

The United States Hang Gliding and Paragliding Association, Inc.

Federal Aviation Regulations

Standard Operating Procedure 12-04
Last Amended March, 2014

12-04.01 Introduction

The USHPA and all its members are subject to the regulations of the Federal Aviation Administration (FAR's). The following FAR's specifically apply to USHPA operations.

12-04.02 FAR PART 103 – Ultralight Vehicles

Subpart A – General

103.1 Applicability

This part prescribes rules governing the operation of ultralight vehicles in the United States. For the purposes of this part, an ultralight vehicle is a vehicle that:

- A. Is used or intended to be used for manned operation in the air by a single occupant;
- B. Is used or intended to be used for recreation or sport purposes only;
- C. Does not have any U.S. or foreign airworthiness certificate; and
- D. If unpowered, weighs less than 155 pounds; or
- E. If powered:
 - 1. Weighs less than 254 pounds empty weight, excluding floats and safety devices which are intended for deployment in a potentially catastrophic situation;
 - 2. Has a fuel capacity not exceeding 5 U.S. gallons;
 - 3. Is not capable of more than 55 knots calibrated airspeed at full power in level flight; and
 - 4. Has a power-off stall speed which does not exceed 24 knots calibrated airspeed.

103.3 Inspection Requirements

- A. Any person operating an ultralight vehicle under this part shall, upon request, allow the Administrator, or his designee, to inspect the vehicle to determine the applicability of this part.
- B. The pilot or operator of an ultralight vehicle must, upon request of the Administrator, furnish satisfactory evidence that the vehicle is subject only to the provisions of this part.

103.5 Waivers

No person may conduct operations that require a deviation from this part except under a written waiver issued by the Administrator.

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103.7 Certification and Registration

- A. Notwithstanding any other section pertaining to certification of aircraft or their parts or equipment, ultralight vehicles and their component parts and equipment are not required to meet the airworthiness certification standards specified for aircraft or to have certificates of airworthiness.
- B. Notwithstanding any other section pertaining to airman certification, operators of ultralight vehicles are not required to meet any aeronautical knowledge, age, or experience requirements to operate those vehicles or to have airman or medical certificates.
- C. Notwithstanding any other section pertaining to registration and marking of aircraft, ultralight vehicles are not required to bear markings of any type.

Subpart B – Operating Rules

103.9 Hazardous Operations

- A. No person may operate any ultralight vehicle in a manner that creates a hazard to other persons or property.
- B. No person may allow an object to be dropped from an ultralight vehicle if such action creates a hazard to other persons or property.

103.11 Daylight Operations

- A. No person may operate an ultralight vehicle except between the hours of sunrise and sunset.
- B. Notwithstanding paragraph (a) of this section, ultralight vehicles may be operated during the twilight periods 30 minutes before official sunrise and 30 minutes after official sunset or, in Alaska, during the period of civil twilight as defined in the Air Almanac, if:
 - 1. The vehicle is equipped with an operating anti-collision light visible for at least 3 statute miles; and
 - 2. All operations are conducted in uncontrolled airspace.

103.13 Operation Near Aircraft; Right-of-Way Rules

- A. Each person operating an ultralight vehicle shall maintain vigilance so as to see and avoid aircraft and shall yield the right-of-way to all aircraft.
- B. No person may operate an ultralight vehicle in a manner that creates a collision hazard with respect to any aircraft.
- C. Powered ultralights shall yield the right-of-way to unpowered ultralights.

103.15 Operating Over Congested Areas

No person may operate an ultralight vehicle over any congested area of a city, town, or settlement, or over any open air assembly of persons.

103.17 Operations in Certain Airspace

No person may operate an ultralight vehicle within Class A, Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport unless that person has prior authorization from the ATC facility having jurisdiction over that airspace.

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103.19 Operations in Prohibited or Restricted Areas

No person may operate an ultralight vehicle in prohibited or restricted areas unless that person has permission from the using or controlling agency, as appropriate.

103.20 Flight Restrictions in the Proximity of Certain Areas Designated by Notice to Airmen

No person may operate an ultralight vehicle in areas designated in a Notice to Airmen under §91.137*, §91.138**, §91.141† §91.143†† or §91.145‡ of this chapter unless authorized by:

- A. Air Traffic Control (ATC); or
- B. A Flight Standards Certificate of Waiver or Authorization issued for the demonstration or event.

