

1. Title

Aircraft Use

2. Rule and Regulation

Sec. 1 Official Use. The U. T. System aircraft or any leased or chartered aircraft will be used only in the conduct of official State business and only in compliance with the travel regulations contained in [Section 2205.001 et seq.](#), *Texas Government Code* and any other laws applicable to the use of state-owned or leased aircraft.

Sec. 2 Passengers. In accordance with [Texas Attorney General Opinion H-1089](#), the Board of Regents finds that attendance of the spouses of members of the Board of Regents and officials of the Office of the Board of Regents; spouses of the Executive Officers and the Administrative Officers of the U. T. System; and spouses of the presidents of the institutions of the U. T. System at official functions may be in furtherance of official state business. Whether the spouse's attendance is in furtherance of official state business is dependent in part on the nature of the employee's office, the spouse's role, the purpose of the particular trip, and the spouse's connection with that purpose. Examples of instances in which the spouse's attendance is in furtherance of official state business include, but are not limited to, attendance at U. T. System Board of Regents' meetings when there is an official function hosted by an institution, and retirement functions honoring long-time key employees of the U. T. System or the institutions.

Sec. 3 Justification for Passenger Use. The U. T. System aircraft or leased or chartered aircraft will be used to carry passengers only when the destination is not served by commercial carriers, or the time required to use such a carrier interferes with other obligations, or the number of authorized passengers traveling makes the use of state aircraft cost effective.

Sec. 4 Scheduling Flights for Regents. Requests for use of the U. T. System aircraft and leased or chartered aircraft by members of the Board of Regents will generally be arranged through the General Counsel to the Board. Leased or chartered aircraft will be provided when the U. T. System aircraft is not available. If circumstances occur that require flight arrangements for Board members to be made through the Chancellor or his or her

designee, the General Counsel to the Board will be advised of such arrangements by copy of the completed flight reservation form.

Sec. 5 Priority for Use. Except for requests by the U. T. System Board of Regents, all flights of U. T. System aircraft or requests for leased or chartered aircraft will be requested from and approved in advance by the Chancellor or his or her designee. Up until 24 hours before the flight is scheduled to begin, requests for the use of U. T. System aircraft will be approved upon the following order of priority:

1. Chairman of the U. T. System Board of Regents
2. A Vice Chairman of the U. T. System Board of Regents (in order of request)
3. Members of the U. T. System Board of Regents (in order of request)
4. Chancellor and Executive Vice Chancellors (in order of request)
5. Vice Chancellors and other System officers (in order of request)
6. Institutional Presidents (in order of request)
7. Other staff of the U. T. System Administration (in order of request)
8. Other faculty and staff personnel of the institutions of the U. T. System (in order of request)

Sec. 6 Assignment of Aircraft. The following steps will be taken for assigning the aircraft.

- 6.1 During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft has not been previously scheduled, the Chancellor will assign the U. T. System aircraft to any person on the priority list on a first-come first-served basis without regard to the order of priority.
- 6.2 If a U. T. System aircraft flight that is scheduled before the beginning of the 24-hour period is cancelled, insofar as practicable, the Chancellor will assign the aircraft to the person requesting the aircraft that is next in order of priority. If a U. T. System aircraft flight that is scheduled during the 24-hour period is cancelled, the Chancellor or his or her designee will assign the aircraft to the next person requesting it on a first-come first-served basis without regard to the order of priority.

- Sec. 7 Use by Other State Agencies. In accordance with the expressed intent of the Legislature that state-owned aircraft be utilized by all agencies of the state, use of U. T. System aircraft by other state officials and state personnel on official state business is encouraged and will be authorized by the Chancellor on a space available and first-come first-served basis after the individuals on the priority list indicated in Section 6 above.
- Sec. 8 Direction of Pilots. The pilots of U. T. System aircraft will report to and act under the direction of the Chancellor or his or her designee. Regents may direct an itinerary or passenger change to an approved flight, provided that the purpose of the flight and the passengers on the flight are in accordance with [Section 2205.036](#) of the *Texas Government Code*. Either the Chancellor or his or her designee must approve all other requests that would substantially change an approved itinerary or passengers. Notwithstanding the foregoing sentence, in the event of an emergency, the pilot may authorize a change of itinerary or passengers. All flights must be approved by the Chancellor or his or her designee.
- Sec. 9 Rates Charged. Charges to the institutions for use of the U. T. System aircraft shall be equal to the rate approved by the Texas Department of Transportation for interagency aircraft services.
- Sec. 10 Flight Regulations. The U. T. System aircraft shall be operated at all times in accordance with the provisions of the Federal Aviation Agency approved flight manual and the University Flight Operations Procedures, which is in accordance with the Federal Aviation Act (as amended) and Civil Air Regulations. *Texas Government Code Chapter 2205* gives the Texas Department of Transportation oversight of specific aspects of maintenance and operations for U. T. System aircraft.
- Sec. 11 Control of Aircraft in Flight. Under Federal Regulations, the pilot of any aircraft is responsible for and is the final authority as to the flight operation of that aircraft. All decisions concerning the flight itself will rest solely with the pilot. However, the pilot should keep the priority person informed.
- Sec. 12 Minimum Number of Pilots. Two pilots are required for each scheduled passenger flight used in conjunction with conducting official university business. This Section is applicable to U. T.

