



U.S. Department
of Transportation
Federal Aviation
Administration

Advisory Circular

Subject: Application and Issuance Process
for a Letter of Deviation Authority
Issued in Accordance With 14 CFR
§ 91.326

Date: 12/13/24

Initiated by: AFS-800

AC No: 91-94

Change:

- 1 PURPOSE OF THIS ADVISORY CIRCULAR (AC).** This AC provides information and guidance on the application and issuance process for obtaining a Letter of Deviation Authority (LODA) to operate certain aircraft holding limited category and experimental Special Airworthiness Certificates for compensation or hire while providing flight training, checking, or testing. The Federal Aviation Administration (FAA) has the regulatory authority to issue a LODA in accordance with Title 14 of the Code of Federal Regulations (14 CFR) §§ [91.315](#), [91.319](#), and [91.326](#).
- 1.1 Effects of Guidance.** This guidance is not legally binding and will not be relied upon by the FAA as a separate basis for affirmative enforcement action or other administrative penalty. Conformity with this guidance document, as distinct from existing statutes and regulations, is voluntary only, and nonconformity will not affect rights and obligations under existing statutes and regulations. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, and the document is intended only to provide information to the public regarding existing requirements under the law or agency policies.
- 2 AUDIENCE.** The primary audience for this AC is those seeking to receive compensation for the use of certain aircraft holding Special Airworthiness Certificates for specialized flight training, checking, or testing offered to the public.
- 3 WHERE YOU CAN FIND THIS AC.** You can find this AC on the FAA's website at https://www.faa.gov/regulations_policies/advisory_circulars and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>.
- 4 BACKGROUND.**
 - 4.1 Deviation Authority.** Title 14 CFR §§ 91.315 and 91.319(a) generally prohibit a person from operating a limited category or experimental aircraft carrying persons or property for compensation or hire. Historically, 14 CFR § 91.319(h) authorized the FAA to issue deviation authority in the form of a LODA for the purpose of flight training in experimental aircraft. Similarly, the FAA has granted exemptions for the purpose of flight training in limited category aircraft. Along with this AC, the FAA has published a final rule ([89 FR 80310](#)) allowing an operator to submit an application to the FAA for a LODA to provide training, checking, and testing in limited category and experimental aircraft. The FAA recognizes the value of flight training, checking, and testing in these

aircraft.¹ In support of this need for valuable training, checking, and testing, and to clarify when deviation authority is required, the Administrator has published 14 CFR § 91.326. The deviation authority permitted under 14 CFR § 91.326 is granted in the form of a LODA.

4.2 Issuing LODAs. As explained in the Notice of Proposed Rulemaking (NPRM), aircraft with Special Airworthiness Certificates pose unique risks, as they do not meet the same design, build, and maintenance requirements of aircraft with Standard Airworthiness Certificates.² Generally, the FAA does not issue LODAs for activities that can be accomplished in aircraft holding Standard Airworthiness Certificates, with certain exceptions. Therefore, under 14 CFR § 91.326, LODAs may only be issued for certain types of flight training, checking, and testing, and with specific limitations.

5 TABLES AND APPENDICES.

- Table [1](#), Eligible Experimental Purposes, describes 14 CFR § [21.191](#) experimental purposes that are eligible for use under a LODA.
- Table [2](#), Acceptable Training Programs, describes the types of training available under a LODA.
- Table [3](#), Training Program Details, describes the elements of a training program.
- Appendix [A](#), Sample Application Letter.
- Appendix [B](#), Sample LODA Training Record.
- Appendix [C](#), Sample Training Program.

6 RELEVANT 14 CFR PARTS, SECTIONS, AND RELATED MATERIAL.

- Title 14 CFR Parts [1](#), [21](#), [61](#), and [91](#).
- Title 14 CFR § [21.189](#), Issue of Airworthiness Certificate for Limited Category Aircraft.
- Title 14 CFR § [21.191](#), Experimental Certificates.
- Title 14 CFR § [91.315](#), Limited Category Civil Aircraft: Operating Limitations.
- Title 14 CFR § [91.319](#), Aircraft Having Experimental Certificates: Operating Limitations.
- Title 14 CFR § [91.326](#), Exception to Operating Certain Aircraft for the Purposes of Flight Training, Flightcrew Member Checking, or Flightcrew Member Testing.
- FAA Order [8130.2](#), Airworthiness Certification of Aircraft.

¹ Refer to [88 FR 41194](#), Public Aircraft Logging of Flight Time, Training in Certain Aircraft Holding Special Airworthiness Certificates, and Flight Instructor Privileges, dated June 23, 2023.

² Refer to 88 FR 41203.

- FAA Order [8900.1](#), Flight Standards Information Management System (located in DRS).
- FAA Order 8900.1, Volume 5, Chapter 9, Section 2, Airman Qualification Requirements for Aircraft for Which the Operating Limitations Require an FAA-Issued Authorization to Act as Pilot in Command.
- AC [90-116](#), Additional Pilot Program for Phase I Flight Test.
- AC [91-87](#), Ejection Seat Training Programs.

