



U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

March 27, 2017

Exemption No. 7897I
Regulatory Docket No. FAA-2002-12728

Mr. Douglas Carr
Vice President
National Business Aviation Association, Inc.
1200 G Street NW, Suite 1100
Washington, DC 20005

Dear Mr. Carr:

This letter is to inform you that we have granted your petition to extend and amend Exemption No. 7897, as amended. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

The Basis for Our Decision

By letter dated March 9, 2017, you petitioned the Federal Aviation Administration (FAA) on behalf of the National Business Aviation Association (NBAA) for an extension of Exemption No. 7897, as amended. That exemption from §§ 91.409(e) and 91.501(a) of Title 14, Code of Federal Regulations (14 CFR) allows NBAA to operate small civil airplanes and helicopters of United States registry under the operational rules of §§ 91.503 through 91.535 and to select an inspection program as described in § 91.409(f).

You requested the FAA remove Condition and Limitation No. 6 so the exemption would be valid for operations outside of the United States. In your letter, you stated that this exemption existed for many years before Condition and Limitation No. 6 was included. Additionally, you further stated that you were not aware of any instances of issues caused by operations conducted under § 91.501(b)(5).

AFS-17-113947-E

Our Decision

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment of the exemption would not set a precedent and any delay in acting on this petition would be detrimental to NBAA.

The FAA has determined that the removal of Condition and Limitation No. 6 is warranted. While the FAA does not prohibit NBAA from exercising the privileges of this exemption outside of the United States or its territories, the regulatory relief provided does not absolve operators of their obligation under 14 CFR part 91, subpart H, including § 91.703, which states:

1. When over the high seas, comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with §§ 91.117(c), 91.127, 91.129, and 91.131;
2. When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force.

The FAA has determined that the justification for the issuance of Exemption No. 7897, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. §§ 106(f), 40113 and 44701, which the FAA Administrator has delegated to me, I grant the National Business Aircraft Association, Inc. (NBAA) an exemption from 14 CFR §§ 91.409(e) and 91.501(a) to operate small civil airplanes and helicopters of United States registry under the operational rules of §§ 91.503 through 91.535 and to select an inspection program as described in § 91.409(f), subject to the conditions and limitations listed below.

Conditions and Limitations

1. Only those operations that are listed in § 91.501(b)(1) through (7) and (9) may be conducted under the authority of this exemption. Those operations must be conducted in compliance with the operating rules in §§ 91.503 through 91.535. However, helicopter operations are not required to comply with the flight altitude rules of § 91.515(a), provided the operations comply with the minimum safe altitude requirements in § 91.119. Aircraft operated under the authority of this exemption must use an inspection program listed in § 91.409(f).
2. No person may operate an aircraft under this exemption unless the appropriate Flight Standards District Office (FSDO) has been -
 - a. Notified that the operation will be conducted under the terms of this exemption; and
 - b. Provided with a copy of the time-sharing, interchange, or joint ownership agreement under which each aircraft is being operated, if appropriate. Each

agreement must include the aircraft registration number of each aircraft involved.

3. No person may operate an aircraft under this exemption unless an entry is made in the aircraft logbook showing the provisions of part 91, subpart F, under which it is being operated.
4. No person may operate an aircraft under the authority of this exemption unless an inspection program has been submitted to and approved by the appropriate FSDO.
5. This exemption does not authorize the conduct of any operation required to be conducted under the rules of part 135.

The Effect of Our Decision

Our decision extends the termination date of Exemption No. 7897, as amended, to March 31, 2019, unless sooner superseded or rescinded.

Sincerely,

/s/

John Barbagallo

Deputy Director, Flight Standards Service