

BL 5-36

Regulations on power line inspection performed from helicopter

Edition 2, 13 June 1997

In pursuance of § 32, subsection 2 of § 75 and §§ 78 and 82 of the Air Navigation Act, cf. Consolidation Act no. 162 of 7 March 1994, the Civil Aviation Administration - Denmark hereby stipulates as follows on the authority of the Ministry of Transport, cf. Order no. 138 of 17 February 1997 on delegation of authorities to the Civil Aviation Administration - Denmark and on publication of the regulations issued by the Administration:

1. Reference documents

1.1 BL 1-12, Regulations on certificate of airworthiness and flight permit as well as airworthiness requirements, generally, latest edition.

1.2 BL 3-31, Non-approved helicopter landing areas, latest edition.

1.3 BL 7-1, Rules of the air, latest edition.

2. Definition

Power line inspection:

Flight at low altitude along aerial power lines with the purpose of inspecting or cleaning wires, pylons or installations in connection therewith.

3. Applicability

3.1 This BL lays down regulations for power line inspection with Danish registered helicopters.

3.2 This BL further lays down regulations for power line inspection with foreign registered helicopters operating under the terms of a Danish operating permit, cf. subsection 2 of § 4 of the Air Navigation Act.

3.2 The regulations in Part 9 shall only apply for flights within Danish territory.

4. Responsibility

4.1 The owner or user of the aircraft shall ensure that the regulations in Parts 5, 7 and 8 are observed and that the aircraft is equipped in accordance with the regulations in Part 6 of this BL.

4.2 The pilot-in-command shall ensure that the regulations in Part 9 are observed.

5. Permission

5.1 Power line inspection performed from helicopter may only be carried out by air operators holding a permission to do so from the Civil Aviation Administration - Denmark.

5.2 The permission is conditional on

- a. the applicant complying with the existing conditions in subsection 1 of § 7 of the Air Navigation Act for having an aircraft registered in this country,
- b. the applicant's head office/registered office being legally situated in Denmark,
- c. the applicant being either registered sole owner of or, in accordance with a lease agreement which must be approved by the Civil Aviation Administration - Denmark, having the exclusive right (full disposal) of at least one aircraft that is suitable for and in practice can be used for the type of flights in question (the principal aircraft),
- d. the presumption that the applicant is able to conduct the activities in a proper way, and
- e. the applicant not having considerable outstanding debt to the public by which is meant amounts in the order for DKK 50,000 and above, cf. subsection 1 of § 146 a. of the Air Navigation Act,

5.2.1 The lease agreement mentioned in paragraph 5.2 c. shall meet the following conditions:

- a. The lessee shall have the exclusive right to use the aircraft in his company (full disposal).
- b. The lease period shall be at least 2 years, and term of notice, if any, shall be at least 6 months.
- c. The lessee shall have the full financial responsibility for the operation and maintenance of the aircraft.
- d. The rent shall be a fixed amount independent on the number of hours for which the lessee operates aircraft.

Note: In addition to a fixed rent a small additional hourly charge may be agreed.

5.3 The following conditions shall apply to the permission:

- a. The company shall be run in accordance with the EU Regulations and Danish rules and regulations in force at any time.
- b. In the company only Danish registered aircraft may be used unless the Civil Aviation Administration - Denmark exceptionally authorises otherwise. Insurance shall have been effected for each of the aircraft used covering liability for injury to person or damages to property outside the aircraft, cf. § 130 of the Air Navigation Act.
- c. The company is subject to the Civil Aviation Administration - Denmark's inspection. The owner shall obey any order from the Civil Aviation Administration - Denmark and shall give the Civil Aviation Administration - Denmark of any information relevant to the exercise of the inspection. The Civil Aviation Administration - Denmark's inspectors shall have free access to the holder's premises, aircraft, documents etc. to the extent necessary for the exercise of the inspection. The Civil Aviation Administration - Denmark's personnel shall travel free with the company's aircraft when used in connection with the inspection.
- d. With a view to estimating the operator's financial situation the Civil Aviation Administration - Denmark may require the company's accounts submitted for inspection.
- e. Establishment of joint operation with other operators must not take place without permission from the Civil Aviation Administration - Denmark.
- f. If one of the principal aircraft, cf. paragraph 5.2 c., is not airworthy for a period of more than one month, the Civil Aviation Administration - Denmark shall be notified thereof.

- g. The Civil Aviation Administration - Denmark shall be notified in advance of changes in the company's legal status, including ownership.

5.4 The permission is granted for a determined period of time, normally 5 years, and may be made conditional on further conditions if considered necessary. The Civil Aviation Administration - Denmark may further make such amendments, within the duration of the permission, in the existing terms and conditions, including establish additional terms and conditions, as considered necessary to ensure that the company is run in a way that is proper and adequate to the general public.

