed within, and in a manner that does not hinder the possible use of any emergency equipment; or

(2) As provided in §121.285 (c) and (d); or

(3) Under a passenger seat.

(d) Baggage, other than articles of loose clothing, may not be placed in an overhead rack unless that rack is equipped with approved restraining devices or doors.

(e) Each passenger must comply with instructions given by crewmembers regarding compliance with paragraphs (a), (b), (c), (d), and (g) of this section.

(f) Each passenger seat under which baggage is allowed to be stowed shall be fitted with a means to prevent articles of baggage stowed under it from sliding forward. In addition, each aisle seat shall be fitted with a means to prevent articles of baggage stowed under it from sliding sideward into the aisle under crash impacts severe enough to induce the ultimate inertia forces specified in the emergency landing condition regulations under which the airplane was type certificated.

(g) In addition to the methods of stowage in paragraph (c) of this section, flexible travel canes carried by blind individuals may be stowed—

(1) Under any series of connected passenger seats in the same row, if the cane does not protrude into an aisle and if the cane is flat on the floor; or

(2) Between a nonemergency exit window seat and the fuselage, if the cane is flat on the floor; or

(3) Beneath any two nonemergency exit window seats, if the cane is flat on the floor; or

(4) In accordance with any other method approved by the Administrator.

[Doc. No. 24996, 52 FR 21476, June 5, 1987, as amended by Amdt. 121-251, 60 FR 65935, Dec. 20, 1995]

§ 121.590 Use of certificated land airports in the United States.

(a) Except as provided in paragraphs (b) or (c) of this section, or unless authorized by the Administrator under 49 U.S.C. 44706(c), no air carrier and no

pilot being used by an air carrier may operate, in the conduct of a domestic type operation, flag type operation, or supplemental type operation, an airplane at a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States unless that airport is certificated under part 139 of this chapter. Further, after June 9, 2005 for Class I airports and after December 9, 2005 for Class II, III, and IV airports, when an air carrier and a pilot being used by the air carrier are required to operate at an airport certificated under part 139 of this chapter, the air carrier and the pilot may only operate at that airport if the airport is classified under part 139 to serve the type airplane to be operated and the type of operation to be conducted.

(b)(1) An air carrier and a pilot being used by the air carrier in the conduct of a domestic type operation, flag type operation, or supplemental type operation may designate and use as a required alternate airport for departure or destination an airport that is not certificated under part 139 of this chapter.

(2) Until December 9, 2005, an air carrier and a pilot being used by the air carrier in the conduct of domestic type operations and flag type operations, may operate an airplane designed for more than 9 but less than 31 passenger seats, at a land airport, in any State of the United States, the District of Columbia, or any territory or possession of the United States, that does not hold an airport operating certificate issued under part 139 of this chapter, and that serves small air carrier aircraft (as defined under "Air carrier aircraft" and "Class III airport" in §139.5 of this Chapter).

(c) An air carrier and a pilot used by the air carrier in conducting a domestic type operation, flag type operation, or supplemental type operation may operate an airplane at an airport operated by the U.S. Government that is not certificated under part 139 of this chapter, only if that airport meets the equivalent—

(1) Safety standards for airports certificated under part 139 of this chapter; and

(2) Airport classification requirements under part 139 to serve the type airplane to be operated and the type of operation to be conducted.

(d) An air carrier, a commercial operator, and a pilot being used by the air carrier or the commercial operator—when conducting a passenger-carrying airplane operation under this part that is not a domestic type operation, a flag type operation, or a supplemental type operation—may operate at a land airport not certificated under part 139 of this chapter only when the following conditions are met:

(1) The airport is adequate for the proposed operation, considering such items as size, surface, obstructions, and lighting.

(2) For an airplane carrying passengers at night, the pilot may not take off from, or land at, an airport unless—

(i) The pilot has determined the wind direction from an illuminated wind direction indicator or local ground communications or, in the case of takeoff, that pilot's personal observations; and

(ii) The limits of the area to be used for landing or takeoff are clearly shown by boundary or runway marker lights. If the area to be used for takeoff or landing is marked by flare pots or lanterns, their use must be authorized by the Administrator.