7 TERMINOLOGY USED IN THIS AC.

7.1 Applicant. An owner, operator, or training provider who is applying to be a LODA holder.

7.2 Authorized Instructor.

7.2.1 Per 14 CFR § [61.1\(b\)\(i\)](#), “a person who holds a ground instructor certificate issued under part 61 of this chapter and is in compliance with § [61.217](#), when conducting ground training in accordance with the privileges and limitations of his or her ground instructor certificate;”

7.2.2 Per 14 CFR § 61.1(b)(ii), “a person who holds a flight instructor certificate issued under part 61 of this chapter and is in compliance with § [61.197](#), when conducting ground training or flight training in accordance with the privileges and limitations of his or her flight instructor certificate; or”

7.2.3 Per 14 CFR § 61.1(b)(iii), “a person authorized by the Administrator to provide ground training or flight training under part 61, [121](#), [135](#), or [142](#) of this chapter when conducting ground training or flight training in accordance with that authority.”

7.3 Crewmember. Per 14 CFR § [1.1](#), “a person assigned to perform duty in an aircraft during flight time.”

7.4 Flightcrew Member. Per 14 CFR § 1.1, “a pilot, flight engineer, or flight navigator assigned to duty in an aircraft during flight time.”

7.5 Letter of Deviation Authority (LODA). A LODA, issued in accordance with 14 CFR § 91.326(b) by the FAA Flight Standards (FS) office, authorizing a person who does not meet the requirements of 14 CFR § 91.326(c) to offer specialized flight training, checking, or testing in limited category or experimental aircraft in accordance with 14 CFR § 91.326(b).

7.6 Training Program. A system of instruction that includes curricula, syllabi, facilities, instructors, courseware, instructional delivery methods, and testing and checking procedures.

7.7 Training Records. Records maintained for each trainee that receives training under the authority of a LODA.

8 LIST OF ACRONYMS.

- AC. Advisory Circular.
- CFR. Code of Federal Regulations.
- DRS. Dynamic Regulatory System.
- ELSA. Experimental Light-Sport Aircraft.
- FAA. Federal Aviation Administration.
- KCAS. Knots Calibrated Airspeed.
- LODA. Letter of Deviation Authority.
- V_H . Maximum speed in level flight with maximum continuous power.

9 GENERAL.

9.1 Operations Not Requiring a LODA.

9.1.1 In accordance with 14 CFR § 91.326(c)(1), authorized instructors, registered owners, lessors, or lessees of a limited category or experimental aircraft are not required to obtain a LODA to allow, conduct, or receive flight training, checking, and testing in limited category or experimental aircraft, if:

- The authorized instructor is not providing both the training and the aircraft;
- No person advertises or broadly offers the aircraft as available for flight training, checking, or testing; and
- No person receives compensation for the use of the aircraft for a specific flight during which flight training, checking, or testing was received, other than expenses for owning, operating, and maintaining the aircraft. Compensation for the use of the aircraft for profit is prohibited.

9.1.2 Likewise, in accordance with 14 CFR § 91.326(c)(2), a person may operate a limited category aircraft, experimental aircraft, or primary category aircraft to conduct flight training, checking, or testing without a LODA if no person provides and no person receives compensation for the flight training, checking, or testing, or for the use of the aircraft.

9.2 Operations Requiring a LODA. Persons who wish to provide flight training, checking, and testing in experimental or limited category aircraft and cannot comply with the provisions of 14 CFR § 91.326(c) must apply for and be issued a LODA in accordance with 14 CFR § 91.326(b) to conduct their operation.

9.3 Training, Testing, and Checking in Aircraft With Special Airworthiness

Certificates. The FAA does not require authorized instructors, pilot examiners, or aviation safety inspectors (ASI) to fly in aircraft holding Special Airworthiness Certificates. The decision whether to provide flight training or conduct a test or check in these aircraft is at the discretion and judgment of the individual.

9.4 Passenger-Carrying Flights for the Benefit of a Charitable, Nonprofit, or Community Event and for Compensation or Hire Conducted Under 14 CFR

§ 91.146 or § 91.147. Operations under 14 CFR §§ 91.146 and 91.147 require an aircraft with a Standard Airworthiness Certificate (refer to 14 CFR § 91.146(b)(5) and 14 CFR § 119.1(e)(2)). If a person wishes to operate an aircraft with a Special Airworthiness Certificate for these purposes, they must seek an exemption issued under 14 CFR part [11](#).

10 APPLICATION DETAILS.

10.1 General.

10.1.1 In accordance with 14 CFR § 91.326(b)(3), an applicant must submit a request for deviation authority in a form and manner acceptable to the Administrator at least 60 days before the date of intended operations. A request for deviation authority must contain a complete description of the proposed operation. For ease in preparing the application, Appendices [A](#), [B](#), and [C](#) contain samples that can be used to assist with the application process. Email submissions are preferred, but hard copies may be faxed, hand-delivered, or mailed, if necessary. In addition, see Table [3](#) for a list of recommended items for inclusion in the description of the proposed operation.