5.5 The permission will be revoked if

- a. the holder so requests,
- b. the holder no longer meets the conditions for obtaining a permission, and the situation is not corrected within a time-limit specified by the Civil Aviation Administration - Denmark,
- c. the regulations in this BL or existing rules and regulations for the activities of the undertaking are substantially disregarded in connection with the exercise of the activities,
- d. it must be assumed that the holder is no longer able properly to maintain the authorised activities, or
- e. the company has discontinued operations for 12 months or has not commenced operations 12 months after the issue of the permission,
- f. if the holder goes into liquidation, is subjected to proceedings in bankruptcy or suspends payments. The estate or, in case of notified suspension of payment, the estate administration, may, however after permission from the Civil Aviation Administration - Denmark temporarily continue the activities with a view to winding up, realisation or financial reconstruction of the company,

- g. there are substantial changes in the ownership of the company, including changes in the board of directors and management which imply that the company no longer meets the existing conditions in subsection 1 of § 7 of the Air Navigation Act, to have an aircraft registered in this country,

- h. the majority shareholder, the main partner in a private company or the managing director is punished for violation of the Criminal Code or the Air Navigation Act, and the violation is estimated to endanger the company's access to conduct air navigation activities, or

- i. the holder has a considerable outstanding debt to the public by which is meant amounts in the order of DKK 100,000 or above, cf. subsection 2 of § 146 a of the Air Navigation Act.

6. Material

6.1 Stationary installations shall be approved in accordance with BL 1-12.

6.2 If a person in the helicopter is to operate equipment implying that one or more doors are dismantled or open, the person in question and the equipment shall be fastened in a fastening arrangement approved for the purpose by the Civil Aviation Administration - Denmark.

7. Aerodromes

7.1 Power line inspection performed from helicopter may be carried out from the following aerodromes:

- a. From public approved aerodromes.
- b. From non-approved helicopter landing areas, cf. BL 3-31.

8. Personnel

8.1 A pilot performing power line inspection from helicopter shall hold a commercial helicopter pilot licence and shall have obtained a flight time of at least 200 hours as pilot-in-command on helicopter.

8.1.1 By attestation in his personal log, the pilot shall be in a position to substantiate to have received the necessary instruction and practical training including all problems that may arise in connection with power line inspection, and all manoeuvres that may form part of the inspection.

8.2 The instruction and training mentioned in paragraph 6.1.1 shall be conducted by an air operator holding a permission to perform power line inspection, and shall be managed by a helicopter pilot having obtained a flight time of at least 200 hours as pilot-in-command on actual power line inspections.

9. Operational regulations

When performing power line inspection from helicopter outside densely built-up areas, including areas with weekend cottages and camping sites and large open-air assemblies of persons, the minimum flight level, cf. paragraph 5.2 b of BL 7-1, may be deviated from when necessary for performing the task, with the following limitations:

- a. The flight shall be planned and performed so that the surroundings are disturbed as little as possible. If it is noted that the flight causes inconvenience, reasonable measures shall be taken to limit the inconvenience.
- b. When planning and performing power line inspection the light conditions shall be taken into account so that the flight is not performed in strong backlight or so low visibility that the pilot cannot at any time see wires, pylons and other obstacles clearly.
- c. Public roads and railways must not be overflowed at levels below 15 m.

- d. During flight a helicopter must not come closer to persons, grazing livestock, buildings or vehicles than 25 m. This does not, however, apply if the persons in question or the owner of the livestock, buildings or vehicles have so permitted. In such case the distance may be reduced to the helicopter rotor diameter.
- e. During power line inspection the helicopter's flight level, speed and distance to power lines and pylons shall be adjusted so that the helicopter never risks touching power lines and pylons.
- f. The flight shall be performed so that emergency landing can always be made without risking injury to persons or damage to property on ground or water.
- g. When performing the flight only persons with a necessary function in this connection may be carried. Such personnel shall be thoroughly instructed about all situations of importance to safety. Personnel on training to such function may, however, be carried.

10. Exemption

The Civil Aviation Administration - Denmark may in quite exceptional cases grant exemption from the regulations in this BL if it is deemed compatible with the considerations on which the regulations in question are based.

11. Complaints

Complaints of the decisions taken by the Civil Aviation Administration - Denmark in pursuance of the regulations in this BL may be presented to the Ministry of Transport.

12. Punishment

12.1 Performance of flights without permission will be punished with fine or simple

detention in pursuance of subsection 4 of § 140 of the Air Navigation Act.

12.2 Violation of the conditions in paragraph 5.3 and conditions stated in pursuance of paragraph 5.4 is punishable under subsection 13 of § 149 of the Air Navigation Act with fine or simple detention.

12.3 Violation of the regulations in Parts 8 or 9 is punishable under subsection 8 of § 149 of the Air Navigation Act with fine, simple detention or imprisonment for up to 2 years.

12.4 Criminal liability may be imposed on companies etc. (legal persons) under the

rules of Chapter 5 of the Danish Criminal Code, cf. subsection 14 of § 149 of the Air Navigation Act.

13. Implementation

13.1 This BL comes into force on 1 August 1997.

13.2 At the same time BL 5-36, 1 edition of 1 January 1983 is repealed.

Civil Aviation Administration - Denmark, 13 June 1997

Ole Asmussen

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