

### § 1.3

$V_H$  means maximum speed in level flight with maximum continuous power.

$V_{LE}$  means maximum landing gear extended speed.

$V_{LO}$  means maximum landing gear operating speed.

$V_{LOF}$  means lift-off speed.

$V_{MC}$  means minimum control speed with the critical engine inoperative.

$V_{MO}/M_{MO}$  means maximum operating limit speed.

$V_{MU}$  means minimum unstick speed.

$V_{NE}$  means never-exceed speed.

$V_{NO}$  means maximum structural cruising speed.

$V_R$  means rotation speed.

$V_{REF}$  means reference landing speed.

$V_S$  means the stalling speed or the minimum steady flight speed at which the airplane is controllable.

$V_{SO}$  means the stalling speed or the minimum steady flight speed in the landing configuration.

$V_{S1}$  means the stalling speed or the minimum steady flight speed obtained in a specific configuration.

$V_{SR}$  means reference stall speed.

$V_{SRO}$  means reference stall speed in the landing configuration.

$V_{SR1}$  means reference stall speed in a specific configuration.

$V_{SW}$  means speed at which onset of natural or artificial stall warning occurs.

$V_{TOSS}$  means takeoff safety speed for Category A rotorcraft.

$V_X$  means speed for best angle of climb.

$V_Y$  means speed for best rate of climb.

$V_1$  means the maximum speed in the takeoff at which the pilot must take the first action (e.g., apply brakes, reduce thrust, deploy speed brakes) to stop the airplane within the accelerate-stop distance.  $V_1$  also means the minimum speed in the takeoff, following a failure of the critical engine at  $V_{EF}$ , at which the pilot can continue the takeoff and achieve the required height above the takeoff surface within the takeoff distance.

$V_2$  means takeoff safety speed.

$V_{2min}$  means minimum takeoff safety speed.

$VFR$  means visual flight rules.

$V_GSI$  means visual glide slope indicator.

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$VHF$  means very high frequency.

$VOR$  means very high frequency omnirange station.

$VORTAC$  means collocated VOR and TACAN.

[Doc. No. 1150, 27 FR 4590, May 15, 1962]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 1.2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.govinfo.gov](http://www.govinfo.gov).

#### § 1.3 Rules of construction.

(a) In Subchapters A through K of this chapter, unless the context requires otherwise:

(1) Words importing the singular include the plural;

(2) Words importing the plural include the singular; and

(3) Words importing the masculine gender include the feminine.

(b) In Subchapters A through K of this chapter, the word:

(1) *Shall* is used in an imperative sense;

(2) *May* is used in a permissive sense to state authority or permission to do the act prescribed, and the words “no person may \* \* \*” or “a person may not \* \* \*” mean that no person is required, authorized, or permitted to do the act prescribed; and

(3) *Includes* means “includes but is not limited to”.

[Doc. No. 1150, 27 FR 4590, May 15, 1962, as amended by Amdt. 1–10, 31 FR 5055, Mar. 29, 1966]

## PART 3—GENERAL REQUIREMENTS

### Subpart A—General Requirements Concerning Type Certificated Products or Products, Parts, Appliances, or Materials That May Be Used on Type-Certificated Products

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3.5 Statements about products, parts, appliances and materials.

### Subpart B—Security Threat Disqualification

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by individuals for a certificate or any part of a certificate.

AUTHORITY: 49 U.S.C. 106(g), 40113, 44701, 44704, and 46111.

SOURCE: 70 FR 54832, Sept. 16, 2005, unless otherwise noted.

### Subpart A—General Requirements Concerning Type Certificated Products or Products, Parts, Appliances, or Materials That May Be Used on Type-Certificated Products

#### § 3.1 Applicability.

(a) This part applies to any person who makes a record regarding:

(1) A type-certificated product, or

(2) A product, part, appliance or material that may be used on a type-certificated product.

(b) Section 3.5(b) does not apply to records made under part 43 of this chapter.

#### § 3.5 Statements about products, parts, appliances and materials.

(a) *Definitions.* The following terms will have the stated meanings when used in this section:

*Airworthy* means the aircraft conforms to its type design and is in a condition for safe operation.

*Product* means an aircraft, aircraft engine, or aircraft propeller.

