



Federal Aviation Administration

Memorandum

Date: October 02, 2014

To: James Viola, Manager, General Aviation and Commercial Division, AFS-800
All Manufacturing Inspection Offices
All Manufacturing Inspection District Offices
All Flight Standards Offices

From:  Susan J. M. Cabler, Acting Manager, Design, Manufacturing, & Airworthiness Division, AIR-100

Prepared by: Grant Schneemann, Airworthiness Certification Section, AIR-113

Subject: Approval of Deviation to FAA Order 8130.2G, Airworthiness Certification of Aircraft and Related Products, Sections 8 and 9

Memo No.: AIR 100-14-110-DM19

This memorandum grants a deviation to FAA Order 8130.2G, Sections 8 and 9, that was requested by the General Aviation and Commercial Division, AFS-800. AFS-800 published Advisory Circular (AC) 90-116, *The Additional Pilot Program for Phase I Flight Test*, on September 23, 2014. This AC allows an additional pilot on board an aircraft during Phase I flight testing for aircraft certificated as Experimental Light-Sport and Experimental Amateur-Built. The following language will be used when issuing their specific operating limitations:

Section 8, Paragraph 4084.c.(6)

(6) Flight testing required for phase I operations or as a result of the incorporation of a major change will be conducted in the assigned test area. Flight test operations will only be conducted under VFR day conditions. Unless operating in accordance with Advisory Circular (AC) 90-116, *The Additional Pilot Program for Phase I Flight Test*, during Phase I flight testing, only the minimum crew necessary to fly the aircraft during normal operations may be on board. This aircraft must be operated for at least _____ hours in the assigned geographic area. Following the satisfactory completion of the required number of flight hours in the flight test area, the pilot must certify in the aircraft records that the aircraft has been shown to comply with 14 CFR § 91.319(b) with a statement that includes the following information: **“I certify that the prescribed flight test hours have been completed and the aircraft is controllable throughout its normal range of speeds and throughout all maneuvers to be executed, has no hazardous operating characteristics or design features, and is safe for operation. The flight test was completed under the following conditions: maximum operating weight, style/set of wing or sail, maximum**

demonstrated airspeed, and minimum demonstrated stall speed.” All major changes or modifications will be listed in the aircraft records and the compliance statement will be restated with the changes listed. The aircraft may not be operated in excess of the weights and speeds demonstrated.

Note: An LSA-issued original experimental certificate or one issued as a result of the incorporation of a major change should be limited to operations within an assigned flight test area for a minimum of 5 hours for all classes of LSA.

Section 9, Paragraph 4104.b.(10)

(10) Unless operating in accordance with Advisory Circular (AC) 90-116, *The Additional Pilot Program for Phase I Flight Test, during Phase I flight testing*, only the minimum crew necessary to fly the aircraft during normal operations may be on board.

This deviation will be incorporated into the next revision to the order.

If you have any questions, please contact the Airworthiness Certification Section, AIR-113, at (202) 267-1575.