

# **FLYING AN ULTRALIGHT OVER A "CONGESTED AREA"**

by Jon Thornburgh

We in the United States are very fortunate that the government has allowed us so much freedom to fly.

Many countries in the world, such as North Korea, do not allow private citizens to fly. In other countries, flying is not prohibited, but the cost is out of reach of ordinary citizens.

In still other countries, such as England, Canada, and Australia, extensive training and licensing is required even for ultralight flying.

In the United States, we can fly a single-seat ultralight with no pilot's license, no medical exam, and no airplane certification. Such freedom is truly amazing, especially in this age of extensive bureaucratic regulations.

However, even if the U.S., there are some restrictions to ultralight flying. Ultralights are governed by Federal Aviation Regulations (FAR) Part 103. One of the most notable restrictions is Part 103.15, which prohibits flying over "congested areas."

The purpose of this restriction is to prevent injury to persons or property on the ground. The FAA surmises that there is danger to citizens on the ground when an unlicensed airplane operated by an unlicensed pilot is flown overhead.

In the event of an engine failure, does the pilot really have the skill to glide the airplane down to a football field without hitting power lines or parked cars? Valid or not, the FAA assumes that an unlicensed pilot may not have such skill, at least to the extent that a licensed pilot does.

When Part 103 was written in 1982, unpowered ultralight hang gliders were flown from remote hill tops. The powered ultralights were flown in desert areas in California or wide-open fields in Kansas. In those locations it was not likely that "innocent bystanders" would be injured on the ground.

Although the FAA does not specifically define what a "congested area" is, at one seminar an FAA inspector said that it could be interpreted as "any place where you would injure a person or damage property if you lost control of your ultra-light." An example would be if you broke an aileron control cable, and elected to deploy your parachute.

The tremendous advance in ultralight technology and safety have made the sport more attractive to the average citizen, as opposed to the original dare-devil pioneers. Many of the new ultralight enthusiasts live in urban areas. For them, it is a long drive to the rural areas outside the city environment.

Many city folk would love to fly, but they hate the long drive to and from an ultralight school. Other urban dwellers are not even aware that ultralight flying is available, because they never see an ultralight flying overhead.

Is there any way to fly an ultralight within the city, and therefore expose ultralighting to millions of urban citizens?

The answer is "yes".

Quicksilver Enterprises produces an FAA-Certified ultralight in the new aircraft "Primary Category." The certified Quicksilver GT-500 is almost identical to the GT-500 two-seat ultralight trainer, except that it is delivered from the factory fully constructed and FAA inspected.

One of the flight schools offering instruction in the Certified GT-500 is ALEXAIR Aircraft Services. ALEXAIR is located in the city of Torrance, a suburb of Los Angeles. Torrance Airport is eight miles south of L.A. International Airport.

The ALEXAIR GT-500 has created quite a stir in the community, since residents have had the opportunity to see an ultralight flying overhead for the first time. Now thousands of urban people are exposed to ultralights who otherwise would never have seen one.

Because the GT-500 is in a certified category, a pilot's license is required to fly it. The FAA allows the GT-500 to be flown over congested airspace because it has been FAA inspected and the pilot is licensed.

Jon Thornburgh, the instructor at ALEXAIR, is an FAA Certified Flight Instructor and ASC Ultralight Advanced Flight Instructor. The airplane is maintained to commercial standards by A & P mechanics, and ALEXAIR is an authorized ROTAX engine service center.

Since the ultralight students at ALEXAIR do not have a pilot's license, they can only fly the certified GT-500 with an instructor. However, after they finish their dual instruction, they can fly solo (with instructor supervision) outside Los Angeles in the nearly identical un-certified GT-500.

ALEXAIR has a reciprocal agreement with two ultralight flight schools. One is ULTRA ZONE AVIATION, located at Hemet Airport, about 90 miles from Torrance. The other is ULTRALIGHT AIRSPORTS at Perris Airpark, located a few miles west of Hemet.

These schools officially recognize the training students receive at ALEXAIR. After a short check-out in the local operating area, students may solo the ultralights at either school. Both have excellent facilities and great enthusiasm for aviation.

If the student prefers to continue flying at Torrance Airport when he's ready to solo, he may do so if he obtains his student pilot license and medical exam. The medical exam costs \$60 with Dr. Erwin Samuelson, located two miles away in Redondo Beach. His telephone number is 310-540-0375.

While flying the GT-500 at ALEXAIR, the student may log the flight time as both certified "Airplane single engine land," and as "Ultralight." This is possible because of a special waiver by the FAA and the ultralight organizations, which normally do not count flight time in an "N" numbered airplane as ultralight flight time. ALEXAIR is the only school in the United States, which has this waiver.

At present, the Primary Category Quicksilver GT-500 is the only FAA certified ultralight. However, other manufacturers are considering certifying their ultralights. It will be a great boon to the ultralight industry when many more certified ultra-lights are available.

Certified ultralights will make the sport even more acceptable to the general public, since they have the FAA stamp of approval. In addition, they may be flown over congested areas and are not confined to the rural environment.

There is one other way in which you may fly an ultralight in the city. That is to put the ultralight into the "Experimental" category. Regarding the Experimental category, there are several ramifications to consider.

The first is that a pilot's license (and a medical exam) is required to fly the machine. Secondly, an aircraft in the Experimental category cannot be used commercially. This precludes flight schools from using Experimental aircraft for ultralight training.

Lastly, the airplane must be built by the buyer from an ultralight kit. It cannot be built by the factory, as regular ultralights can be, or like the certified GT-500 is. Therefore, if the pilot does not have the skill or the time to build the airplane, he would not be interested in the Experimental option.

Despite the objections just noted, some pilots do prefer the Experimental planes. There are several at ALEXAIR, including an Experimental Buccaneer amphibious seaplane, and a Quicksilver MXL II Sprint, built by Terry Johnston.

For more information about the certified GT-500 or experimental aircraft, contact Jon Thornburgh at the following telephone numbers: Toll free voice mail: 800-971-8710. Home: 310-540-1862. ALEXAIR: 310-326-3338.

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