

8800.3300 FLIGHT SCHOOL.

Subpart 1. **Endorsement required.** Any person engaged in giving or offering to give flight instruction leading to a pilot's certificate or rating for hire or compensation, or advertising, representing, or holding out as giving or offering to give such instruction, is considered to be operating a flight school, except under the following conditions for which an endorsement is not required:

A. company instruction: a company engaged in flight operation giving flight instruction to its own employees in furtherance of their duties in conjunction with that flight operation;

B. public schools: any public school or any institution of higher learning accredited by the North Central Association of Colleges and Secondary Schools and approved by it for carrying on collegiate work; or

C. aeronautics instructor: any individual engaged in giving flight or ground instruction, or both, for hire or compensation, without advertising the individual's occupation, without calling facilities an "air school" or anything equivalent to that term, without employing or using other instructors, and without operating an aircraft for compensation or hire for the purpose of flight instruction.

Subp. 2. **Minimum requirements.** To be eligible for a flight school endorsement, an applicant shall show compliance with the following minimum requirements in subparts 3 to 8.

Subp. 3. **Office.** The flight school operator shall show that the operator has an office of adequate size with the necessary facilities and equipment for the operation of the school.

Subp. 4. **Records.** The flight school operator shall keep and maintain complete and adequate records of the flight instruction given to all enrolled students, showing the date, the amount of dual or solo instruction, the maneuvers given, the aircraft used, and the name of the instructor of each dual flight. These records shall be available for inspection at the flight school office and shall be retained for at least one year from the date of the last entry.

Subp. 5. **Curriculum.** The applicant must show a course outline so organized for each course offered as to ensure that the student completing the course of ground and flight instruction will meet all the requirements of the FAA. All course outlines must include a review of Minnesota Statutes and rules relating to aeronautics that are pertinent to that course. In the case of an FAA-approved school, the FAA-approved course outline is acceptable if the review of Minnesota Statutes and rules is included.

The flight instruction given to each regularly enrolled student must be in accordance with the course outline. A copy of the course outline must be made available to each student.

Subp. 6. **Rules.** The flight school operator shall establish and enforce the rules which shall govern the flight school operation, including rules relating to the traffic pattern, practice areas, taxi rules, flight rules, and other safety procedures. A diagram of the traffic pattern and the practice area shall be posted on a bulletin board at the flight school. Other rules and safety procedures of the school shall be readily available to all students. A copy of the rules shall be submitted with the application.

Subp. 7. **Insurance.** The minimum insurance coverage for each aircraft must be of the following types and amounts: \$100,000 per passenger and \$500,000 per occurrence for bodily injury and property damage.

Each flight school operator shall advise the student as to whether or not the student is specifically covered under the flight school's insurance policy and the type and extent of coverage, if any. The flight school operator shall then obtain a signed statement of acknowledgment of this disclosure from the student. A current copy of the advisory form used for this disclosure must be submitted with the application for a commercial operations license or license renewal.

Subp. 8. **Performance bond.** The applicant must file with the commissioner a continuous corporate surety bond to the state of Minnesota in the sum of \$5,000 conditioned for the faithful performance of all contracts and agreements with students made by such person, firm, association or corporation, or their agent.

The aggregate liability for the surety for all breaches of conditions of the bond in no event shall exceed the principal sum of \$5,000. The surety of any such bond may cancel such bond upon giving 60 days' notice in writing to the commissioner and thereafter the surety shall be relieved of liability for any breach of conditions occurring after the effective date of cancellation, provided, however, that whenever a bond under this part ceases to be in effect for any reason, the flight school license shall be revoked.

The bond form shall be provided by the commissioner. A copy of the executed bond certificate shall be attached to the application.

Subp. 9. **Commercial operations license.** The applicant must meet the requirements of parts 8800.3100 and 8800.3200.

Statutory Authority: *MS s 360.015; 360.018; 360.03; 360.90*

History: *17 SR 1279; 30 SR 215*

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