



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

**NOTICE
N 8700.47**

Effective Date:
8/10/06
Cancellation Date:
8/10/07

**SUBJ: LETTERS OF DEVIATION AUTHORITY FOR FLIGHT TRAINING AS
PERMITTED BY PART 91, SECTION 91.319(H)**

1. PURPOSE. This notice provides information about the issuance of a Letter of Deviation Authority (LODA) for pilot training. These deviations are issued by Flight Standards field inspectors using the automated Operations Safety System (OPSS) in accordance with Title 14 of the Code of Federal Regulations (14 CFR) part 91, § 91.319(h).

2. DISTRIBUTION. This notice is distributed to the division level in the Flight Standards Service in Washington headquarters; to the branch level in the regional Flight Standards divisions; to the Flight Standards District Offices (FSDO); and to the Regulatory Standards Division at the Mike Monroney Aeronautical Center. This notice is also distributed electronically to the division level in the Flight Standards Service in Washington headquarters and to all regional Flight Standards divisions and district offices. This information is also available on the Federal Aviation Administration's (FAA) employee Web site at <http://fsims.avr.faa.gov/fsims/fsims.nsf/> and on the FAA Web site at http://www.faa.gov/library/manuals/examiners_inspectors/8700/.

3. BACKGROUND.

a. Section 91.319(a) prohibits the carriage of persons or property for compensation or hire in aircraft having experimental certificates. This includes the rental of these aircraft for training purposes. For many years, the FAA has recognized the value of specialized training that may only be available in aircraft holding experimental airworthiness certificates. In the past, the FAA had issued exemptions to § 91.319(a) to allow owners to rent their aircraft for the purpose of specialized training. To reduce the burden on operators, the FAA revised part 91 on July 27, 2004 to permit the issuance of a deviation to provide for specialized pilot training. This rule change permits applicants with FAA-accepted training programs to receive a LODA. To provide a streamlined and standardized process for the issuance of training deviations, the FAA has developed a LODA located in the OPSS.

b. These flight training deviations may be issued by aviation safety inspectors (ASI) using the guidance in this notice. All the deviations must be issued using the LODA template A115, Deviation Authority for Conducting Flight Training in Experimental Category Aircraft, found in the part 91 database of the OPSS. Use of the OPSS will ensure that all deviations have the correct special conditions and provide for national tracking of the deviations. Training deviations will be issued only for training that cannot be conducted in aircraft holding standard airworthiness certificates. Training such as aerobatics, tail wheel transition, or high

performance/complex transition can be conducted in aircraft holding standard airworthiness certificates and are therefore not acceptable. Acceptable training is:

- (1) Experimental aircraft specific make and model initial training.
- (2) Experimental aircraft specific make and model recurrent training.
- (3) Jet unusual attitude and upset training.
- (4) Aircraft specific instrument competency training.
- (5) Experimental aircraft specific make and model flight review training.
- (6) Experimental aircraft specific make and model formation training.
- (7) Other specific training approved by the General Aviation and Commercial Division, AFS-800.

4. REQUIREMENTS. An applicant applying to conduct specialized training in an experimental aircraft must submit an application package to the FSDO for the district in which the aircraft is based. The application package must include a letter of application identifying the name and address of the applicant, the name and contact information for the person who will be responsible for the operation, details of the type of training, and the specific aircraft make and model to be used, including copies of the aircraft airworthiness certificate including the FAA-issued operating limitations, and a training program as outlined in paragraph 5.

5. PROCEDURE.

a. When an applicant submits an application to the local FSDO, the FSDO will review the application and verify that the application is limited to one or more of the types of training listed in paragraph 3 above. No other training courses will be accepted. The FSDO will then review the training program(s) to ensure that they include for each course:

- (1) A description of each type of audiovisual aid, mockup, chart, aircraft component, and other special training aids used for ground training;
- (2) A description of each flight simulator or flight training device used for training;
- (3) A description of any special equipment used for each phase of training;
- (4) The minimum qualifications and ratings for each instructor assigned to ground or flight training; and
- (5) A training syllabus that includes the following information:
 - The prerequisites for enrolling in the ground and flight portion of the course, to include the pilot certificate, rating and endorsements (14 CFR part 61, § 61.31)

tail wheel, high performance, complex), training, pilot experience, and pilot knowledge

- A description of each lesson, including the lesson's objectives, standards, and planned time for completion
- A description of what the course is expected to accomplish with regard to student learning
- The expected accomplishments and the standards for each stage of training

b. If the application and training program are acceptable, the FSDO will review the experimental aircraft and its operating limitations to ensure that the correct limitations have been issued and that the proposed training will not be contrary to any limitation other than those covered by § 91.319.

6. ISSUANCE OF THE AUTHORIZATION. After completing the review in accordance with paragraph 5 above, the FSDO personnel will enter the necessary information into the OPSS to issue template A115 for the LODA. The operator will be entered as a 91J operator. The operator information will be used to create a 91J operator through the "Maintain Operator Status" function. Operator information, including address, responsible person (91J-training), and specific aircraft information will be added to the database by using "Maintain Operations Specifications" under the Office pull-down menu. After the information is entered in accordance with the OPSS guidance, templates A001, A004, and A115 will be selected and completed in the OPSS workspace. The three pages can then be "signed," activated, and printed. The completed three-page LODA can then be signed by both the FAA and the applicant and issued to the applicant. Questions concerning the use of OPSS should be directed to the OPSS office at (405) 954-7272 or by e-mail to 9-awa-afs-opssprob@faa.gov.

7. DISPOSITION. This information will be incorporated into FAA Order 8700.1, General Aviation Operations Inspector's Handbook. Questions concerning policies and procedures for these and other experimental aircraft issues may be addressed to AFS-800 at (202) 267-8212.

ORIGINAL SIGNED BY
CAROL E. GILES (for)

James J. Ballough
Director, Flight Standards Service