10.1.2 Applicants are encouraged to review the additional limitations in 14 CFR § 91.326(b)(4) when developing the overall description of the proposed operation. As part of the complete description of the proposed operation required by 14 CFR § 91.326(b)(3), the applicant should include information that describes how operations under the LODA will comply with the applicable limitations.

10.2 Name and Address of Applicant. Title 14 CFR § 91.326(b)(3)(i) requires an applicant to include the name and primary place of business related to the proposed operation.

10.3 Individual With Ultimate Responsibility.

10.3.1 Title 14 CFR § 91.326(b)(3)(ii) requires one individual to be named as responsible for all operations conducted under the LODA, including compliance with the conditions and limitations listed on the LODA. This person will be accountable to the FAA for the safe conduct of operations under the LODA.

10.3.2 Although there is one named individual on the LODA, there may be more than one person responsible for regulatory compliance during operations under a LODA (e.g., authorized instructors). See the following 14 CFR § 1.1 definitions:

1. “Operate, with respect to aircraft, means use, cause to use or authorize to use aircraft, for the purpose (except as provided in 14 CFR § [91.13](#) of this chapter) of air

navigation including the piloting of aircraft, with or without the right of legal control (as owner, lessee, or otherwise).”

2. “Person means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.”

10.4 Aircraft Make/Model/Registration/Serial Numbers. Title 14 CFR § 91.326(b)(3)(iii) requires the applicant to list all aircraft that will be used in the requested LODA operations. Because an issued LODA is specific to the aircraft sought to be operated through this provision, operators who wish to add or remove aircraft must submit a request to the responsible Flight Standards office to revise the LODA prior to commencement of operations in those aircraft.

10.5 Copies of Airworthiness Certificates. Title 14 CFR § 91.326(b)(3)(iv) requires the applicant to include copies of all aircraft Airworthiness Certificates and their associated operating limitations for review. For continued compliance with 14 CFR § [91.9](#), if there are operating limitations issued to the aircraft that would preclude operations under the LODA,³ the Airworthiness Certificate must be amended in accordance with the latest revision of Order 8130.2.

Note: Some experimental purposes are not eligible for LODA operations, as explained in paragraph 10.5.1. See Table [1](#) for a complete list.

10.5.1 Special Airworthiness Certificates.

10.5.1.1 Only limited category and experimental aircraft are eligible for operations under 14 CFR § 91.326(b). However, there are certain experimental purposes that will not be considered for operation under a LODA due to the limited scope of the regulatory purpose (see Table 1). Primary category aircraft are not eligible for a LODA because flight training, checking, and testing are authorized in certain primary category aircraft under 14 CFR § [91.325](#) and in accordance with 14 CFR § 91.326(c).

10.5.1.2 Title 14 CFR § [91.1](#) requires compliance with the operating limitations issued with the aircraft’s Special Airworthiness Certificate. Persons operating under a LODA must also comply with the limitations issued on the LODA under 14 CFR § 91.326(b)(4). The more restrictive shall prevail during operations under the LODA. The following experimental purposes are not eligible for issuance of a LODA:

1. Aircraft with a 14 CFR § 21.191(a) Research and Development (R&D) purpose. This purpose is limited to conducting only those R&D tests for which the certificate was issued. Flight training, checking, and testing that

³ Some aircraft have operating limitations that prohibit carriage of persons or property for compensation or hire. This is an example of an operating limitation which would preclude operations under a LODA. This Airworthiness Certificate would need to be amended in order to operate under a LODA and remain in compliance with 14 CFR § 91.9.

is broadly offered to the public would be inconsistent with this experimental purpose. As such, the FAA will not issue a LODA to support activity contrary to the experimental purpose of the aircraft.

2. Aircraft with a 14 CFR § 21.191(b) Showing Compliance purpose. This purpose is designed to show compliance for issuance of type and supplemental type certificates, or to substantiate major design changes, and flights to show compliance with the function and reliability requirements of the regulations. There would be no need to offer flight training, testing, or checking to the public under this purpose. As such, the FAA will not issue a LODA to support activity contrary to the experimental purpose of the aircraft.
3. Aircraft with a 14 CFR § 21.191(c) Crew Training purpose. This purpose is limited to training the applicant's flightcrews and cannot be offered to the public. As such, the FAA will not issue a LODA to support activity contrary to the experimental purpose of the aircraft.

Note: Generally, flight training for the purpose of customer crew training in accordance with the Market Survey purpose (14 CFR § 21.191(f)) would not require a LODA. That training can be conducted in accordance with 14 CFR § 91.326(c) consistent with the limitations of that paragraph (e.g., the aircraft is not broadly offered to the public). However, if the proposed operation does not comply with 14 CFR § 91.326(c), then a LODA would be required.

