

WHAT TO DO IF STOPPED BY LAW ENFORCEMENT

Every situation is different and every person's personality in responding to law enforcement is different, so giving and taking advice about how to handle a situation will vary. Still, a few general principles can apply to most situations and help any pilot be informed and prepared if approached by law enforcement while operating on the ramp of an airport during a flight that is wholly conducted within the United States.

Be courteous and respectful, remain calm. In general there is no requirement to answer any questions. If you do answer questions, do so truthfully and succinctly; do not volunteer information.

STEP 1: Ask the law enforcement official in charge about the nature of his or her inspection of your certificates and your aircraft, including what he or she is intending to do, why, and under what authority.

STEP 2: Request to see the credentials of the lead official and any other officials who are present and try to record the names, phone numbers, badge numbers, and agencies of those officials.

STEP 3: Law enforcement will most likely ask you to present your pilot and aircraft documents.

Note: FAA Regulations 61.3(l) and 61.51(i)(1) state that a person must present his or her certificates, authorizations, identification, and other documents required under Part 61 for inspection upon a request by the administrator, NTSB, or any federal, state, or local law enforcement officer. FAA Regulation 91.203 requires that effective airworthiness and registration certificates be carried on board the aircraft and that the airworthiness certificate be displayed at the cabin or cockpit entrance so that it is legible to passengers or crew, but this regulation does not create a right to board or enter the aircraft. And, 49 USC § 44103(d) requires that the operator make the registration certificate available for inspection when requested by a United States government, state, or local law enforcement officer. Pilot logbooks may not be required to be carried on board the aircraft and, therefore, you may not be required to present them for inspection during the stop by law enforcement officers.

Exercising privileges of recreational, private, commercial, or airline transport pilot certificates:

- Must have pilot certificate.
- Must have appropriate photo ID.
- Must have medical certificate.
- Does not have to have logbook in possession, but may be required to present logbook for inspection after receiving written request.

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Exercising privileges of sport pilot certificate:

- Must have pilot certificate.
- Must have appropriate photo ID.
- Must have valid U.S. driver's license or medical certificate.
- Must have evidence of required authorized instructor endorsements.

Exercising privileges of student pilot certificate:

- Must have student pilot/medical certificate with appropriate endorsements.
- Must have appropriate photo ID.
- Must have logbook with appropriate endorsements.

Exercising privileges of glider or balloon rating:

- Must have pilot certificate.
- Must have appropriate photo ID.

Note: Law enforcement may ask for other documents than those specified under FARs. For example, existing guidance by CBP to law enforcement incorrectly suggests that pilots must present for inspection a flight's weight and balance calculations, aircraft logbooks, etc. AOPA is working to correct this misinformation.

STEP 4: The law enforcement officials may ask to search your aircraft or state that they are going to inspect or search the aircraft and its contents visually, physically, or with dogs.

Consider responding with the following statements:

- "I do not consent to this search."
- "If you remove or disassemble any part of this aircraft, including inspection plates, you may be rendering this aircraft unairworthy."

STEP 5: If you are a member of AOPA Pilot Protection Services, and it is between 8:30 a.m. and 5:00 p.m. Eastern time during a business day, call 800-872-2672 or 301-695-2257 to speak with a Legal Services Plan counselor.

STEP 6: You have the right to record the event with a camera. However, law enforcement personnel may react negatively to being photographed or recorded in the conduct of their business and may object. Note the location of any security cameras on the airport ramp. Make detailed written notes during the event or as soon after as practical. Identify any other persons present who may be witnesses to the inspection and search.

STEP 7: Check your emotional status! Are you able to continue your flight safely after such an ordeal?

STEP 8: Provide AOPA with information about your situation and experience by calling 800-872-2672 or using the online reporting form (www.aopa.org/enforcementform).

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PILOT PROTECTION SERVICES

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Visit aopa.org/pps or call 800-872-2672