

Flying

Just Because

A LightHawk donated flight allows scientists in Mexico's Yucatan Peninsula to monitor the health of coastal areas which are important for fishing, tourism and recreation.

Chris Boyer/
LightHawk Photo

There is nothing wrong with flying “just because.” Some of my happiest and most memorable flights could only fall into the category of aerial joyriding. Still, there is much joy and great fun to be had in directing some of your flight activity to a good cause. That’s because flying for a purpose has multiple benefits. Done properly (we’ll get to that shortly), it can help you as a pilot by providing opportunities to maintain and sharpen your skills. Service-oriented flying can be of immeasurable value to the individuals and organizations it directly helps. Still another benefit is its potential to enhance the public perception of general aviation as a valuable and beneficial activity.

As every pilot knows, the regulations — Title 14 Code of Federal Regulations (14 CFR 91.103) — require you to become familiar with all available information concerning your flight. That rule does not list the specific items addressed in this article;

still, the stakes in flying for a cause are such that it makes sense to adopt the “all available information” approach. You need to find a cause that aligns with your interests, pilot skills, and aircraft capability. You need to know the rules for charitable flying, whether for nonprofit or fund-raising purposes. And, of course, you need to understand how to operate safely in the context of flying for a charitable purpose.

So let’s take a look at what it takes to be a properly-prepared volunteer pilot.

Finding the Right Cause

The original service flying organization may be the Civil Air Patrol (CAP), the civilian auxiliary of the U.S. Air Force formed immediately prior to America’s involvement in World War II. On the non-governmental side, one of the oldest organizations is LightHawk, a volunteer-based environmental aviation organization formed in 1979 to offer flight in support

of conservation efforts. Since then, the number and nature of nonprofit volunteer flying organizations have become almost as diverse as the range of pilots and planes. Causes served include:

- Health and medical (e.g., transport of patients and/or family members, including wounded veterans)
- Disaster relief (e.g., carrying supplies to disaster-affected areas)
- Emergency services (e.g., CAP search and rescue)
- Special needs (e.g., transporting sick children to dream activities)
- Animal rescue (e.g., transporting pets to adoptive homes)
- Environment (e.g., flights in support of conservation)
- Education (e.g., EAA Young Eagles and CAP cadet orientation flight)

A good starting point for your search could be an organization such as the Air Care Alliance (ACA). Formed in the 1990s, ACA supports nonprofit volunteer flying groups, provides information to pilots seeking to serve, and directs members of the public to organizations that can meet their particular needs.

ACA also maintains a listing of organizations engaged in humanitarian flying that are supported by volunteers. However, before participating in any flying activity, you should make your own evaluation of a group to determine if its requirements, operations, guidelines, and goals are a good match. As a would-be volunteer pilot, you need to pay particular attention to the group's pilot qualification requirements, and also check to ensure that its activities are compatible with the kind of aircraft you can offer.

Checking the Rules

Pilots schooled in the rules concerning private pilot privileges and limitations (14 CFR 61.113) may have questions about what they can and cannot do with respect to volunteer service flying (also called "public benefit flying"). A full discussion of these issues is beyond the scope of a single article, and please do not construe it as legal advice! But here are the basics.

Can the pilot be paid? For a number of reasons, public benefit flying that does not constitute a commercial operation operates under 14 CFR part 91. That means pilots generally may not accept payment

(compensation) for the flight. Although pilots have historically been required to donate both piloting services and flying expenses (aircraft use, fuel, oil) to the organization, FAA reauthorization legislation signed in February 2012 contains provisions for allowing aircraft owners and operators to accept reimbursement from a volunteer pilot organization for the fuel costs associated with providing transportation for an individual or organ for medical purposes. The FAA has not yet determined those conditions that would need to be met for a pilot to be reimbursed under this law.

What about tax deductions? Some pilots have asked about possible conflicts between IRS rules, which may allow charitable deductions for flying expenses contributed to a 501(c)(3) organization, and FAA rules, which prohibit any form of compensation to a private pilot, except under very limited circumstances. As you probably know, the FAA interprets "compensation" as meaning the receipt of anything of value. However, the FAA Chief Counsel's office has clarified the issue of charitable deductions in a number of interpretations. Specifically, it has stated that "since Congress has provided for the tax deductibility of some

costs of charitable acts, the FAA will not treat charitable deductions of such costs, standing alone,

as constituting 'compensation or hire' for the purpose of enforcing [the Federal Aviation Regulations]." *(Note: This interpretation is specifically addressed in FAA Order 8900.1 (Volume 4, Chapter 5, Section 1, paragraph 4-922) which also states that "inspectors should not treat the tax deductibility of costs as constituting 'compensation or hire' when flights are conducted for humanitarian purposes.")*

Can I fly for charity fundraising flights? Charity fundraising flights are not the same as volunteer flying for a nonprofit organization such as those listed on the ACA's website, but you can still participate if you meet the requirements outlined in 14 CFR 91.146 (which also references the safety provisions of part 136, subpart A). Be sure to read the regulation before you offer to participate in such a flight, but some of the general requirements are as follows:

- Pilots are limited to nonstop, day VFR flights that begin and end at the same airport and are conducted within a 25 statute mile radius of the departure airport.

The stakes in flying for a cause are such that it makes sense to adopt the "all available information" approach to planning.



LifeLine Volunteer Pilot Gary Rahmeyer and his passenger McKenzie.

Photo courtesy of LifeLine Pilots



Angel Flight Pilot George Grall, along with his wife Julie and their dog Molly, prepare to transport 9 year-old Caleb to a clinic in Cleveland for surgery.

