

6) Obtain the accepted air race organizations manuals submitted for issuance of the LOA from the General Aviation and Commercial Division.

7) Inform the AES and NAES upon notification or receipt of an air race application for a CoW.

N. Special Provisions. The CoW (FAA Form 7711-1) issued for the air race (closed course) must include additional special provision (s) requiring compliance with the FAA-accredited or recognized air race operations manual/rules of competition. The list of all special provisions for an air race are found on the FAA website at <https://www.faa.gov/about/initiatives/airshow/waiver/>.

3-152 BALLOON EVENTS AND COMPETITIONS.

A. Balloon Events. Routine balloon ascensions can usually be conducted in accordance with the provisions of part 91, and no CoW is required. These other operations may include tethered balloon rides, balloon glows, and dawn patrol. These operations do not require a CoW and may be conducted outside the hours between sunrise and sunset. If they are conducted outside of daylight, the balloons must be lighted, per § 91.209, except for ground-based static displays (e.g., balloon glows) where the basket is not intended to leave the ground. For night tether operation, a light system meeting the requirements of § 91.209 must be on board the aircraft and must be deployed once the basket reaches an altitude of 30 feet AGL; the balloons must be lighted, per § 91.209. (This 30-foot distance (measured from the bottom of the basket) is determined by 14 CFR part 31, § 31.65(c), which describes airworthiness standards for position lights for manned free balloons.) However, balloon competitions will likely require a CoW with appropriate special provisions to maintain the safety of the nonparticipating public.

B. Balloon Operations. Flight competitions by balloons often involve operations at horizontal and vertical distances less than those required by § 91.119(b) and (c). Operations at these altitudes are necessary to take advantage of varying wind conditions at different altitudes that are the balloonist's only means of directional control. These operations are acceptable when appropriate limitations are developed to ensure public safety and the safety of the participants.

C. Public Safety. Ballooning has grown significantly in recent years, and competitive tasks have been refined and standardized. The FAA's concern is that every effort is made to ensure public safety. The intent of § 91.119 should never be compromised when issuing CoWs and developing special provisions.

1) Target areas may be a designated area on the main launch field for fly-in tasks or may be in remote areas for other tasks. In any case, the target area must be under the control of event officials. The use of portable bullhorns or public address systems provides an adequate means for crowd management, or for directing balloonists away from the target area in an emergency. Balloon landings are not normally permitted closer than 600 feet (200 meters) from the target or goal, although event officials may allow a reduction of this distance as deemed necessary for safety considerations.

a) Pilots are to be briefed at the Participants Safety Briefing on all safety aspects relating to landing closer than 650 feet to any target, including landowner permission procedures, IIC communication and coordination, and target/landing area control by event officials.

b) If possible short landings are anticipated, the balloonmeister and safety officials will review safety procedures as part of the preflight safety briefing.

c) The dimension of a target is typically 10x10x1 meters.

d) Only balloon recovery ground support crewmembers and authorized event officials can be present at the landing site.

2) The relatively slow speed of balloons allows spectators to move from harm more easily than at an air show where fast moving aircraft are performing. Accordingly, the designated spectator area can be minimized to a 200 foot radius away from the designated balloon goal/target. IICs should ensure that the responsible person ensures spectators remain clear of the goal/target area during balloon meets or competitions.

D. Balloon Competition Event CoW. To be found eligible for a CoW of § 91.119(b) and (c), the event organizer must prepare and maintain an organized balloon competition manual that has been found acceptable by the appropriate FSDO. The contents of the manual are the basis for issuance of the CoW. The event organizer and the participants must comply with the balloon manual contents and requirements. No operations can be conducted under a waiver except while in VFR conditions during the period from sunrise to sunset, as specified in § 91.155.

1) Event organizers should be asked to submit a set of competition rules when applying for a CoW. Although this is not a regulatory requirement, it should be encouraged for the sake of conformity and safety. These competition rules should generally conform to a recognized industry standard, such as those developed by the BFA for events sanctioned by the BFA Competition Division.

2) A waiver of § 91.119(b) and (c) for organized balloon competitions can be issued based on submission of an application containing the proposed operations and contents of the organized balloon competition manual (See subparagraph 3-152E below).