Table 1. Eligible Experimental Purposes

Experimental Purpose Certification Basis	LODA Eligible?
Title 14 CFR § 21.191(a)—Research and Development	NO
Title 14 CFR § 21.191(b)—Showing Compliance with Regulations	NO
Title 14 CFR § 21.191(c)—Crew Training	NO
Title 14 CFR § 21.191(d)—Exhibition	YES
Title 14 CFR § 21.191(e)—Air Racing	YES
Title 14 CFR § 21.191(f)—Market Surveys	YES
Title 14 CFR § 21.191(g)—Operating Amateur-Built Aircraft	YES
Title 14 CFR § 21.191(h)—Operating Primary Kit-Built Aircraft	YES
Title 14 CFR § 21.191(i)—Operating Light-Sport Aircraft	YES

10.6 Aircraft Equipped With Ejection Seats. Title 14 CFR § 91.326(b)(3)(v) requires LODA applicants to include information about ejection seats in the application package, if applicable. In accordance with 14 CFR § 91.326(b)(4)(iii), the Administrator will issue limitations related to ejection seat maintenance, inspections, rigging, and training.

Therefore, this information must be included in the application package. Refer to AC 91-87 as a reference for acceptable ejection seat training programs.

10.7 Maintenance, Inspections, and Airworthiness Directives (AD).

- 10.7.1** All aircraft must be inspected and maintained in accordance with applicable regulations and the limitations imposed on the LODA under 14 CFR § 91.326(b)(4). Applicants are encouraged to include maintenance and inspection information in their application package.
- 10.7.2** Experimental aircraft are often excepted from AD compliance because these aircraft are generally not eligible to be operated carrying persons for compensation or hire. However, LODA holders are held to a higher standard because they offer the aircraft to the public for compensation. Therefore, although many ADs except experimental aircraft from compliance, LODA holders must comply, regardless of this exception in accordance with 14 CFR § 91.326(b)(4)(viii).

Note 1: Aircraft operating limitations associated with the Airworthiness Certificate may contain maintenance or inspection requirements. In this case, both requirements must be met prior to operations under the LODA. Where there is a conflict between LODA limitations and aircraft operating limitations, the more restrictive shall prevail during operations under the LODA.

Note 2: Operators of limited category aircraft must comply with all applicable regulations (e.g., 14 CFR parts [39](#) and [43](#), § [91.409\(a\)](#) and (b), etc.). Where there is a conflict between LODA limitations and regulatory requirements, the more restrictive shall prevail during operations under the LODA.

- 10.8 Training Program Contents.** Under 14 CFR § 91.326(b)(3)(vi), the applicant must provide a training program with enough detail that the FAA is able to determine that the proposed training will meet the intended objectives. A sample training program excerpt is found in Appendix [C](#). Table [3](#) contains a list of items that should be present in the application. Training program best practices can be found in the Aviation Instructor's Handbook ([FAA-H-8083-9](#)).
- 10.9 Specific Need for Certain Training.** Title 14 CFR § 91.326(b)(3)(vii) provides that LODAs may be issued to permit aerobatic, formation, and endorsement training in certain circumstances. Since this training is otherwise available in aircraft holding Standard Airworthiness Certificates, this training may only be provided to persons who have a specific need to receive that training in an aircraft holding a Special Airworthiness Certificate. Persons with a specific need may include, for example, aircraft builders/owners of aircraft with similar handling qualities and flight characteristics. Likewise, an air show performer may demonstrate a specific need to receive aerobatic or formation training. The Administrator will issue limitations that specify minimum qualifications for trainees to receive this training (refer to 14 CFR § 91.326(b)(4)). The aircraft used for training should have similar handling qualities and flight characteristics to the aircraft being built or flown by the trainee. For example, a P-40 shares similar

handling characteristics with a P-51. Conversely, an L-39 would not be considered to share similar handling characteristics with an RV-8.

- 10.9.1** To include this type of training as part of a training program, the LODA applicant must submit and maintain a process to identify that the trainee has a specific need for that training. The process must include enough detail about the trainee to determine whether they have a specific need to receive this type of flight training. See Appendix [B](#), which contains a section related to determining specific need.
- 10.9.2** Persons unable to demonstrate a specific need are ineligible to receive this training under a LODA. This training may be accomplished in aircraft holding Standard Airworthiness Certificates, making it unnecessary to receive this training in an aircraft holding a Special Airworthiness Certificate.
- 10.10 Other Information.** Title 14 CFR § 91.326(b)(3)(viii) requires any additional information the Administrator needs to evaluate the application.
- 10.11 Limitations.** Under 14 CFR § 91.326(b)(4), the Administrator will prescribe conditions and limitations necessary for safety. Applicants can expect the limitations found in 14 CFR § 91.326(b)(4) to be included in the LODA. These limitations are safety mitigations established by the Administrator.
- 10.12 Persons Authorized.**

- 10.12.1** Title 14 CFR § 91.326(b)(5)(i) provides that no person other than the authorized instructor, designated examiner, person receiving flight training or being checked or tested, or persons essential for the safe operation of the aircraft may be on board during operations conducted under the LODA. The FAA will evaluate the applicant's determination of additional persons deemed essential for the safe operation of the flight, if applicable.

Note: Persons the Administrator would likely consider essential for the safe operation of the aircraft are persons who are trained and designated by the operator for these functions and are not members of the general public. These persons are regularly utilized by the operator and not designated "on the spot."

