

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.20

National Policy

Effective Date:
09/20/2007

Cancellation Date:
09/20/2008

SUBJ: Issuance of New Chapter 160 to Order 8700.1 Volume 2

- 1. Purpose of this Notice.** This notice provides guidance for all principal inspectors (PI) and other assigned aviation safety inspectors (ASI) for approving a North American Free Trade Agreement (NAFTA) application package.
- 2. Audience.** The primary audience for this notice is Flight Standards District Office (FSDO) PIs and ASIs. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters.
- 3. Where You Can Find This Notice.** Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avr.faa.gov>. Operators may find this information on the Federal Aviation Administration's (FAA) Web site at: http://www.faa.gov/library/manuals/examiners_inspectors/8900.
- 4. Background.** NAFTA came into force on January 1, 1994; it was ratified by Canada, the United Mexican States, and the United States of America. NAFTA opened up cross-border trade in Specialty Air Services (SAS), defined in Article 1213 of NAFTA as aerial mapping, aerial surveying, aerial photography, forest fire management, firefighting, aerial advertising, glider towing, parachute jumping, aerial construction, heli-logging, aerial sightseeing, flight training, aerial inspection and surveillance, and aerial spraying services.
 - a.** Meetings of government officials led to the issuance of a joint statement establishing working groups "to discuss standards and regulations pertaining to specialty air services" and began a process for the "smooth implementation" of SAS operations. Representatives from the three civil aviation authorities formed a steering committee to lead the process. Technical experts from each country constituted working groups covering the areas of airworthiness, flight operations, and personnel licensing. This document identifies the processes resulting from the efforts of the steering committee and working groups.
 - b.** The FAA General Aviation and Commercial Division, AFS-800, is responsible for issuing NAFTA policy and procedures. The Dallas/Fort Worth International Field Office is responsible for issuing NAFTA authorizations and registrations.

5. Disposition. We will permanently incorporate the information in this notice in FSIMS before this notice expires. Direct questions concerning this notice to the Commercial Operations Branch, AFS-820 at (202) 267-8212.

ORIGINAL SIGNED by
Carol Giles for

James J. Ballough
Director, Flight Standards Service

Appendix A. Issuance of New Chapter 160 to Order 8700.1, Volume 2**CHAPTER 160 PROCEDURES FOR APPROVING A NAFTA PACKAGE****Section 1 Background****1 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY
CODE: 1220.**

2 OBJECTIVE. This task provides the necessary guidance to Flight Standards District Office (FSDO) managers, supervisors, and aviation safety inspectors (ASI), to examine and process a North American Free Trade Agreement (NAFTA) package. The guidance is derived from Title 14 of the Code of Federal Regulations (14 CFR) part 375, Navigation of Foreign Civil Aircraft within the United States, and is reflected in the current edition of Advisory Circular (AC) 00-60, North American Free Trade Agreement and Specialty Air Services Operations. Successfully finishing this task will result in the proper completion of the NAFTA package for a U.S. operator and the assertion of a proper package for a Canadian and/or Mexican operator working in the United States.

3 GENERAL.

A. Refer to the glossary (Figure 160-1) for the proper terminology and definitions for each operation to be used for this process. Figure 160-3 identifies the participating civil aviation authorities (CAA) for Transport Canada Civil Aviation (TCCA), the Dirección General de Aeronáutica Civil (DGAC), and the Federal Aviation Administration (FAA). Operators are responsible for complying with their country of origin's regulations and the regulations of the country in which they will conduct operations. FAA's General Aviation and Commercial Division, AFS-800, is responsible for NAFTA Specialty Air Services (SAS) policy and procedures. The Dallas/Forth Worth International Field Office is responsible for issuing NAFTA SAS authorizations and registrations.

