

certification is made after April 9, 1997, the Administrator must find that the altimetry system error (ASE) is contained as follows:

(1) At the point in the full RVSM flight envelope where mean ASE reaches its largest absolute value, the absolute value may not exceed 80 feet.

(2) At the point in the full RVSM flight envelope where mean ASE plus three standard deviations reaches its largest absolute value, the absolute value may not exceed 200 feet.

(f) *Altimetry system error containment: Nongroup aircraft.* To approve a nongroup aircraft, the Administrator must find that the altimetry system error (ASE) is contained as follows:

(1) For each condition in the basic RVSM flight envelope, the largest combined absolute value for residual static source error plus the avionics error may not exceed 160 feet.

(2) For each condition in the full RVSM flight envelope, the largest combined absolute value for residual static source error plus the avionics error may not exceed 200 feet.

(g) Traffic Alert and Collision Avoidance System (TCAS) Compatibility With RVSM Operations: All aircraft. After March 31, 2002, unless otherwise authorized by the Administrator, if you operate an aircraft that is equipped with TCAS II in RVSM airspace, it must be a TCAS II that meets TSO C-119b (Version 7.0), or a later version.

(h) If the Administrator finds that the applicant's aircraft comply with this section, the Administrator notifies the applicant in writing.

Section 3. Operator Authorization

(a) Authority for an operator to conduct flight in airspace where RVSM is applied is issued in operations specifications, a Letter of Authorization, or management specifications issued under subpart K of this part, as appropriate. To issue an RVSM authorization, the Administrator must find that the operator's aircraft have been approved in accordance with Section 2 of this appendix and the operator complies with this section.

(b) An applicant for authorization to operate within RVSM airspace shall apply in a form and manner prescribed by the Administrator. The application must include the following:

(1) [Reserved]

(2) For an applicant who operates under part 121 or 135 of this chapter or under subpart K of this part, initial and recurring pilot training requirements.

(3) Policies and procedures: An applicant who operates under part 121 or 135 of this chapter or under subpart K of this part must submit RVSM policies and procedures that will enable it to conduct RVSM operations safely.

(c) Validation and Demonstration. In a manner prescribed by the Administrator, the operator must provide evidence that:

(1) It is capable to operate and maintain each aircraft or aircraft group for which it applies for approval to operate in RVSM airspace; and

(2) Each pilot has an adequate knowledge of RVSM requirements, policies, and procedures.

Section 4. RVSM Operations

(a) Each person requesting a clearance to operate within RVSM airspace shall correctly annotate the flight plan filed with air traffic control with the status of the operator and aircraft with regard to RVSM approval. Each operator shall verify RVSM applicability for the flight planned route through the appropriate flight planning information sources.

(b) No person may show, on the flight plan filed with air traffic control, an operator or aircraft as approved for RVSM operations, or operate on a route or in an area where RVSM approval is required, unless:

(1) The operator is authorized by the Administrator to perform such operations; and

(2) The aircraft has been approved and complies with the requirements of Section 2 of this appendix.

Section 5. Deviation Authority Approval

The Administrator may authorize an aircraft operator to deviate from the requirements of §91.180 or §91.706 for a specific flight in RVSM airspace if that operator has not been approved in accordance with section 3 of this appendix if:

(a) The operator submits a request in a time and manner acceptable to the Administrator; and

(b) At the time of filing the flight plan for that flight, ATC determines that the aircraft may be provided appropriate separation and that the flight will not interfere with, or impose a burden on, the operations of operators who have been approved for RVSM operations in accordance with Section 3 of this appendix.

Section 6. Reporting Altitude-Keeping Errors

Each operator shall report to the Administrator each event in which the operator's aircraft has exhibited the following altitude-keeping performance:

(a) Total vertical error of 300 feet or more;

(b) Altimetry system error of 245 feet or more; or

(c) Assigned altitude deviation of 300 feet or more.

Section 7. Removal or Amendment of Authority

The Administrator may amend operations specifications or management specifications issued under subpart K of this part to revoke