- 10.12.2** Additionally, 14 CFR § 91.326(b)(5)(ii) provides that up to two persons enrolled in a LODA training course for the same aircraft may observe the flight training from an observer seat, provided carriage of those persons is not prohibited by any other regulation (e.g., 14 CFR § [61.55\(f\)\(3\)](#) or (h)(2)). The observation must take place from a forwardmost observer seat with an unobstructed view of the flight deck. Operators of aircraft that require two pilots may not carry trainee observers if the second in command (SIC) has not yet met the requirements of 14 CFR § 61.55.
- 10.13 Training Program Eligibility.** Title 14 CFR § 91.326(b)(6) provides that training, testing, and checking conducted under a LODA must be conducted consistent with the training program submitted for FAA review. Applicants should not request LODAs to permit flight training toward the issuance of a pilot certificate, rating, or operating

privilege, except in specific circumstances identified below. The LODA is intended to facilitate specialized training necessary to gain skills and abilities to safely operate limited category or experimental aircraft or to receive training that cannot otherwise be conducted in aircraft holding a Standard Airworthiness Certificate (e.g., transition training for a particular model and jet upset recovery training).

10.14 “Orientation” or “Discovery” Flights. LODAs will not be issued for the purpose of orientation flights, discovery flights, demonstration flights, or experience flights. When an individual first considers pursuing pilot certification, they may take an introductory flight training lesson before obtaining a student pilot certificate. This activity generally takes place to allow a person who has never experienced flight training to experience flight with an authorized instructor in an aircraft holding a Standard Airworthiness Certificate and can be logged to meet the basic flight training requirements for a pilot certificate. Because LODAs are not issued for the purpose of initial pilot certification (except sport pilot privileges in certain aircraft and gyroplane training), an orientation or discovery flight is not a permissible use for issuance of a LODA. LODAs may be issued only for appropriately certificated pilots who have already been trained and tested to a level of proficiency to obtain flight training in an aircraft with which they are not familiar. This is to preclude one-time flights that are unrelated to the authorized training program, and which may require compliance with 14 CFR part 119.

10.15 Limitations on Training for Certification, Ratings, or Operating Privileges. Specific circumstances where a LODA is appropriate for a pilot certificate, rating, or operating privilege include training leading to the issuance of an Authorized Experimental Aircraft (AEA) authorization, training leading to a limited category type rating, training in gyroplanes, and training leading to the initial issuance of a sport pilot or flight instructor with a sport pilot rating certificate in a low-mass, high-drag aircraft with an empty weight less than 650 pounds and a $V_H \leq 87$ KCAS.

10.16 Space Flight Participant Training (SFPT). Title 14 CFR § 61.1 defines flight training as that training, other than ground training, received from an authorized instructor in flight in an aircraft. Further, 14 CFR § 61.1 defines who is considered an authorized instructor and specifies that an authorized instructor is conducting that training “in accordance with the privileges and limitations of his or her flight instructor certificate.” Those privileges and limitations are enumerated in 14 CFR § [61.193](#). As such, space flight participant training is not flight training and is not eligible for a LODA.

10.17 Eligible Programs. Flight training considered acceptable for the issuance of a LODA consists of one or more of the programs listed in Table [2](#).

Note: If the applicant wishes to provide a type of training not listed in this AC, the applicant may submit a rationale and equivalent level of safety proposal to support the request. The responsible Flight Standards office and the General Aviation and Commercial Division will evaluate the proposal.

Table 2. Acceptable Training Programs

Note: Training programs and eligibility are established in accordance with 14 CFR § 91.326(b)(6). This table provides examples of training programs that the FAA might approve under this section.

Training Program Curriculum	Purpose	Description	General Limitations and Eligibility
Transition Training	Flight training for the operation of a specific make and model of aircraft.	Training used to teach the flight characteristics of a specific make and model of experimental aircraft.	Training programs should emphasize the unique aspects of the specific aircraft.
Ultralight-Style Training	Flight training in an aircraft with flight characteristics similar to an ultralight for the purpose of operating an ultralight vehicle under 14 CFR part 103 .	Title 14 CFR § 103.1(a) prohibits more than one seat in ultralight vehicles. This program is used to provide training to those operating or intending to operate a 14 CFR part 103 ultralight vehicle.	The person receiving training is not required to meet the category and class ratings or 14 CFR § 61.31 endorsement requirements. However, this does not relieve the person receiving training from the requirements of 14 CFR part 61 subpart C if the flight training includes a solo flight segment. Training for the operation of ultralight vehicles only when conducted in low-mass, high-drag aircraft with an empty weight less than 650 pounds and a V_H less than 87 KCAS.
Jet Unusual Attitude and Upset Recovery Training	Jet unusual attitude and upset recovery training.	There are no standard category type certificated jets that are approved for aerobatics. To provide unusual attitude and upset recovery training, specifically for jets, an experimental jet aircraft may be used.	Turboprop aircraft are not eligible. Only turbojet or turbofan-powered aircraft are eligible.
Authorized Experimental Aircraft (AEA) Authorization or Limited Category Type Rating	Training leading to an experimental aircraft authorization or limited category type rating.	Training to meet pilot qualification requirements for aircraft for which the operating limitations require an FAA-issued authorization to act as pilot in command (PIC) (guidance regarding the	Operating limitations for the experimental aircraft must specify an FAA-issued authorization is required, or a type rating in the limited category is required by 14 CFR § 61.31.