B. NAFTA identifies 14 SAS operations. The three CAAs may approve other operations that they determine to have similar characteristics. The SAS operations specified by the NAFTA are:

- 1) Aerial Advertising—Operating an aircraft for skywriting, banner towing, displaying airborne signs, dispensing leaflets, and making public address announcements.
- 2) Aerial Construction—Operating a helicopter to conduct external-load operations for construction, hoisting utilities, constructing powerlines, and erecting special-purpose towers.
- 3) Aerial Inspection and Surveillance—Operating an aircraft to conduct aerial observation and patrol surface events and objects.
- 4) Aerial Mapping—Operating an aircraft to map using a camera or other measuring and recording devices.

5) Aerial Sightseeing—Operating an aircraft to provide recreation to passengers that originates and terminates at the same airport or the same aerodrome.

6) Aerial Spraying—Operating an aircraft to disperse products for the benefit of agriculture, horticulture, public health, or forestry. This does not include the dispensing of live insects.

7) Aerial Photography—Operating an aircraft to take photographs or record information using a camera or other measuring and recording devices.

8) Aerial Surveying—Operating an aircraft to survey using a camera or other measuring and recording devices.

9) Firefighting—Operating an aircraft to dispense water, chemicals, and fire retardants intended to suppress a fire. This includes carrying firefighters from base camp to base camp or base camp to the work zone.

10) Flight Training—Training provided by certificated flight schools and flight training operators who follow an approved ground and flight syllabus that permits students to meet all certification requirements for obtaining an airman certificate or rating. This includes operational training provided by SAS operators.

11) Forest Fire Management—Operating an aircraft for detecting and controlling fires, and dispensing any substance intended for forest fire suppression and prevention. This includes carrying firefighters, fire bosses, and/or managers from the base camp into the fire area or the actual fire site and within the same work zone.

12) Glider Towing—Towing a glider by a powered aircraft equipped with a tow hitch.

13) Heli-Logging—Operating a helicopter to transport timber suspended from the fuselage.

14) Parachute Jumping—Operating an aircraft to allow a person to descend from that aircraft while it is in flight using a parachute.

4 ELIGIBILITY. To operate under NAFTA, operators must consider the following while planning SAS operations:

A. As required by annex 2 to the International Civil Aviation Organization Convention, operators must comply with the general operating and flight rules of the host country. Operators should be aware that there are significant differences in the visual flight rules (VFR) for each country.

B. NAFTA does not confer a right of entry into the host country. Prior to entry, the operator is advised to contact the immigration authority at the intended port of entry into the host country to verify the entry requirements.

C. The granting of a NAFTA authorization or registration to conduct SAS does not confer the right for the operators' crewmembers to work in a host country. The operator must contact the host immigration department prior to any commitment to a contract to ensure their pilots and mechanics can obtain temporary entry for employment.

D. Operators must contact other government agencies including customs, trade and commerce, environment, and other applicable agencies as necessary.

E. The SAS operator must contact the host CAA before commencing initial SAS operations in each geographic area upon changing the type of SAS operation being conducted, or upon subsequently returning to the original geographic area.

F. Operators based in one host country and operating in another host country require authorization or registration from each host CAA.

G. As a minimum, a current and valid commercial pilot license issued by the national CAA is required for the specific operation. A license validation issued by the host CAA does not meet this requirement.

H. Flight instruction toward the issuance of national CAA licenses, permits, and ratings may be conducted in any host country by a person who holds a valid commercial pilot license and/or flight instructor rating as applicable for the type of instructional activity, and who satisfies the requirements of the national CAA.

I. Flight instruction toward the issuance of host CAA licenses, permits, and ratings may be conducted in any host country by a person who holds a valid commercial pilot license and/or flight instructor rating as applicable for the type of instructional activity, and who satisfies additional requirements specified by the applicable host CAA.

J. Certified flight schools, flight training operators, and SAS operators will receive flight training operating authority according to the conditions specified by the host CAA.

K. Agricultural aircraft may be operated at an increased maximum takeoff weight (MTOW) if an increased MTOW has been authorized by the national CAA, and the increase does not exceed 1.25 times the MTOW.

L. Maintenance will be performed in accordance with the requirements of the national CAA and is the responsibility of the State of Registry.

