Boston Flight Standards District Office (FSDO)

Low Flying Aircraft

This document was prepared by the Eastern Region FAASTeam to provide guidance on low flying aircraft. If outside the Boston FSDO area, please contact the Flight Standards Office that has jurisdiction over that area.

The Federal Aviation Administration (FAA) is the government agency responsible for aviation safety. We welcome information from citizens that will enable us to take corrective measures including legal enforcement action against individuals violating Federal Aviation Regulations (FAR). It is FAA policy to investigate citizen complaints of low-flying aircraft operated in violation of the FAR that might endanger persons or property.

Remember that the FAA is a safety organization with legal enforcement responsibilities. We will need facts before we conduct an investigation. To save time, please have this information ready when you call. And keep your notes: we may request a written statement. Here is the type of information we need:

- **Identification** - Can you identify the aircraft? Was it military or civil? Was it a high or low-wing aircraft? What was the color? Did you record the registration number which appears on the fuselage or tail? (On U.S. registered aircraft, that number will be preceded with a capital "N".)
- **Time and Place** - Exactly when did the incident(s) occur? Where did this happen? What direction was the aircraft flying?
- **Altitude** - How high (low) was the aircraft flying? On what do you base your estimate? Was the aircraft level with or below the elevation of a prominent object such as a tower or building? Did you obtain photographs? Are there any witnesses who could confirm your estimate - do you have their names, addresses, telephone numbers?
- **Supporting Evidence**
- **Witnesses, Police**
- **Photographs**

Do you know of any other witnesses? The more the better. Do you have their names, addresses? Where may they be contacted? Are local police aware of the problem? While they have limited authority in aviation matters, police officers are considered "trained observers" by the courts and their written statements or reports make excellent evidence should our enforcement action go to trial. If you took photographs, we need to know the lens used, and the height of any identifiable landmarks that appear.

What Will The FAA Do?

Once we have the appropriate facts, an FAA Aviation Safety Inspector from the local Flight Standards District Office (FSDO) will attempt to identify the offending aircraft operator. We can do this in several ways. For example, we can check aircraft flight records with our air traffic control information and/or sightings from other observers, such as local law enforcement officers. We may need to trace and contact the registered aircraft owner, since the owner and operator may be two different people**.** Below is Title 14 of the Code of Federal Regulations, Section 91.119 of the General Operating and Flight Rules, which specifically prohibits low flying aircraft.

- **91.119 Minimum safe altitudes; general**
  - Except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes:
    - **(a) Anywhere** -An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.
    - **(b) Over congested areas** -Over any congested area of a city, town, or settlement, or over any open-air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.
    - **(c) Over other than congested areas** - An altitude of 500 feet above the surface except over open water or sparsely populated areas. In that case, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure.
    - **(d) Helicopters** - Helicopters may be operated at less than the minimums prescribed In paragraph (b) or (c) of this section if the operation is conducted without hazard to persons or property on the surface. In addition, each person operating a helicopter shall comply with routes or altitudes specifically prescribed for helicopters by the Administrator.

Helicopter operations may be conducted below the minimum altitudes set for fixed-wing aircraft. The reason: they have unique operating characteristics, the most important of which is their ability to execute pinpoint emergency landings during power-out emergencies. Furthermore, the helicopter's increased use by law enforcement and emergency medical service agencies requires added flexibility.
For further guidance or to file a complaint with the Boston FSDO, please call (781) 238-7500.