Training Program Curriculum	Purpose	Description	General Limitations and Eligibility
		issuance of these authorizations is in FAA Order 8900.1, Volume 5, Chapter 9, Section 2) or to meet qualification requirements toward a type rating in a limited category aircraft if one has been established.	
Pilot in Command Proficiency Check (PICPC) or Instrument Proficiency Check (IPC)	PICPCs or IPCs.	These checks are used to provide pilots with a PICPC (14 CFR § 61.58) or IPC (14 CFR § 61.57(d)).	<p>Persons receiving these checks must demonstrate a specific need as described in paragraph 10.9.</p> <p>Training leading to an instrument rating is not authorized.</p> <p>Pilots receiving training must have an instrument rating in the appropriate category or class, as applicable, of aircraft for the instrument privileges sought.</p>
Flight Review	Training for a flight review.	This training is used to provide pilots with a flight review complying with 14 CFR § 61.56 .	Persons receiving training must demonstrate a specific need as described in paragraph 10.9.
Aerobatic Training	Aerobatic training for persons with a specific need in a particular aircraft.	Training used to teach the flight characteristics of a specific aircraft when used in aerobatic flight.	Persons receiving training must demonstrate a specific need for this training, as described in paragraph 10.9.
Formation Training	Formation training for persons with a specific need in a particular aircraft.	Training used to teach the flight characteristics of a specific aircraft when used in formation flight.	Persons receiving training must demonstrate a specific need for this training, as described in paragraph 10.9.
Other Endorsements	Training leading to an endorsement.	Training leading to the issuance of an endorsement defined by 14 CFR § 61.31.	Persons receiving training must demonstrate a specific need for this training, as described in paragraph 10.9.

Training Program Curriculum	Purpose	Description	General Limitations and Eligibility
Gyroplane Training	Training for a rotorcraft gyroplane rating or certificate.	Training leading to issuance of: <ul style="list-style-type: none"> • Sport pilot certificate or sport pilot endorsement in accordance with 14 CFR § 61.317. • Flight instructor with a sport pilot rating or sport pilot endorsement in accordance with 14 CFR § 61.417. • Recreational pilot certificate. • Private pilot certificate. • Commercial pilot certificate. • Flight instructor certificate. 	Training programs should emphasize the unique aspects of the specific gyroplane.
Sport Pilot Training in Low-Mass, High-Drag Aircraft with an Empty Weight Less than 650 Pounds and a $V_H \leq 87$ KCAS	Training for a sport pilot or flight instructor with a sport pilot rating certificate or operating privilege in a low-mass, high-drag aircraft with an empty weight less than 650 pounds and a $V_H \leq 87$ KCAS.	Training leading to the issuance of: <ul style="list-style-type: none"> • Sport pilot certificate or sport pilot endorsement. • Flight instructor with a sport pilot rating or sport pilot endorsement. 	The person receiving the training is not required to have a sport pilot certificate. However, this does not relieve the person receiving the training from the requirements of 14 CFR part 61 subpart C if the flight training includes a solo. Training must be conducted in low-mass, high-drag aircraft with an empty weight less than 650 pounds and a V_H less than 87 KCAS.
Other	Other specific training requested by the applicant.	Unique scenarios not contemplated in this AC.	The request will be referred to the General Aviation and Commercial Division by the responsible Flight Standards office.

Table 3. Training Program Details

Note: The following are examples of details that may be included in a program description in accordance with 14 CFR § 91.326(b)(3).

Training Program Content	Description
Curriculum	Describe the types of training offered (e.g., RV-8 Transition Training, Jet Unusual Upset and Recovery Training).
Syllabus	A description of each lesson plan, including title, objectives, training materials (if applicable), training elements (content), planned completion time, and completion standards.
Instructor Qualifications	<p>The qualifications and ratings for the instructor(s) providing flight training or ground training; the certificates, ratings, and endorsements required; and additional minimum qualifications deemed necessary by the applicant, if applicable.</p> <p>NOTE: Additional limitations issued in accordance with 14 CFR § 91.326(b)(4) will specify minimum flight instructor requirements.</p>
Prerequisites for Those Persons Receiving Training	<p>A description of the prerequisites for persons receiving flight training (e.g., Trainees must hold a private pilot certificate with Airplane Single-Engine Land (ASEL) and a tailwheel endorsement to participate in the RV-8 transition training program).</p> <p>NOTE: Additional limitations issued in accordance with 14 CFR § 91.326(b)(4) will include minimum trainee prerequisites.</p>
Flight Simulator	A list of each flight simulator used and the training syllabus in which it is used (if applicable).
Teaching Aids	A description of each type of audiovisual aid, mockup, chart, aircraft component, and other special training aids used in any associated ground training (if applicable).
Special Equipment	A description of any special equipment and the training syllabus in which it is used (if applicable).
Additional Information	Any information necessary to describe how the operation will comply with the applicable additional limitations in 14 CFR § 91.326(b)(4).