M. Operators certified by their national CAA for commercial passenger-carrying operations will conduct sightseeing operations.

N. The movement of essential, qualified non-crewmember personnel from base camp to a work zone is not deemed to be air transportation, nor is the movement of said personnel from one base camp to another within the same work zone.

O. Aircraft manufactured in the United States or Canada must have been issued an FAA, or TCCA, civil type certificate (TC) based on compliance to civil airworthiness standards for the appropriate SAS operations.

P. Aircraft manufactured in countries other than Canada or the United States must have an FAA and a TCCA TC based on compliance to civil airworthiness standards.

5 REQUIREMENTS AND LIMITATIONS. Specific requirements for each member country are as follows:

A. Operations in Canada.

1) Operators must provide TCCA with the name of the appropriately approved maintenance organization (certified mechanic, repair station, or Canadian Aviation Maintenance Organization) that is providing the operator's maintenance.

2) Operators must comply with the Flight and Duty Time Limitations regulations and standards applicable to the operation being conducted. (See Canadian Aviation Regulations 700.15 and Commercial Aviation Standard 720.15 <http://www.tc.gc.ca/air/menu.htm>)

3) Operators must carry proof of insurance onboard the aircraft.

4) Operators must comply with the survival equipment requirements applicable to the operations to be conducted.

5) Mexican flight schools must designate a qualified flight instructor responsible for operational control.

6) Operators must comply with the flight and duty limitations, regulations, and standards applicable to the operations to be conducted.

B. Operations in Mexico.

1) Operators must provide the DGAC with the name of the appropriately approved maintenance organization that is providing the operator's maintenance.

2) Foreign operators are no longer required to carry the Publicación de Información Aeronáutica aboard the aircraft for SAS operations.

3) Proof of insurance must be provided with the application before a permit can be issued and must be carried on board the aircraft.

4) Operations will be conducted from approved runways or sites, unless otherwise authorized.

5) A special permit must be obtained for handling fuel other than at approved fueling facilities.

6) Operators must participate in alcohol and drug testing programs when conducting SAS operations.

7) Operators must comply with the survival equipment requirements applicable to the operations conducted.

8) All night flights under VFR must have a special authorization.

9) Flight training schools must obtain a public education certificate or a letter of authorization from the Secretaría de Educación Pública to teach ground school.

10) In addition to the DGAC authorization, SAS operators conducting aerial photography, aerial surveying, or aerial mapping must obtain permission from the Instituto Nacional de Estadística, Geografía e Informática.

C. Operations in the United States.

1) Operators must provide the FAA with the name of the appropriately approved maintenance organization that provides the operator's maintenance.

2) Operators must participate in alcohol and drug testing programs when conducting sightseeing operations from a base in the United States.

3) The maintenance and alteration of emergency parachutes must be certified by a person authorized by the FAA.

4) U.S. Department of Transportation Order 97-7-03, Specialty Air Service Operators of Canada and Mexico, must be carried onboard the aircraft. Refer to the Specialty Air Services Information Packet at <http://ostpxweb.dot.gov/aviation/IntAv/airnafta.pdf>. Order 97-7-03 is included as an appendix to the Specialty Air Services Information Packet.

RESERVED. Paragraphs 5 through 19.

Section 2 Procedures

20 PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of the following: each country's aviation regulations; the NAFTA eligibility requirements; insurance requirements; emergency equipment requirements; special requirements for each country; AC 00-60, North American Free Trade Agreement and Specialty Air Services Operations (current edition); FAA Form 7711-1, Certificate of Waiver or Authorization; and FAA Form 7711-2, Application for Certificate of Waiver or Authorization.

B. Coordination. This task requires coordination with the Dallas/Fort Worth International Field Office (DFW IFO), for processing issues and the FAA General Aviation and Commercial Division, AFS-800, for policy issues.

C. Inquiries. If an operator asks for information regarding NAFTA operations, provide the following:

- 1) AC 00-60 and
- 2) FAA Form 7711-2.

