

AEROBATIC PRACTICE AREA (APA) AND AEROBATIC CONTEST BOX (ACB) SPECIAL PROVISIONS

Note: All references are to FAA Order 8900.1, volume 3, chapter 5 unless otherwise noted.

SPECIAL PROVISIONS: Each Certificate of Waiver (CoW) must include special provisions as determined by the issuing FSDO to ensure an acceptable level of safety.

Applicability. Special provisions that appear on the CoW should be limited to protective measures, controls, or requirements that are not otherwise specified by the regulations. Regulatory requirements that are not waived should not be included as special provisions. Special provisions never supersede aircraft airworthiness operating limitations.

Ensuring Safety. The special provisions ensure that the event can be conducted without an adverse effect on safety. Every CoW shall contain special provisions establishing conditions, requirements, or limitations necessary to protect and ensure an equivalent level of safety for non-participating persons and property on the surface and other users of the national airspace system within the established aerobatic box and area defined in the CoW.

Failure to comply with any standard or special provision is a violation of the terms of this Certificate of Waiver (CoW) and justification for cancellation of this Certificate and constitutes a violation of Title 49 of the United States Code Section(s) 44711(a)(2)(B) and/or 44711(a)(5).

Use of Special Provisions. The following are samples of common special provisions that may be used when issuing a CoW for an aerobatic practice area (APA) or an aerobatic contest (ACB).

1. Special provisions contained in other chapters are inappropriate for APA and/or ACB CoWs.
2. If additional special provisions, beyond those enumerated below, are to be considered, the concurrence of the regional or national aviation events specialist (RAES/NAES) is required.
3. Numbers and language can be inserted or changed to suit each event only when necessary, appropriate, and in accordance with the guidance contained in FAA Order 8900.1, Volume 3, Chapter 5. Numbering should be listed sequentially. Editorial comments enclosed in square brackets, [], should not be included on the CoW.

Examples of Aerobatic Practice Area Special Provisions.

A. Aerobatic Practice Area (APA) Special Provisions

1. Aerobatic flight requiring CoW shall be confined to the area designated on the pictorial chart and as depicted on a sectional chart, attached to the CoW and defined in Special Provision 2.

Note: A definitive pictorial chart or photograph of the underlying area must be attached to the CoW. Satellite photographs may be substituted for topographic charts and are available on Web sites, e.g., Google Earth, maps.google.com, Map Quest, etc.

2. The APA is further defined as follows: (This item should contain a literal description of the entire practice area and related safety buffer zone including all delineating boundaries (lat/long) and the altitudes for each specific section of the practice area.)
3. Except as specifically waived, no aerobatic maneuvers under this CoW may be performed over or within 500 feet laterally from any open air assembly of persons or congested area of any city, town, or settlement.
4. No person may operate an aircraft in the APA when the visibility is less than [number] miles or a ceiling less than [number] feet.
5. Before commencing aerobatic flight operations, the person(s) authorized to activate and deactivate the APA shall be responsible for advising the Lockheed Martin Flight Service Station (AFSS) 1-877-487-6867 of the activity and requesting that a Notice to Airmen (NOTAM D) that includes the following information be issued:
 - a. The location, dates, and times the aerobatic activity will be in effect.
 - b. If appropriate, the runway(s) that will be closed during the aerobatic activities.

Note: For CoW that are issued on a long-term basis, additional wording should be included advising the holder to request that the advising the Lockheed Martin Flight Service Station (AFSS) 1-877-487-6867 keeps the CoW on file for future NOTAM activation.

6. Notification shall be made to the [name of AT facility and telephone number or advising the Lockheed Martin Flight Service Station (AFSS) 1-877-487-6867] at least 30 minutes before the beginning of aerobatic activity in the practice area, or, if a letter of agreement exists, notification shall be made as specified in that document. The [name of facility] shall also be notified at the termination of aerobatic activities within the APA.
7. The person(s) authorized to activate and deactivate the APA described in special provision 2 is [name of the person(s) to whom the CoW is issued or the person(s) delegated by the CoW holder].
8. The person named in special provision 7 shall also be responsible for the following:
 - a. Reminding all participants that all pilots and aircraft operating within the confines of the activated CoW for a APA must be properly certificated;

- b. Briefing each pilot to ensure that all users of the APA are aware of, and are expected to comply with, the limitations imposed by the CoW and its attendant special provisions; and
 - c. Maintaining a log containing the pilot's name, airman certificate number, aircraft registration number, date, and time during which the APA was in use, and providing this information to the FAA upon request.
- 9. When required by ATC, all pilots must monitor [name of ATC facility and frequency assigned] on a continuous basis while operating within the APA.
- 10. All pilots operating within the APA shall maintain VFR at all times and shall be responsible for seeing and avoiding all conflicting traffic.
- 11. Aerobatic flight shall be conducted only between the hours of [specific times of use].
- 12. The holder of this CoW or delegated representative acting as a safety observer, is responsible for halting or canceling activity in the APA if, at any time, the safety of persons or property on the ground or in the air is in jeopardy, or if there is a failure to comply with the terms or conditions of this CoW.
- 13. The FAA has the authority to cancel the CoW or delay any activities if the safety of persons or property on the ground or in the air is in jeopardy, or if there is a violation of the terms of the CoW

Examples of Aerobatic Contest Box (ACB) Special Provisions.

B. Aerobatic Contest Box (ACB) Special Provisions

Special Provisions. The following special provisions should be used, as applicable, when issuing a CoW for an aerobatic contest box (ACB). Special provisions not appearing in this section should not be used without the concurrence of the regional or national aviation events specialist. Material in brackets [] indicate where the FSDO, with the help of the contest director or representative, must insert information specific to the Certificate of Waiver (CoW) being sought.

