Federal Aviation Administration

Memorandum

Date: AUG -8 2014

To: John Duncan, Director, Flight Standards Service, AFS-1

From: Mark W. Bury, Assistant Chief Counsel for International Law, Legislation and Regulations, AGC-200

Prepared by: Dean E. Griffith, Attorney, AGC-220

Subject: Interpretation regarding whether certain required documents may be kept at an unmanned aircraft's control station.

This memorandum addresses whether the pilot of an unmanned aircraft may keep airworthiness certificates, aircraft manuals, and aircraft registration certificates at the unmanned aircraft's ground control station and satisfy the regulatory requirements of sections 91.9(b), 91.203(a) and (b), 47.3(b)(2), and 47.31(c) of Title 14, Code of Federal Regulations. This question has been brought to our attention because of the impracticality of placing these documents on a small aircraft with no pilot on board. As discussed below, we find that the intent of these regulations is met if the pilot of the unmanned aircraft has access to these documents at the control station from which he or she is operating the aircraft.

Section 91.9(b) prohibits operation of U.S.-registered civil aircraft unless "there is available in the aircraft" an Airplane or Rotorcraft Flight Manual or other material, markings and placards. The FAA stated that the purpose of this rule is to "insure that the information is readily available to the pilot" for use during operations. *See* 40 Fed. Reg. 24665 (June 9, 1975), 37 Fed. Reg. 20022 (Sept. 23, 1972). The text of the rule and preamble to subsequent revisions of the rule confirm the intent that the pilot is to have access to the material during flight. Accordingly, we find that the intent of the rule is met if the information is maintained at the pilot's control station such that it is available to the pilot.

Section 91.203(a) prohibits operation of a civil aircraft "unless it has within it" an appropriate and current airworthiness certificate and the aircraft's registration certification. Section 91.203(b) requires that the airworthiness certificate be "displayed at the cabin or cockpit entrance so that it is legible to passengers or crew." Similarly, sections 47.3(b)(2) and 47.31(c) allow an applicant for aircraft registration to carry "in the aircraft" the second copy of the registration application as temporary authority to operate without registration. These documents demonstrate that the aircraft is appropriately certificated and registered, or is in the process of being registered. Additionally, the FAA has previously addressed the requirement to display the

airworthiness certificate and found that the regulation permits displaying the certificate so that it is only legible to the flight crew even if not legible to passengers. *See* Legal Interpretation to Leonard A. Ceruzzi, from Donald P. Byrne, Acting Assistant Chief Counsel, Regulations and Enforcement Division (Aug. 7, 1990). Accordingly, we find that maintaining these documents at the pilot's control station would meet the intent of the rule as the pilot would be able to produce the documents for his or her own information or to an FAA inspector.

We note that this memorandum is to be narrowly construed to unmanned aircraft systems and is not intended to apply to operation of manned aircraft or optionally piloted aircraft with a pilot on board.