3) Section 91.119(b) and (c) should be waived only to the extent necessary to accommodate the event while allowing an acceptable level of safety. Evaluation of the site by the IIC determines the actual separation distances for a specific event; however, the following minimum distances and special provisions must be observed.

a) Section 91.119(b) may be waived to allow flight over a congested area at an altitude of no less than 500 feet above the highest obstacle within a 500 foot horizontal radius of the balloon. This section of the regulation may only be waived within a specified maximum distance from designated launch sites and/or target areas. This designated area will be determined by the event organizer and the FAA; this area must also be clearly delineated in the event organizer's manual before the event (a scaled map, drawing, and/or aerial photographs should be in the event organizer's manual before the event). The designated area should be the

minimum area necessary to accommodate the event, and the area should be consistent with the event organizer's ability to control operations. A waiver of § 91.119(b) should not be issued if the target area is so small that a normal descent (200 to 300 feet per minute) cannot be made.

b) Section 91.119(b) may be waived to allow flight above, but not less than 75 feet from, any open air assembly of persons (designated spectator area) under the direct control of the event organizer.

c) Section 91.119(c) may be waived to allow flight over open water or sparsely populated areas, no closer than 200 feet horizontally to any person, vessel, vehicle, or structure.

E. Organized Balloon Competition Manual. The following is a list of the minimum required topics that must be addressed in the competition manual for a balloon event. Other information may also be included (refer to the FAA National Aviation Events Program website for an example of a Balloon Competition Manual).

1) Responsibilities and Procedures:

- Duties of personnel,
- Registration and airworthiness determinations,
- Pilot qualifications,
- Pilot/crewmember briefing responsibilities,
- Copy of letter(s) of agreement, and
- Event flightcrew member qualifications, experience, and maximum numbers on board each balloon for each type of event.

2) Ground Operations:

- Clear areas;
- Spectator areas (designated primary and potential secondary areas);
- Diagram or description of crowd/spectator restraints if the public will not have access to the launch field during launch activities;
- If spectators/media have access to the launch field during balloon launch activities, a description of the method for the protection of the public (e.g., launch directors);
- Crowd management requirements; and
- Landowner relations/notification.

3) Flight Operations:

- Areas of operations;
- Diagram of launch field for mass ascensions with obstructions, if any;
- Diagram of target zones designated for public viewing, if any;
- Types of operations;
- Altitudes;
- Weather requirements;

- Communications requirements; and
- Air traffic coordination.

4) Section 91.119 Limitations. The organized balloon competition manual must incorporate § 91.119(b) and (c) limitations as appropriate to the event in a form and manner acceptable to the FAA and the event organizer. The event organizer should describe in the manual as clearly as possible the manner of operations that are needed to comply with the event CoW.

5) List and Description of Events, Tasks, and Races. The organized balloon competition manual must include a list and description of all events, tasks, and races to be included in the CoW.

6) Personnel. The organized balloon competition manual must contain the names of the following personnel who are responsible for the event:

- Balloonmeister,
- Person responsible for establishing and maintaining crowd management,
- Event organizer's FAA liaison, and
- Persons responsible for obtaining weather data and conducting the pre-event pilot and event flightcrew member required Participants Safety Briefing.

F. Letters of Agreement. In addition to the organized balloon competition manual, a letter of agreement clearly detailing all responsibilities may provide an excellent means of control. In the manual, the event organizer outlines the responsibilities assumed, such as crowd management, notification, communication, and briefing of participating pilots and event flightcrew members. ATC identifies the services they provide, such as up-to-date weather, a portable tower, or direct communication line with the tower. The FSDO identifies the necessary aircraft and airman certification qualifications and site inspection requirements through the CoW process.

G. Balloon Event Flightcrew Members. Only pilot and event flightcrew members, as described in the organized balloon competition manual, may be carried on board any balloon operating under the waiver issued to the event organizer.

1) Event flightcrew members will be restricted to the minimum number required for the type of event as specified in the organized balloon competition manual. Event flightcrew members should be kept to a minimum for competitive events.

2) All event flightcrew members must have received appropriate training concerning their duties relative to the event. These crewmembers must sign a statement that they have been briefed and that they are designated event flightcrew members for the purpose of the specific event for which the waiver was granted.

3) The PIC of each balloon is responsible for obtaining the signed statements on a form furnished by the event organizer. The PIC will maintain this form during the event and return it to the event organizer and make it available to the FAA upon request.

4) Balloon event flightcrew members are differentiated from ground support launch and recovery crewmembers.

