NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.433

National Policy

Effective Date:
8/21/17

Cancellation Date:
8/21/18

SUBJ: Part 137 Guidance and Advisory Circular Update

1. Purpose of This Notice. This notice provides guidance to Federal Aviation Administration (FAA) aviation safety inspectors (ASI) concerning Title 14 of the Code of Federal Regulations (14 CFR) part 137 operators. It is the intent of this notice to clarify former issues found in guidance and to include information on the use of Unmanned Aircraft Systems (UAS) in agricultural aircraft operations. This notice will help ensure uniform application of policy through guidance.

2. Audience. The primary audience for this notice is Flight Standards (AFS) ASIs who have oversight, surveillance, and certification responsibilities of part 137 operators. The secondary audience includes personnel involved in part 137 operations and FAA divisions in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at http://fsims.avs.faa.gov. Operators can find this notice on the FAA's website at http://fsims.faa.gov. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Background. In May 2015, a U.S. corporation was granted an exemption to operate a UAS in the National Airspace System (NAS) for agricultural aerial application operations. The same corporation later became the first part 137 UAS (55 pounds or more) certificated operator in the United States. In August 2016, a new rule, 14 CFR part 107, became effective allowing commercial operations of small UAS in the NAS. These significant events warranted the General Aviation and Commercial Division (AFS-800) to update all associated part 137 guidance in FAA Order 8900.1 and Advisory Circular (AC) 137-1, Certification Process for Agricultural Aircraft Operators, for UAS inclusion.

5. Updated Documents. This change affects the following AC and Order 8900.1 sections, which will be published as of the date this notice is published.

- AC 137-1, Certification Process for Agricultural Aircraft Operators;
- Volume 2, Chapter 8, Section 1, The Certification Process of a Part 137 Operator;
- Volume 2, Chapter 8, Section 2, Introduction to Airworthiness Issues for Part 137;

- Volume 2, Chapter 8, Section 3, Evaluate Airworthiness Issues for Part 137;
- Volume 3, Chapter 52, Section 1, Introduction to Part 137 Related Tasks;
- Volume 3, Chapter 52, Section 2, Evaluate a Part 137 Congested Area Operations Plan;
- Volume 5, Chapter 11, Section 1, Qualify a Pilot in Command;
- Volume 6, Chapter 6, Section 1, Conduct a Part 137 Base Inspection;
- Volume 6, Chapter 6, Section 2, Surveillance of a Part 137 Dispensing Operation;
- Volume 6, Chapter 6, Section 3, Surveillance of a Part 137 Satellite Site/Facility; and
- Volume 6, Chapter 6, Section 4, Monitor a Part 137 Congested Area Operation.

6. Policy Changes:

- Adds guidance to certify an applicant and conduct surveillance of part 137 operators using UAS in aerial application operations.
- Knowledge and skills test requirements and applications. Refer to Order 8900.1, Volume 5, Chapter 11, Section 1, paragraph 5-1739, Procedures.
- A Letter of Authorization (LOA) A503 will no longer be required to be issued for a congested area plan (CAP). Refer to Order 8900.1, Volume 3, Chapter 52, Section 2, paragraph 3-4265, Procedures.
- Additional edits have also been made in response to numerous FSIMS inquiries received concerning part 137 guidance.

7. Upcoming Updates. Within the next 12 months, a new section will be added to Order 8900.1, Volume 3, Chapter 18, Operations Specifications, for the part 137 automated authorizations in the Web-based Operations Safety System (WebOPSS).

8. Action. Inspectors should be aware of these changes with regard to utilizing WebOPSS and the Enhanced Flight Standards Automation System (eFSAS) when entering UAS as aircraft.

a. LOA A503 Being Decommissioned. The Commercial Operations Branch (AFS-820) is eliminating the issuance of LOA A503 to part 137 operators for a CAP. Part 137 operators will continue to apply for a CAP and receive approval from the responsible AFS office (having oversight responsibilities for the area the CAP is being conducted) before commencing operations. LOA A503 is being decommissioned to alleviate the burden on stakeholders, and no legal requirements existed for its use. It created an added burden to the stakeholders as well as cumbersome coordination between field offices.

(1) ASIs with oversight responsibilities of part 137 operators should check WebOPSS for any expired LOA A503 held for their operators and archive the expired LOA.

(2) As of the date this notice is published, ASIs with oversight responsibilities of part 137 operators will not issue any LOA A503 for an approved CAP.

(3) Any LOA A503 still active as of the date this notice is published should remain active until the LOA expires and then be archived.

b. New UAS Designations. New, generic designations have been made for noncertificated make, model, and series (M/M/S) entries into WebOPSS and eFSAS. The previous terms were

operationally based, and the current terms will be consistent with other aircraft entries. Additionally, there are too many noncertificated UAS entries for the databases to keep up with. The previous designations will be deleted upon publication of this notice. Any type certificated (TC) UAS will be added into both programs, and should be used by ASIs upon completion of their Type Certificate Data Sheet (TCDS).