*Record* means any writing, drawing, map, recording, tape, film, photograph or other documentary material by which information is preserved or conveyed in any format, including, but not limited to, paper, microfilm, identification plates, stamped marks, bar codes or electronic format, and can either be separate from, attached to or inscribed on any product, part, appliance or material.

(b) *Prohibition against fraudulent and intentionally false statements.* When conveying information related to an advertisement or sales transaction, no person may make or cause to be made:

(1) Any fraudulent or intentionally false statement in any record about the airworthiness of a type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(2) Any fraudulent or intentionally false reproduction or alteration of any record about the airworthiness of any type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(c) *Prohibition against intentionally misleading statements.* (1) When conveying information related to an advertisement or sales transaction, no person may make, or cause to be made, a material representation that a type-certificated product is airworthy, or that a product, part, appliance, or material is acceptable for installation on a type-certificated product in any record if that representation is likely to mislead a consumer acting reasonably under the circumstances.

(2) When conveying information related to an advertisement or sales transaction, no person may make, or cause to be made, through the omission of material information, a representation that a type-certificated product is airworthy, or that a product, part, appliance, or material is acceptable for installation on a type-certificated product in any record if that representation is likely to mislead a consumer acting reasonably under the circumstances.

(d) The provisions of § 3.5(b) and § 3.5(c) shall not apply if a person can show that the product is airworthy or that the product, part, appliance or material is acceptable for installation on a type-certificated product.

### Subpart B—Security Threat Disqualification

SOURCE: 84 FR 42803, Aug. 19, 2019, FAA-2018-0656; Amendment No. 3-2, unless otherwise noted.

#### § 3.200 Effect of Transportation Security Administration notification on a certificate or any part of a certificate held by an individual.

When the Transportation Security Administration (TSA) notifies the FAA that an individual holding a certificate or part of a certificate issued by the FAA poses, or is suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety, the FAA will issue an order amending,

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modifying, suspending, or revoking any certificate or part of a certificate issued by the FAA.

#### **§ 3.205 Effect of Transportation Security Administration notification on applications by individuals for a certificate or any part of a certificate.**

(a) When the TSA notifies the FAA that an individual who has applied for a certificate or any part of a certificate issued by the FAA poses, or is suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety, the FAA will hold the individual's certificate applications in abeyance pending further notification from the TSA.

(b) When the TSA notifies the FAA that the TSA has made a final security threat determination regarding an individual, the FAA will deny all the individual's certificate applications. Alternatively, if the TSA notifies the FAA that it has withdrawn its security threat determination, the FAA will continue processing the individual's applications.

## **PART 5—SAFETY MANAGEMENT SYSTEMS**

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### **Subpart B—Safety Policy**

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### **Subpart E—Safety Promotion**

- 5.91 Competencies and training.
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### **Subpart F—SMS Documentation and Recordkeeping**

- 5.95 SMS documentation.
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**AUTHORITY:** Pub. L. 111–216, sec. 215 (Aug. 1, 2010); 49 U.S.C. 106(f), 106(g), 40101, 40113, 40119, 41706, 44101, 44701–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 46105.

**SOURCE:** 80 FR 1326, Jan. 8, 2015, unless otherwise noted.

### **Subpart A—General**

#### **§ 5.1 Applicability.**

(a) A certificate holder under part 119 of this chapter authorized to conduct operations in accordance with the requirements of part 121 of this chapter must have a Safety Management System that meets the requirements of this part and is acceptable to the Administrator by March 9, 2018.

(b) A certificate holder must submit an implementation plan to the FAA Administrator for review no later than September 9, 2015. The implementation plan must be approved no later than March 9, 2016.

(c) The implementation plan may include any of the certificate holder's existing programs, policies, or procedures that it intends to use to meet the requirements of this part, including components of an existing SMS.

[80 FR 1326, Jan. 8, 2015, as amended at 80 FR 1584, Jan. 13, 2015]

#### **§ 5.3 General requirements.**

(a) Any certificate holder required to have a Safety Management System under this part must submit the Safety Management System to the Administrator for acceptance. The SMS must be appropriate to the size, scope, and complexity of the certificate holder's operation and include at least the following components:

(1) Safety policy in accordance with the requirements of subpart B of this part;

(2) Safety risk management in accordance with the requirements of subpart C of this part;