H. Weather.

1) **Maximum Wind Speed.** The maximum wind speed for launch and at the target zones is mutually determined by the event organizer/balloonmeister and the FAA. Place these limitations in the operations manual. Determine the maximum wind speed limitations after considering the local terrain conditions and the competency of the participating airmen and the limitations of the aircraft. If a balloon does not have an FAA-approved flight manual, operating limitations can be found on the Type Certificate Data Sheet (TCDS). The actual means of determining the wind speed must be mutually agreeable to the FAA and the event organizer.

2) **VFR.** No balloon flight should be conducted below the VFR weather minimums of § 91.155.

3) **IIC Authority.** Flight demonstrations will not be conducted unless the ceiling is at least 1,500 feet, and the visibility is at least 3 sm at the time of the demonstration.

I. Types of Competitive Tasks. Competitive tasks are exercises in navigation using changes in wind direction. The winner of a task is the balloonist who can best take advantage of changes in wind direction by ascending and descending. Event organizers generally engage launch directors to control staggered launch times and ensure safety for multiple launches. The following are some typical balloon competitive tasks, based on information provided by the BFA (refer to the FAA National Aviation Events Program website for detailed descriptions of the tasks):

- Pilot-declared goal,
- Judge-declared goal,
- Multiple judge-declared goal,
- Elbow,
- Hare and hound,
- Calculated Rate of Approach Task (CRT),
- Fly-on task,
- Fly-in task,
- Gordon Bennett memorial,
- Watership down, and
- Key grab.

J. Sponsored Balloons. A balloon event could be funded in part by soliciting paid sponsorships. Generally, the sponsor pays a fee for which, in return, the sponsor's business is promoted by various means, including printed programs, media coverage, on-field announcements, and very important person (VIP) hospitality. Balloon basket banners, primarily used for numerical identification of the pilot, are occasionally sponsored. Pilots are not paid compensation for displaying these basket banners and their use is not dependent on flying. They are not considered compensation for hire. Balloon envelope banners are large, sponsor-paid promotions and generally involve a fee paid to the pilot. Thus, a balloon flight displaying such a

banner is considered a commercial operation in much the same manner as banner towing airplanes. Balloons displaying a promotional envelope banner must be flown by a commercial pilot with a Lighter than Air (LTA) rating. However, there is no prohibition for displaying a basket banner used for identification purposes flown by a private pilot with an LTA rating.

K. Compensation. If an airman receives any type of compensation (e.g., lodging or rental cars) for flight activities at a balloon event, that airman must hold at least a Commercial Pilot Certificate. Second-class medical certificates may be required if medical certification is required for the aircraft being operated. The aircraft must be certificated for operations that allow compensation or hire. Additionally, if passengers or property are carried for compensation or hire, the aircraft must be certificated to allow for those types of operations.

- 1) Propane supplied to all participants at a balloon event for a small fee (e.g., event entry fee) is not considered to be receiving compensation under 14 CFR part 61, § 61.113.
- 2) Other items (e.g., meals and lodging) that are provided and are not conditioned on the pilot flying at the event are not considered compensation under § 61.113.
- 3) The pilot may be required to give a ride to a member of the press, organizer's committee, or one of the sponsors for the event. If none of these people have paid for a ride, except the sponsor, who may have donated resources in order for the event to take place, and the pilot does not receive any additional compensation for taking the passenger above and beyond what is given to all other participants, then the pilot is not operating an aircraft that is carrying passengers for compensation or hire.
- 4) Prize money awarded on the basis of competition is not considered compensation.

3-153 CIVILIAN FLYOVER. A civilian flyover over an open air assembly of persons temporarily gathered at an event (e.g., stadiums, civic events, and funerals) is not authorized below 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft. Waiving of § 91.119(b) is not authorized. The FAA considers a stadium, racetrack, and sporting event to be an open air assembly of people, subject to regulation under § 91.119(b). (See subparagraph 3-143BB for the definition of flyover.)

NOTE: Guidance for civilian flyovers will be forthcoming when N 8900.370 is incorporated into this order.

3-154 EVENT MANAGEMENT.

A. Management Organization.

- 1) The event organizer of an aviation event may be an individual, a group of individuals, or an organization that will designate a responsible person to act on all matters pertaining to an FAA-issued CoW/A.
- 2) The event organizer has the overall responsibility for the conduct of the aviation event in a safe manner and in accordance with the conditions contained in the CoW/A, FAA Form 7711-1. In order to accomplish this, the event organizer may delegate to other persons the