21 REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):

- Title 14 CFR part 91 and 135, and
- AC 00-60.

B. Forms:

- FAA Form 7711-2,
- Certificate of Waiver or Authorization (issued by the DFW IFO), and
- Letter of Registration (Firefighting and Forest Management).

C. Job Aid.

- Figure 160-1.

22 PROCEDURES.

A. Open PTRS.

B. The FAA will use the following process to issue or reissue the NAFTA authorizations/registrations:

- 1) U.S. operators who wish to conduct a NAFTA SAS operation in either Canada or Mexico must submit to their local Flight Standards District Office (FSDO).

- a) A letter from the operator requesting a new, reissue, or change of a NAFTA authorization.
- b) A completed FAA Form 7711-2.
1. Block 1. Provide the proper and complete name of the organization.
 2. Block 2. List the responsible person. This is the person who is responsible for all operations for the company.
 3. Block 3. List the company's permanent mailing address. This is a location where certified mail can be received. The company telephone number and fax number must be included.
 4. Block 4. For NAFTA operations, list *NONE*.
 5. Block 5. List all the SAS operations the company intends to provide. (See section 1, paragraph 2-3B.)
 6. Block 6. Enter Canada, Mexico, or both.
 7. Block 7a. Enter the date the operator intends to start operations.
 8. Block 7b. This date is one year (date to date) from the issuance date. It may be less than one year if the operator's operating certificate does not extend to the year ending date.
 9. Block 8a. List each aircraft by make, model, and registration number.
 10. Block 8b. List each pilot's full name as it appears on his or her pilot certificate.
 11. Block 8c. List each pilot's certificate rating and number.
 12. Block 8d. List each pilot's complete home address.
- NOTE: Blocks 8a, b, c, and d may be placed on a separate sheet of paper.
13. Blocks 9 through 14 are not needed for NAFTA operators.
 14. Block 15. The date the application was processed by the operator. The responsible person must sign it.
- c) A letter verifying insurance coverage.
- d) A copy of the aircraft airworthiness certificate.
- e) A copy of the aircraft type certificate data sheet (TCDS).

2) FSDO actions.

a) Review the completed application. Fill in the *Region*, *Date*, and *Action* blocks on FAA Form 7711-2. Have the FSDO manager or acting manager sign as the FAA representative.

b) Conduct an aircraft ramp inspection to ensure airworthiness.

c) Verify that all pilots named on the application are qualified to conduct the SAS operation. Query the Enforcement Information System for each pilot listed to ensure there are no pending actions.

d) Review the aircraft TCDS carefully to verify that the aircraft meets the requirements in accordance with AC 00-60. Some aircraft may not be eligible for the requested SAS operation.

e) If the applicant is using leased, foreign-registered aircraft, review the lease to verify the operator has operational control.

f) If there are any deficiencies, coordinate with the applicant to resolve all issues.

g) If the package is acceptable, prepare a package to send to the DFW IFO for processing that includes:

1. The completed FAA Form 7711-2 and necessary attachments,
2. The original letter requesting the NAFTA authorization,
3. Additional special provisions deemed necessary by the FSDO, and
4. Proof of insurance.

h) The package may be faxed to the DFW IFO to start processing. The original signed FAA Form 7711-2 and completed package must be sent by mail.

i) Close the PTRS.

3) Canadian or Mexican operators who wish to conduct NAFTA SAS operations in the United States must submit to the DFW IFO:

- a) A letter requesting a new or reissue of a NAFTA authorization,
- b) Applicable OpSpecs or limitations issued by the National CAA to the operator,
- c) A letter verifying applicable insurance coverage, and
- d) A completed FAA Form 7711-2.