10.18 FS Office Review of Application.

- 10.18.1** General Review. After receipt of the application package, the FAA will conduct a review to ensure the application meets the requirements of 14 CFR § 91.326(b).
- 10.18.2** Airworthiness Review. If the application and training program meet the general requirements, the FAA will ensure that the proposed training will not be contrary to any aircraft operating limitations. The FAA will also validate that the Airworthiness Certificate and associated operating limitations were issued in accordance with Order 8130.2 that was in effect at the time of issuance. The FAA will also review

maintenance and inspection records and inspect the aircraft prior to operations under the LODA.

- 10.19 Issuance of the LODA.** If the application meets the requirements of 14 CFR § 91.326(b), the FAA will issue the LODA. The issuing ASI will review the contents of the LODA with the LODA holder. If the application does not meet the requirements of 14 CFR § 91.326(b), the Administrator may reject the application or request additional information necessary to evaluate the application.
- 10.20 AC Feedback Form.** For your convenience, the AC Feedback Form is the last page of this AC. Note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this AC on the Feedback Form.



Robert M. Ruiz for
Lawrence Fields
Executive Director, Flight Standards Service

APPENDIX A. SAMPLE APPLICATION LETTER

To: Federal Aviation Administration, Baltimore Flight Standards District Office

ACME Aircraft Training, INC. hereby requests to make application for a Letter of Deviation Authority (LODA) issued under Title 14 of the Code of Federal Regulations (14 CFR) § 91.326(b). **ACME Aircraft Training, INC.** plans on using a John Doe A-1 aircraft to provide training in accordance with the attached training program (*the Sample Training Program found in Appendix C*). A copy of the Airworthiness Certificate(s), aircraft operating limitations, and the FAA-Approved Aircraft Inspection Program(s) (AIP) (if applicable) are attached (*not included in this sample but required for an actual submittal*).

TITLE 14 CFR § 91.326 LODA APPLICATION INFORMATION			
LODA HOLDER INFORMATION			
Business Name (if applicable): ACME Aircraft Training, INC.			
PRIMARY PLACE OF BUSINESS ADDRESS			
Street (Line 1): 123 Anywhere Street			
Street (Line 2):			
City: Cincinnati	State: OH	ZIP Code: 55555	
MAILING ADDRESS (ONLY ENTER IF DIFFERENT FROM PRIMARY PLACE OF BUSINESS ADDRESS)			
Street (Line 1):			
Street (Line 2):			
City:	State:	ZIP Code:	
RESPONSIBLE PERSONNEL			
First Name: John	Middle Name: Benjamin	Last Name: Doe	Suffix:
Phone: 555-555-5555	E-mail: john.b.doe@ACMEATI.com		
AIRPORT OPERATIONS			
Airport(s) Training Operations Based at: Montgomery County Airpark (KGAI)			
AIRCRAFT INFORMATION			
Manufacturer: John Doe			
Model/Series: A-1			
Registration Number: NXXXXX			
Serial Number: 20004			
EJECTION SEAT INFORMATION			
Ejection Seat Equipped (Yes, No, N/A)? N/A			
If Yes, Is the System Rigged, Maintained, and Inspected in Accordance With the Manufacturer's Recommendations (Yes, No)?			
Ejection Seat Training Course Conducted Under This LODA was Created in Accordance With AC 91-87 (submit syllabus with application) (Yes, No)?			

APPENDIX B. SAMPLE LODA TRAINING RECORD

LODA TRAINING RECORD		
LODA TRAINEE INFORMATION		
Name: Johnny Rocket		
PRIMARY ADDRESS		
Street (Line 1): 123 Anywhere Street		
Street (Line 2):		
City: Anytown	State: MD	ZIP Code: 55555
CURRENT AERONAUTICAL EXPERIENCE		
Grade of Certificate	Commercial	
Certificate Number	12345678	
Ratings	ASEL/AMEL	
Class of Medical Certificate	3rd	
Make/Model/Type Flown	C-172, BE-200, BE-350, SF-340	
Endorsements Held	Tailwheel, Complex, High Altitude	
Date of Last Flight Review	01/01/2000	
Total Time	10,000	
SPECIFIC NEED FOR AEROBATIC OR FORMATION TRAINING, OR ISSUANCE OF A 14 CFR PART 61 ENDORSEMENT (if applicable)		
Indicate which of the following specific needs apply to this applicant:		
Applicant is an owner of an aircraft with similar handling qualities and flight characteristics: Yes/No		
Applicant is currently building an aircraft with similar handling qualities and flight characteristics: Yes/No		
Other (indicate how this applicant has a specific need to receive aerobatic training, formation training, or the issuance of an endorsement in an aircraft with a Special Airworthiness Certificate):		
TRAINING LOG		
Ground Training Received:	Date, Instructor Signature, and Certificate:	
Lesson 1: Preflight, Systems	Lesson 1:	
	01/01/2026 <i>Pete Mitchell</i> 234567	
Lesson 2: Emergency Procedures	Lesson 2:	
	01/02/2026 <i>Nicholas Bradshaw</i> 456789	
Flight Training Received:	Date, Instructor Signature, and Certificate:	
Lesson 1: Preflight, Taxi, Takeoff, Normal Procedures, Stalls, Landings	Lesson 1:	
	01/01/2026 <i>Pete Mitchell</i> 234567	
Lesson 2: Emergency Procedures	Lesson 2:	
	01/02/2026 <i>Nicholas Bradshaw</i> 456789	
Trainee Signature: <i>Johnny Rocket</i>		

APPENDIX C. SAMPLE TRAINING PROGRAM

ACME Aircraft Training, INC.