- 1. The ACB that these special provisions pertain to is depicted and described on attachment [attachment number] to this CoW.
- 2. This CoW is not valid if the in-flight visibility is less than 3 sm or the ceiling, if a ceiling exists, is less than 3,000 feet AGL. Flight operations shall be conducted in accordance with § 91.155.
- 3. The contest director is responsible for ensuring that [ATC facility] is notified by telephone [ATC primary telephone number] or [ATC backup telephone number] at least 30 minutes before operations begin and again when the flight activity has been terminated.

4. Before commencing aerobatic flight operations, the contest director is responsible for advising the Lockheed Martin Flight Service Station (AFSS) 1-877-487-6867 of the activity and for requesting that a Notice to Airmen (NOTAM D) including the following information, appropriate to the operation, be issued:
 - a. The location, dates, and times the aerobatic activity will be in effect.
 - b. When appropriate, runway(s) that will be closed during the aerobatic activities. (This information must also be included in the traffic advisory to non-participating aircraft.)
5. Allowing touch-and-go landings during the times the NOTAM D is in effect must be coordinated and agreed upon by the CoW holder and the airport manager. (This information must also be included in the traffic advisory to non-participating aircraft.)
6. All traffic at [name of airport] will use [specific traffic pattern information] when landing on or taking off from [list runway(s)] while the NOTAM D is in effect. (This information must also be included in the traffic advisory.)
7. All CoWs granting relief from appropriate sections of part 91 must also contain guidance stipulating that the person(s) responsible for activation of the ACB provides the the Lockheed Martin Flight Service Station (AFSS) with a copy of the CoW at least 48 hours before activation of the NOTAM.
8. Aerobatics shall only be conducted between the hours of official sunrise and sunset.
9. Each aircraft operating within the ACB must be appropriately equipped to maintain continuous radio reception with the chief judge.
10. Though permission of the airport management is specifically not required for the CoW, the holder of the CoW should coordinate with the [name of airport] manager for the conduct of aerobatic activities and, in addition, ensure that the airport management fully understands and will abide by the terms and conditions of the CoW. Aerobatics are limited to those aircraft and pilots who are approved by the holder of the CoW or a designated representative. The contest director is responsible for ensuring that:
 - a. Each aircraft competing in the aerobatic competition has the appropriate documents necessary to show current registration and airworthiness;
 - b. Each pilot participating in the aerobatic competition is properly certificated and possesses the currency and/or endorsements appropriate to the flight operation being conducted;
 - c. Before any waived aerobatic operation, each pilot participating in the aerobatic competition receives a briefing from the waiver holder or designated representative. This briefing must include the terms of the CoW, the confines of waived airspace, and any special limitations or procedural considerations contained therein.

NOTE: See subparagraph 3-120A, 5) above regarding delegation of authority by the contest director.

11. A crowd line consisting of a physical barrier and/or adequate policing shall be established at least 500 feet from the ACB to confine all spectators within a designated area.
12. When operating within the ACB, § 91.119(c) is waived only if unoccupied structures are involved or to allow participating aircraft to operate closer than 500 feet to essential personnel, vehicles, or vessels on the ground. All participating aircraft must maintain at least 500 feet from non-essential personnel.
13. Before performing any aerobatic sequence, the area must be scanned thoroughly by both the competitor and the chief judge. The competitor must not enter and/or initiate any aerobatic maneuvers unless the chief judge has ensured that the area is free of any conflicting traffic and has advised the pilot that the ACB is clear.
14. The FAA has the authority to cancel the CoW or delay any events if the safety of persons or property on the ground or in the air is in jeopardy, or if there is a violation of the terms of the CoW.

Additional Special Provisions. The following special provisions are issued to a CoW holder for an ACB established at an uncontrolled airport where a runway remains open during competition.

1. [Name of airport] will be closed to all non-participant traffic when the competitive activity of Advanced and Unlimited Category pilots may create a conflict with continuing non-participant flight operations. (Also include this information in the NOTAM and traffic advisory, as required.)
2. No touch-and-go landings are permitted while the ACB is in use if the participant in the ACB poses a hazard to touch and go traffic. (Also include this information in the NOTAM and traffic advisory.)
3. Aerobatic operations must not be conducted at altitudes lower than 1,200 feet AGL when the ACB is located over a runway that is open and that activity may create a conflict with continuing non-participant flight operations.
4. The contest director, or a person specifically designated by the contest director, will continuously monitor the Unicom frequency while the ACB is active. That person will advise any aircraft operating at or near [name of airport] of potential traffic conflicts that may occur while operating in close proximity to the ACB. The person assigned to monitor the Unicom frequency will have direct access to the chief judge by radio, telephone, or direct contact. Should there be an actual or potential conflict, the chief judge has the final authority to call for a cessation of aerobatics.
5. The Unicom shall be manned by a person who has been briefed on the aerobatics activity, special pattern rules, and restrictions. If needed, a scripted version of the advisory will be furnished by the CoW holder in order to provide a standardized advisory to all pilots.

Aerobatic Competition Not Sanctioned by the IAC. The following special provision will be issued to a CoWholder conducting an aerobatic competition that is not sanctioned by the IAC, excluding competitive flying displays at aviation events conducted in accordance with a CoW issued under the provisions of Volume 3, Chapter 6, Section 1.

1. Participants will have in their possession a valid IAC computer-generated score sheet or other document acceptable to the FAA from an aerobatic competition sanctioned by the IAC and completed within the last 24 calendar-months indicating that he/she has successfully competed in the specific competition category he/she intends to compete at this event.
2. Except for take-off and landing, all participants will fly no lower than the minimum altitude prescribed for this specific competition category as stated in the IAC official contest rules.