* §91.137: Temporary flight restrictions in the vicinity of disaster/hazard areas.

- The Administrator will issue a Notice to Airmen (NOTAM) designating an area within which temporary flight restrictions apply and specifying the hazard or condition requiring their imposition, whenever he determines it is necessary in order to: 1) Protect persons and property on the surface or in the air from a hazard associated with an incident on the surface; 2) Provide a safe environment for the operation of disaster relief aircraft; or 3) Prevent an unsafe congestion of sightseeing and other aircraft above an incident or event which may generate a high degree of public interest. The Notice to Airmen will specify the hazard or condition that requires the imposition of temporary flight restrictions.

** §91.138: Temporary flight restrictions in national disaster areas in the State of Hawaii.

- When the Administrator has determined, pursuant to a request and justification provided by the Governor of the State of Hawaii, or the Governor's designee, that an inhabited area within a declared national disaster area in the State of Hawaii is in need of protection for humanitarian reasons, the Administrator will issue a Notice to Airmen (NOTAM) designating an area within which temporary flight restrictions apply. The Administrator will designate the extent and duration of the temporary flight restrictions necessary to provide for the protection of persons and property on the surface. ... A NOTAM issued under this section is effective for 90 days or until the national disaster area designation is terminated, whichever comes first, unless terminated by notice or extended by the Administrator at the request of the Governor of the State of Hawaii or the Governor's designee.

† §91.141: Flight restrictions in the proximity of the Presidential and other parties.

- No person may operate an aircraft over or in the vicinity of any area to be visited or traveled by the President, the Vice President, or other public figures contrary to the restrictions established by the Administrator and published in a Notice to Airmen (NOTAM)

†† §91.143: Flight limitation in the proximity of space flight operations.

- No person may operate any aircraft of U.S. registry, or pilot any aircraft under the authority of an airman certificate issued by the Federal Aviation Administration within areas designated in a Notice to Airmen (NOTAM) for space flight operations except when authorized by ATC, or operated under the control of the Department of Defense Manager for Space Transportation System Contingency Support Operations.

‡ § 91.145 Management of aircraft operations in the vicinity of aerial demonstrations and major sporting events.

- The FAA will issue a Notice to Airmen (NOTAM) designating an area of airspace in which a temporary flight restriction applies when it determines that a temporary flight restriction is necessary to protect persons or property on the surface or in the air, to maintain air safety and efficiency, or to prevent the

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unsafe congestion of aircraft in the vicinity of an aerial demonstration or major sporting event. These demonstrations and events may include: ... Sandia Classic Hang Gliding Competition ...

103.21 Visual Reference with the Surface

No person may operate an ultralight vehicle except by visual reference with the surface.

103.23 Flight Visibility and Cloud Clearance Requirements

No person may operate an ultralight vehicle when the flight visibility or distance from clouds is less than that in the table found below. All operations in Class A, Class B, Class C, and Class D airspace or Class E airspace designated for an airport must receive prior ATC authorization as required in §103.17 of this part.

Airspace	Flight Visibility	Distance from Clouds
Class A	Not applicable	Not applicable
Class B	3 statute miles	Clear of clouds
Class C	3 statute miles	500 feet below 1,000 feet above 2,000 feet horizontal
Class D	3 statute miles	500 feet below 1,000 feet above 2,000 feet horizontal
Class E:		
Less than 10,000 feet MSL	3 statute miles	500 feet below 1,000 feet above 2,000 feet horizontal
At or above 10,000 feet MSL	5 statute miles	1,000 feet below 1,000 feet above 1 statute mile horizontal
Class G		
1,200 feet or less above the surface (regardless of MSL altitude)	1 statute mile	Clear of Clouds
More than 1,200 feet above the surface but less than 10,000 feet MSL	1 statute mile	500 feet below 1,000 feet above 2,000 feet horizontal
More than 1,200 feet above the surface and at or above 10,000 feet MSL	5 statute miles	1,000 feet below 1,000 feet above 1 statute mile horizontal