(e) A commercial operator and a pilot used by the commercial operator in conducting a domestic type operation, flag type operation, or supplemental type operation may operate an airplane at an airport operated by the U.S. Government that is not certificated under part 139 of this chapter only if that airport meets the equivalent—

(1) Safety standards for airports certificated under part 139 of this chapter; and

(2) Airport classification requirements under part 139 of this chapter to serve the type airplane to be operated and the type of operation to be conducted.

(f) For the purpose of this section, the terms—

Domestic type operation means any domestic operation conducted with—

(1) An airplane designed for at least 31 passenger seats (as determined by the aircraft type certificate issued by a

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competent civil aviation authority) at any land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States; or

(2) An airplane designed for more than 9 passenger seats but less than 31 passenger seats (as determined by the aircraft type certificate issued by a competent civil aviation authority) at any land airport in any State of the United States (except Alaska), the District of Columbia, or any territory or possession of the United States.

Flag type operation means any flag operation conducted with—

(1) An airplane designed for at least 31 passenger seats (as determined by the aircraft type certificate issued by a competent civil aviation authority) at any land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States; or

(2) An airplane designed for more than 9 passenger seats but less than 31 passenger seats (as determined by the aircraft type certificate issued by a competent civil aviation authority) at any land airport in any State of the United States (except Alaska), the District of Columbia, or any territory or possession of the United States.

Supplemental type operation means any supplemental operation (except an all-cargo operation) conducted with an airplane designed for at least 31 passenger seats (as determined by the aircraft type certificate issued by a competent civil aviation authority) at any land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States.

United States means the States of the United States, the District of Columbia, and the territories and possessions of the United States.

NOTE: Special Statutory Requirement to Operate to or From a Part 139 Airport. Each air carrier that provides—in an aircraft (e.g., airplane, rotorcraft, etc.) designed for more than 9 passenger seats—regularly scheduled charter air transportation for which the public is provided in advance a schedule containing the departure location, departure time, and arrival location of the flight must operate to and from an airport certificated under part 139 of this chapter in accordance with 49 U.S.C. 41104(b). That statutory provision contains stand-alone requirements for

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such air carriers and special exceptions for operations in Alaska and outside the United States. Nothing in §121.590 exempts the air carriers described in this note from the requirements of 49 U.S.C. 41104(b). Certain operations by air carriers that conduct public charter operations under 14 CFR part 380 are covered by the statutory requirements to operate to and from part 139 airports. See 49 U.S.C. 41104(b).

[Doc. No. FAA–2000–7479, 69 FR 6424, Feb. 10, 2004; Amdt. 121–304, 69 FR 31522, June 4, 2004]

Subpart U—Dispatching and Flight Release Rules

SOURCE: Docket No. 6258, 29 FR 19222, Dec. 31, 1964, unless otherwise noted.

§ 121.591 Applicability.

This subpart prescribes dispatching rules for domestic and flag operations and flight release rules for supplemental operations.

[Doc. No. 28154, 61 FR 2614, Jan. 26, 1996]

§ 121.593 Dispatching authority: Domestic operations.

Except when an airplane lands at an intermediate airport specified in the original dispatch release and remains there for not more than one hour, no person may start a flight unless an aircraft dispatcher specifically authorizes that flight.

§ 121.595 Dispatching authority: Flag operations.

(a) No person may start a flight unless an aircraft dispatcher specifically authorizes that flight.

(b) No person may continue a flight from an intermediate airport without redispach if the airplane has been on the ground more than six hours.

§ 121.597 Flight release authority: Supplemental operations.

(a) No person may start a flight under a flight following system without specific authority from the person authorized by the operator to exercise operational control over the flight.

(b) No person may start a flight unless the pilot in command or the person authorized by the operator to exercise operational control over the flight has executed a flight release setting forth the conditions under which the flights