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## Aviation Group Client Update

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### NEW FAA AC ON USE OF PORTABLE ELECTRONIC DEVICES ABOARD AIRCRAFT

On October 27, 2017, the FAA issued [AC 91.21-1D](#) on the use of Portable Electronic Devices (PEDs) Aboard Aircraft.

**Purpose.** This AC provides aircraft owners, operators and the flying public with information and guidance to comply with Title 14, part 91, §91.21 addresses the potential for portable electronic devices (PEDs) to interfere with aircraft navigation or communication systems, and prohibits the operation of PEDs not installed aboard U.S.-registered civil aircraft while operating under instrument flight rules (IFR). This AC cancels AC 91.21-1C, *Use of Portable Electronic Devices Aboard Aircraft*, dated May 7, 2015.

**Application.** This AC applies to aircraft owners, operators – including certificate holders, pilot in command (PIC) or renter-pilot, and the general flying public.

**Background.** Section 91.21 (formerly § 91.19) was established in May 1961 to prohibit the operation of frequency modulation (FM) receivers since they were determined to interfere with the operation of aircraft navigation and communication systems. Subsequently, the FAA determined that other PEDs could be potentially hazardous to aircraft systems if operated aboard aircraft, and amended the scope of § 91.19 with Amendment 91-35 which prohibited the use of additional PEDs aboard certain U.S. registered civil aircrafts. Section 91.21 required air carriers or commercial operators to determine whether a particular PED would cause radio frequency (RF) interference when operated aboard its aircraft.

**Considerations.** Operators who have decided to allow the use of PEDs aboard their aircraft should ensure that they have established procedures controlling the use of PEDs during aircraft operations. Procedures should try to address PEDs approved for onboard use, times of approved PED operation, securing or stowing PEDs, modes of operations used or not used, informing passengers of PED policies and procedures, and managing scenarios of electromagnetic interference.

If you have any questions or would like further information, please contact Shelley Ewalt.

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McBreen & Kopko's Aviation Group represents air carriers, fixed base operators (FBOs), airport managers, aviation service providers, and business aircraft owners and operators on a wide range of aviation issues including regulatory matters, commercial transactions, aircraft finance matters, and bankruptcy and creditors' rights.