Photo courtesy Angel Flight Central

- Private pilots must have at least 500 hours total flight time in order to participate.
- Before takeoff, pilots must brief passengers on seatbelt use, aircraft egress, and (for overwater flights) ditching procedures and use of life preservers.
- For overwater flights beyond the shoreline, passengers are required to wear life preservers (unless the overwater operation is necessary only for takeoff or landing or other limited exceptions apply).

The rule also limits the number of events in which sponsors and pilots may participate to four per calendar year for a charitable or nonprofit cause, and just one per calendar year for community events as defined in the rule.

What about liability? Many volunteer flying organizations require pilots to carry insurance. Even if it is not a requirement, though, you would be wise to consult your insurance company about appropriate coverage.

Keeping Everyone Safe

It is always bad when an accident occurs, but it is especially tragic when pilots and their passengers get hurt (or worse) in the course of volunteer service flying activities. In the wake of several volunteer medical airlift accidents, the National Transportation Safety Board (NTSB), Angel Flight Mid-Atlantic, the Air Care Alliance, and the Aircraft Owners and Pilots Association (AOPA) hosted a volunteer pilot safety stand down seminar in March 2011 at the NTSB Training Center in Virginia. The purpose of the event was to raise safety awareness for volunteer flying, and help the ACA and its constituent volunteer pilot organizations find ways to enhance safety for volunteer pilots and their passengers.

I was fortunate to serve as a presenter for this event, which drew more than 200 pilots active in volunteer service flying activities. The most compelling message came from AOPA Foundation president Bruce Landsberg, who strongly counseled against the “mission mindset” that pervades the

Lifeguard and Compassion Call Signs

You have probably heard, or perhaps even used, the “Lifeguard” call sign used by pilots carrying patients or organs in time-critical situations. The Lifeguard call sign cues ATC to the nature of the flight so it can receive priority handling whenever possible.

Because Lifeguard was not appropriate for other public benefit flights, The Air Care Alliance worked with the FAA to obtain the “Compassion” call sign. Use of Compassion conveys to ATC that the aircraft is engaged in an operation that might require special handling, such as slower rates of climb/descent or circling over an area.

The ACA administers the Compassion call sign and coordinates its use for volunteer service flying. To file a flight plan for use of this call sign, the pilot uses the “CMF” identifier with the last four digits of the N-number. CMF lets ATC know that the flight may need special assistance to accomplish its service flying objective.

For more information, please visit the ACA website (www.aircareall.org).

language and, too often, the thinking of volunteer service pilots. Landsberg's view is that safety would be better served if volunteer pilots think of their operations as "flights" rather than "missions," a term that can consciously or unconsciously influence the pilot to push the limits of flying skill or aircraft performance too far.

Another key point is the need to recognize that a volunteer service flight deserves more than your usual level of planning and monitoring. A few tips, aligned to correspond with the Pilot - Aircraft - enVironment - External pressures (PAVE) risk management checklist:

Pilot and Passengers: In addition to making an honest assessment of your fitness for flight (e.g., IMSAFE - free of Illness, Medication, Stress, Alcohol, Fatigue, improper Eating), you need to be sure the service flight will not violate your personal minimums. If you have not yet established written personal minimums, please take the time to do so before you consider volunteer service flying. For tips and a worksheet, please see the May/June 2006 issue of *FAA Safety Briefing*. Bottom line: It is your right, and indeed your obligation, to say "no" if you are not comfortable making the flight, or if you are asked to do something that puts you or your passengers at risk.

With respect to passengers, you need to pay special attention to your passenger briefing responsibilities, since this trip may be the first GA flying experience for many. For a simple guide and passenger briefing card, see the January/February 2007 issue of *FAA Safety Briefing*. The creators of the Aviators' Model Code of Conduct offer a more detailed sample passenger briefing package at www.secureav.com.

Although a briefing would be lost on non-human passengers, such as the puppies aboard a Pilots N Paws animal rescue flight I did with a friend, be sure that animals and cargo are properly secured. If you are tempted to avoid crates, just imagine trying to fly while dealing with the distraction of a thrashing and frightened animal.

Aircraft: In addition to ensuring that the aircraft is airworthy and in a condition for safe flight, you'll want to carefully calculate aircraft performance with a reasonable safety margin. You may have superior pilot skills, but even the best piloting cannot overcome aircraft performance limitations for weight and balance, density altitude, takeoff and landing performance and, of course, fuel requirements. With


passengers and cargo aboard, those limits may be very different from those you are accustomed to in local solo flying.

enVironment: Remember to evaluate weather in terms of the pilot/aircraft combination, or team, and also in terms of your established personal minimums. And, because volunteer service flying may often require you to operate in unfamiliar territory, be especially diligent in reviewing the terrain, airspace, and airports to be used for this flight.

External pressures: To repeat Mr. Landsberg's advice, remember that it is a "flight" rather than a "mission." Yes, your passengers may be disappointed if you make a no-go decision. But think how much greater the pain could be if you choose to press ahead in risky conditions.

Another safety resource is a new online course developed by ACA and the AOPA Air Safety Institute. Offered free of charge, the course is specifically designed to address some of the safety issues and challenges involved in volunteer pilot operations.

Making It Worthwhile

Volunteer service flying carries a lot of responsibility, and it does require some effort to do it right. But you do not have to work to make it worthwhile — and that alone makes it fun. 

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Pay particular attention to the group's pilot qualification requirements, and check to ensure that its activities are compatible with the kind of aircraft you can offer.

Learn More

Air Care Alliance

www.aircareall.org

AOPA Guide to Charitable/Nonprofit/Community Sightseeing Flights

www.aopa.org/whatsnew/regulatory/charity.html

AOPA Air Safety Institute

www.aopa.org/asf

Aviator's Model Code of Conduct

www.secureav.com

FAA Order 8900.1, Volume 4, Chapter 5, Section 1, Paragraph 4-922

<http://fsims.faa.gov>