

# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.105

National Policy

Effective Date:  
11/24/09

Cancellation Date:  
11/24/10

**SUBJ:** Responsibility for Part 91 Letters of Authorization (LOA)

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- 1. Purpose of This Notice.** This notice provides guidance to aviation safety inspectors (ASI) and Flight Standards District Offices (FSDO) regarding the Title 14 of the Code of Federal Regulations (14 CFR) part 91 LOA process.
- 2. Audience.** The primary audience for this notice is FSDO ASIs with general aviation responsibilities. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters, and the Flight Standards Training Branch at the Federal Aviation Administration (FAA) Academy.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee Web site at [https://employees.faa.gov/tool\\_resources/orders\\_notices](https://employees.faa.gov/tool_resources/orders_notices). Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators and the public can find this information on the FAA Web site at <http://fsims.faa.gov>.
- 4. Background.** The 2006 publication of Notice N 8700.45, Issuance of Part 91 Authorizations from the Automated Operations Safety System, first established that the FAA issues automated LOAs to part 91 operators using the automated Operations Safety System (OPSS) (the new Web-based automated Operations Safety System (WEBOPSS) is a recent addition). While Notice N 8700.45, which expired in 2007, defined a system for processing, questions remained regarding FSDO responsibilities for processing LOA requests.
- 5. Guidance.** The basic process for issuing a part 91 LOA through OPSS/WEBOPSS has not changed. The following information clarifies responsibilities and terms related to the process.
  - a. FSDO Responsibilities.** The FSDO located within the operator's primary business address service area holds responsibility for issuing, updating, and overseeing LOAs for that operator. The operator provides this address when applying for the LOA. FSDOs must not process LOA requests received from an operator with an address not within the FSDO service area.
  - b. Operator Name.** The operator must specify the operator name listed in the OPSS/WEBOPSS database and on all part 91 LOAs. It is not the responsibility of the ASI to determine legal ownership or operational control when processing a part 91 LOA. The ASI

should advise the operator that the LOA is valid only for part 91 operations. The applicant (owner/operator) is responsible for ensuring that he/she has the legal authority to request the LOA and operate the aircraft under the name listed on the LOA. If there is a question as to the legality of an operator's request, please contact Regional Counsel.

**c. Primary Business Address.** Because part 91 operators are not certificate holders, the typical considerations for determining a "principal base of operations" do not apply. The only determining factor for the primary business address is that it must be a physical address where the FAA can contact the operator. The operator may also choose to list a different mailing address on the LOA, if desired. The primary business address specified by the operator designates the FSDO responsible for processing all LOA applications for that part 91 operator. Operators must apply to the FSDO located within their primary business address service area.

**d. Aircraft Location.** Aircraft location is not a factor when determining FSDO responsibility for processing an LOA request. We do not list an "aircraft base of operations" on LOA templates. However, ASIs should determine the aircraft location at the time of LOA application if a physical aircraft inspection is required to process the LOA. When an aircraft's usual base is outside the responsible FSDO service area, the FSDO must coordinate directly with the FSDO where the aircraft is located to complete the aircraft inspection required for LOA issuance.

**e. FSDO Coordination.**

(1) Respective FSDO managers must coordinate requests for distant aircraft inspection. The responsible FSDO must communicate with the operator to facilitate the aircraft inspection in the most efficient manner possible. When coordinating with another FSDO for distant aircraft inspection, the responsible FSDO should request an estimated timeframe for completion. Notify the operator if the estimated completion time is more than 30 days. The operator should also be given the option to make the aircraft available for inspection at an airport within the responsible FSDO's service area, if desired.

(2) If the operator changes his/her primary business address from one FSDO service area to another, he/she must notify, in writing, the losing (previously responsible) FSDO of the new physical location and mailing address (if changed) within 30 calendar-days following relocation. The losing FSDO must request that the OPSS HelpDesk move the operator's database to the appropriate receiving FSDO. The losing FSDO must also notify the receiving FSDO of the change. The receiving FSDO should then update the operator's A001 template to reflect the new address. The receiving FSDO becomes the responsible FSDO for processing new LOAs for that operator.

**6. Action.** Process part 91 LOAs using this guidance and the applicable guidance from FSIMS.

**7. Disposition.** We will permanently incorporate the information in this notice into FSIMS before this notice expires. Direct questions regarding this notice to AFS-800 at (202) 267-8212.

ORIGINAL SIGNED BY

John McGraw for

John M. Allen

Director, Flight Standards Service