- 4) DFW IFO actions.
 - a) Open a PTRS.
 - b) Within the automated Operations Safety Subsystem the DFW IFO will prepare and issue either a Certificate of Authorization or a Letter of Registration listing the SAS operations authorized. The authorization or registration will contain a list of provisions the FSDO, DFW IFO, or national CAA deems necessary.
 - c) The authorization or registration is normally valid for one year, starting on the date the application is processed.
 - d) Close a PTRS.
- 5) FAA authorizations may also be revised by adding or deleting aircraft, pilot names, or SAS activities as necessary throughout the year.
 - a) Foreign operators must submit a letter to the DFW IFO requesting the needed changes supported with an updated OpSpec. If the change includes aircraft or pilot authorizations, the DGAC or TCCA must include certification of currency for such aircraft or pilots.
 - b) U.S. operators must coordinate changes through their local FSDO to the DFW IFO.

RESERVED. Paragraphs 23 through 37.

Figure 160-1, Glossary

CAA—Civil Aviation Authority

CAR—Canadian Aviation Regulation

CFR—Code of Federal Regulations

DFW—Dallas Fort Worth

DGAC—Dirección General de Aeronáutica Civil

FSDO—Flight Standards District Office, representative of the Federal Aviation Administration

GEOGRAPHIC—Reference made to the area of responsibility covered by the respective agency. In the United States, it is through the local FSDO area of responsibility. In Canada, responsibility is through the regional and center control. In Mexico, responsibility is through the individual states.

HOST CAA—The CAA of the NAFTA country in which cross-border SAS are being conducted.

IFO—International Field Office

MTOW—Maximum Takeoff Weight (mass)

NAFTA—North American Free Trade Agreement

NATIONAL CAA—The CAA responsible for the regulatory control of an operator when it applies for operating authority and/or registration in another NAFTA country. The national CAA will normally be the same as the state of registry for the aircraft and will be responsible for the regulatory oversight of aircraft on its register, including, but not limited to, maintenance and inspection requirements.

PTRS—Program Tracking and Reporting Subsystem

SAS—Specialty Air Service

TCCA—Transport Canada Civil Aviation

TCDS—Type Certificate Data Sheet

VFR—Visual Flight Rules

Figure 160-2, Application Process

NAFTA REQUEST JOB AID						
Team		Name of Applicant				
Name	Specialty	Remarks				
		Inspector's Initials	Date	S	U	N/A
PREAPPLICATION						
1. Initial contact with _____						
2. Applicant given copy of AC 00-60						
3. Applicant given copy of FAA Form 7711-2						
3. Applicant advised how to obtain pertinent regulations						
FORMAL APPLICATION						
4. Open PTRS						
5. Cover letter						
6. FAA Form 7711-2						
DOCUMENT COMPLIANCE						
7. Formal Application Package review						
a. Cover letter						
b. FAA Form 7711-2						
c. Enforcement actions						
DEMONSTRATION AND INSPECTION						
8. Aircraft ramp checks						
CERTIFICATION						
9. FSDO Manager's signature on Form 7711-2						
10. Forward package to DFW IFO						
11. Close PTRS						

Figure 160-3, Contact Information

Country CAA Contact Office, Phone, and Fax Numbers

Canada	Manager, Certification Foreign Inspection Division, ASRXH Commercial and Business Aviation Tower C, Place de Ville, 330 Sparks Street 4th Floor Ottawa, Ontario K1A 0N5 Telephone: (613) 990-1100 Fax: (613) 991-5188
Mexico	Dirección Técnica Dirección General de Aeronáutica Civil Ave. Providencia 807, Piso 4 Col. Del Valle C.P. 03100, Mexico, D.F. Telephone: (525) 687-7680 Fax: (525) 523-6740
United States	FAA Dallas/Ft. Worth International Field Office Centre Port Business Park 14800 Trinity Blvd. Suite 300 Fort Worth, TX 76155 Telephone: (817) 684-6700 Fax: (817) 684-6784
United States	FAA Office of Aerospace Medicine Drug Abatement Division, AAM-800 800 Independence Ave., S.W. Washington, DC 20591 Telephone: (202) 267-8442 Fax: (202) 267-5200
United States	FAA General Aviation and Commercial Division AFS-800 800 Independence Ave., S.W. Washington, DC 20591 Telephone: (202) 267-8212 Fax: (202) 267-5094