John Doe A-1 Training Program Curriculum. This training program is created by *ACME Aircraft Training, INC.* to provide pilots the training necessary to successfully transition into flying the John Doe A-1 aircraft (in this sample, the A-1 is a conventional fixed-gear single-engine land airplane with a 180-horsepower engine. This aircraft is not a light-sport aircraft.) It is constructed using the “building block” method in which the trainee will accomplish each block in the syllabus at a pace customized for their flying skills. A particular flight lesson may contain one or more blocks depending on the ability of the trainee to complete the standards specified for each block.

Syllabus (excerpt).

STAGE 1	FLIGHT LESSON 4
Dual—Local (1.0)	
Note: A view-limiting device is required for 0.2 hours of dual instrument time allocated to Flight Lesson 4.	
LESSON OBJECTIVES <ul style="list-style-type: none"> Practice the maneuvers listed for review to gain additional proficiency and demonstrate the ability to recognize and recover from stalls. The learner will also receive instruction and practice in the maneuvers and procedures listed for introduction, including emergency operations and additional practice of airplane control by instrument reference (IR). Instructor may demonstrate secondary, accelerated maneuver, crossed control, and elevator trim stalls. Emphasis will be on procedures related to airport operations, steep turns, slow flight, stalls, and stall recovery. 	
CONTENT Introduce: <ul style="list-style-type: none"> Systems and Equipment Malfunctions Emergency Procedures Emergency Descent Emergency Approach and Landing Emergency Equipment and Survival Gear Climbing and Descending Turns (VR)(IR) Review: <ul style="list-style-type: none"> Airport and Runway Markings and Lighting Airspeed and Configuration Changes Flight at Approach Speed Flight at Various Airspeeds From Cruise to Slow Flight Maneuvering During Slow Flight Power-Off Stalls Power-On Stalls Normal Takeoffs and Landings Collision Avoidance Precautions Traffic Patterns 	
COMPLETION STANDARDS <ul style="list-style-type: none"> Displays increased proficiency in coordinated airplane attitude control during basic maneuvers. Performs unassisted takeoffs. Demonstrates correct communications and traffic pattern procedures. Completes landings with instructor assistance. Demonstrates basic understanding of steep turns, slow flight, stalls, stall recovery, and emergency operations. Completes demonstrated stalls. Indicates basic understanding of airplane control by use of the flight instruments. 	

Instructor Qualifications. Flight instructors providing instruction under *ACME Aircraft Training, INC.*'s LODA are required to meet, at minimum, the following:

1. Hold an FAA-issued certified flight instructor certificate for an Airplane Single Engine (ASE) and a commercial certificate with an Airplane Single-Engine Land (ASEL) category and class rating.
2. Hold appropriate endorsement in accordance with 14 CFR § 61.31.
3. Be authorized by *ACME Aircraft Training, INC.* to provide instruction in accordance with the LODA issued under 14 CFR § 91.326.
4. Additional qualifications, as specified by *ACME Aircraft Training, INC.*:
 - Minimum flight hours: 1,000 hours.
 - Minimum dual instruction given: 500 hours.
 - Minimum time in John Doe A-1: 200 hours.

Prerequisites for Those Persons Receiving Training. All persons receiving training must meet the following minimum prerequisites:

1. Private Pilot Certificate, ASEL.
2. Hold a tailwheel endorsement in accordance with 14 CFR § 61.31(i).

Flight Simulator. None used.

Teaching Aids. The following teaching aids are used in this course:

1. Curriculum guide (provided by *ACME Aircraft Training, INC.*).
2. John Doe A-1 Aircraft Flight Manual (AFM).
3. Airplane Flying Handbook (FAA-H-8083-3C).
4. NXXXXX aircraft operating limitations.

Special Equipment. None used.

Additional Information. Not applicable.

Advisory Circular Feedback Form

If you find an error in this AC, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by contacting the General Aviation and Commercial Division at 9-AFS-800-Correspondence@faa.gov or the Flight Standards Directives Management Officer at 9-AWA-AFB-120-Directives@faa.gov.

Subject: AC 91-94, Application and Issuance Process for a Letter of Deviation Authority
Issued in Accordance With 14 CFR § 91.326

Date: _____

Please check all appropriate line items:

An error (procedural or typographical) has been noted in paragraph _____
on page _____.

Recommend paragraph _____ on page _____ be changed as follows:

In a future change to this AC, please cover the following subject:
(Briefly describe what you want added.)

Other comments:

I would like to discuss the above. Please contact me.

Submitted by: _____

Date: _____