System aircraft, leased aircraft, chartered flights, privately owned aircraft, and donor aircraft.

Sec. 13 Reservation Form. All flight reservations for the U. T. System aircraft shall be entered on a U. T. System Aircraft Reservation form which should include, but is not necessarily limited to, the following:

1. departure/estimated arrival, date, time, and place,
2. name of each passenger,
3. destination(s) including intermediate stops, and
4. purpose of trip for each passenger.

Sec. 14 Passenger Manifests. For each flight the pilot will complete a Passenger Manifest showing the following:

1. flight number and duration,
2. date,
3. aircraft number,
4. flight plan,
5. destination and intermediate stops of flight,
6. names of pilot and co-pilot,
7. passenger information
  - name of each passenger,
  - department or institution.

Sec. 15 Record Keeping and Reports. The approved reservation requests forms and post-flight passenger manifests will serve as the official record of flights.

15.1 The U. T. System Office of Business Affairs shall prepare and submit the following reports:

(a) Travel Log. In accordance with *Texas Government Code* [Section 2205.039](#), the passenger manifests for the month will be sent to the Texas Department of Transportation each month following the month in which travel occurred.

(b) Reports to the Board. Passenger manifests for U. T. System aircraft, Texas Department of Transportation aircraft flown on behalf of U. T. System, privately owned aircraft, leased, and charter aircraft, including donor or chartered aircraft paid for by outside entities on behalf of the university, will be sent to the General

Counsel to the Board of Regents twice a year in April and October for distribution to the Finance and Planning Committee of the U. T. System Board of Regents for review. For donor aircraft, passenger and donor names may be omitted consistent with State law, but will be verbally reported if asked.

(c) Annual Aircraft Use Form. In accordance with *Texas Government Code* [Section 2205.041](#) passenger manifests for the year and the aircraft costs summary will be submitted to the Legislative Budget Board with copies to the General Counsel to the Board of Regents and the Chancellor by November 15th.

Sec. 16 Leased and Privately Owned Aircraft. U. T. System employees holding a private or commercial aircraft license may not operate leased or privately owned aircraft in conjunction with official university business unless authorized by the Chancellor or his or her designee.

Sec. 17 Chartered Aircraft. The following steps will be taken when securing charter aircraft.

17.1 In accordance with [Section 2205.035](#) of the *Texas Government Code*, the Texas Department of Transportation must provide advance approval of charter flights secured with appropriated funds.

17.2 Charter operators must meet U. T. System insurance and operator requirements.

17.3 If more than one of the priority persons listed in Sec. 5 requests the use of the U. T. System aircraft more than 24 hours before the flight is scheduled to begin, the Chancellor will assign the U. T. System aircraft to the person with the highest priority, and will, insofar as necessary and practicable, provide leased aircraft or a chartered flight for the use of the person or persons with the lower priority, if scheduled commercial aircraft will not permit the trip.

17.4 During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft has been previously scheduled and an additional request for its use is made by a person on the priority list, the Chancellor will, insofar

as necessary and practicable, provide a leased aircraft or a chartered flight for the use of the person making the subsequent request.

**3. Definitions**

None

**4. Relevant Federal and State Statutes**

*Texas Government Code, [Chapter 2205](#) – Aircraft Pooling*

**5. Relevant System Policies, Procedures, and Forms**

None

**6. Who Should Know**

Administrators

**7. System Administration Office(s) Responsible for Rule**

Chancellor's Office

**8. Dates Approved or Amended**

July 11, 2012

May 12, 2011

Editorial amendments to Sec. 6 and new Sec. 16 made April 27, 2011

Editorial amendment to Sec. 15.1(b) made September 17, 2010

Editorial amendment to Sec. 15.1 made September 1, 2010

December 10, 2004

**9. Contact Information**

Questions or comments regarding this Rule should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)