Federal Aviation Administration

Memorandum

Date: ***February 28, 2017 (Original signed document on file)***

To: Air Traffic Organization Service Centers Directors
Air Traffic Organization Air Traffic Service Area Directors

From: [redacted], Director, Air Traffic Procedures, AJV-8

Subject: Interpretation Request from Operations Support Group, Eastern Service Center, to FAA Order JO 7110.65, paragraph 7-4-1, Visual Approaches to Non-Towered Airports

We are in receipt of your request for an interpretation pertaining to FAA Order JO 7110.65 paragraph 7-4-3c2, Clearance for Visual Approach. The Air Traffic Procedures Group has thoroughly reviewed the incoming request and has determined that it does not rise to the level of requiring a formal interpretation; we offer the following clarification instead.

The first question asked was: ***"Specifically, when an aircraft is cleared for a visual approach to follow another aircraft to a non-towered airport, can the second aircraft be switched to advisory frequency as required by 4-8-8, or must it be kept on the radar controller's frequency until the first aircraft lands or cancels IFR?"***

There are two assumptions in the original question. The first assumption is the premise that pilot applied visual separation between two IFR aircraft conducting approaches to a non-towered airport is allowed. This is an incorrect assumption. The basic requirement for visual separation in FAA Order JO 7110.65, paragraph 7-2-1 states "Visual separation may be applied when other approved separation is assured before and after the application of visual separation." In the case where two IFR aircraft are intending to land at a non-towered airport, it is not possible to ensure approved separation *after* the application of pilot applied visual separation. Therefore, pilot applied visual separation to a non-towered airport is not authorized.

The second assumption is that the first aircraft has been switched to an advisory frequency. According to FAA Order JO 7110.65, paragraph 7-2-1a2(a), pilot-applied visual separation requires direct communication with at least one of the aircraft and the ability to communicate with the other aircraft. If the first aircraft has already been switched to an advisory frequency, the ability to communicate with it no longer exists. In this case, the communication requirement is not being met. In these cases, pilot applied visual separation to a non-towered airport is not authorized. Therefore, the related questions in the interpretation request regarding the Aeronautical Information Manual, Table 4-1-1 and the applicability of FAA Order JO 7110.65, paragraph 7-2-1a2(a) become extraneous.

If you have any questions concerning this clarification, please contact [redacted], Manager, Terminal Standards and Procedures, AJV-82, at [redacted].