(1) Noncertificated UAS. There are 14 generic M/M/S designations. Seven listed as small UAS (which designates unmanned aircraft (UA) that weigh less than 55 pounds) and 7 listed as UAS (which designates UA that weigh 55 pounds or more).

(a) Small UAS:

- SUAS-NONCERT-AIRSHIP.
- SUAS-NONCERT-HYBRID.
- SUAS-NONCERT-ME AIRPLANE (multiengine fixed-wing).
- SUAS-NONCERT-MULTIROTOR (two or more main rotors, quad copter, hexacopter, etc.).
- SUAS-NONCERT-PWR LIFT.
- SUAS-NONCERT-ROTOR (single main rotor).
- SUAS-NONCERT-SE AIRPLANE (single-engine fixed-wing).

(b) UAS:

- UAS-NONCERT-AIRSHIP.
- UAS-NONCERT-HYBRID.
- UAS-NONCERT-ME AIRPLANE (multiengine fixed-wing).
- UAS-NONCERT-MULTIROTOR (two or more main rotors, quad copter, hexacopter, etc.).
- UAS-NONCERT-PWR LIFT.
- UAS-NONCERT-ROTOR (single main rotor).
- UAS-NONCERT-SE AIRPLANE (single-engine fixed-wing).

(2) For TC’d UAS:

(a) If the UAS is a TC’d aircraft, enter the M/M/S from the drop-down list as you would a manned aircraft.

(b) If the UAS is not contained in the drop-down list in WebOPSS under “CHDO – Maintain Operator Data – Aircraft, Add,” send an email request to AFS-WebOPSS@faa.gov.

(c) Provide UAS M/M/S and TCDS, if possible. (Information can be provided by the user or the help desk.)

c. Part 137 LOA A003, Airplane/Aircraft Authorization. When an ASI populates LOA A003 for an existing operator adding a UAS or a newly-certificated operator, the operator must provide the ASI with the registration and serial number for the UAS and the type of UAS

(14 designations listed above). In WebOPSS, when populating the required LOA A003 paragraph:

(1) In the left navigation area, under "CHDO – Maintain Operator Data," click "Aircraft." The "Operator—Aircraft" page appears.

(2) Click "Add." The "Add Aircraft" wizard appears.

(3) Select the manufacturer from the drop-down list and select "Unmanned Aircraft Systems (UAS)."

(4) Select the model/series from the drop-down list and select one of the 14 listed UAS designations.

(5) Enter the registration number.

(6) Enter the serial number.

(7) Select "CFR part (137)."

(8) Type "section 119," choose "119.1(e)(4)(i) – Aerial Application."

(9) Under "Kind of Operation," choose "Aerial Application."

(10) Under "Configuration," choose "UAS less than 55lbs" or "UAS 55lbs and over."

(11) Under "Class of Operation," choose "UAS less than 55lbs" or "UAS 55lbs and over."

(12) Under "En Route Type," choose "VFR."

d. Part 137 LOA A005, Exemptions and Deviations. In WebOPSS, when an operator holds an exemption for UAS operations, populate LOA A005 with the available exemption from the drop-down list.

(1) If the exemption has not been populated in the drop-down list, send an email request to AFS-WebOPSS@faa.gov.

(2) Provide the exemption number so it can be requested from FAA Rulemaking. A copy does not need to be provided. (Information can be provided by the user or the help desk.)

e. UAS Entries for eFSAS. When an ASI populates a record in the Program Tracking and Reporting Subsystem (PTRS) for certification or surveillance, follow these steps:

(1) In the "Make/Model/Series" block, from the drop-down menu, select one of the 14 generic UAS designations listed.

(2) If an N registration number is assigned to the UA, which can be verified in the Multi-System Access Tool for Aircraft (MSAT-B), enter the number in the "Aircraft

Registration #" block. Otherwise, enter the aircraft registration, such as the "FA" number, in the "Miscellaneous" field.

(3) For the airman number, enter the remote pilot in command's (PIC) small UAS certificate number. If the remote PIC does not possess a certificate issued under part 107, or if the certificate number is unknown, leave it blank. Do not enter the pilot's 14 CFR part 61 certificate number, unless the pilot/operator has been granted, through their exemption, the ability to operate the UAS with a part 61 certificate.

(4) When populating the enhaced Vital Information Database (eVID):

(a) Click on the "Aircraft" panel from the "Air Operator Main Records."

(b) Select "Add New Aircraft," then "CFR part (137)."

(c) Select the M/M/S from the drop-down list and select one of the 14 listed UAS designations (noncertificated), or if the UAS is TC'd, select as you would a manned aircraft.

(d) If the UAS is not contained in the drop-down list, send an email to AFS600-FSAS-FAQ@faa.gov.

(e) Provide the UAS M/M/S and TCDS, if possible.

Note: The previously used UAS codes are being removed from the database as of the publication of this notice and will no longer be used. Any records still in "open" status containing one of the previously used codes needs to be removed and updated with one of the new 14 generic designations listed above.

9. Disposition. We are incorporating the information in this notice into Order 8900.1. Direct questions concerning the information in this notice to the Commercial Operations Branch (AFS-820) at 202-267-1100.



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