

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.90

National Policy

Effective Date:
8/20/09

Cancellation Date:
8/20/10

SUBJ: OpSpec A001 (i) Special Purpose Authorization Age Limit Extended to 65th Birthday

- 1. Purpose of This Notice.** This notice revises operations specification (OpSpec) A001.
- 2. Audience.** The primary audience for this notice is aviation safety inspectors responsible for issuing special purpose pilot authorizations. 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.avs.faa.gov>. Operators may find this information at <http://fsims.faa.gov>.
- 4. Explanation of Policy Changes.** The Office of the Chief Counsel of the Federal Aviation Administration (FAA) has interpreted Public Law 110-135, Fair Treatment of Experienced Pilots Act (The Age 65 Law) to be applicable to foreign pilots flying U.S.-registered aircraft (special purpose authorizations). Attached is the amended OpSpec A001. The FAA has made an editorial change in subparagraph f of the OpSpec to reflect the current FAA directive number and delete the amendment number from the International Civil Aviation Organization (ICAO) document reference.
- 5. Action.** This interim action supports a proposed change to Title 14 of the Code of Federal Regulations (14 CFR) part 61, § 61.77 Special Purpose Pilot Authorization: Operation of U.S.-registered civil aircraft leased by a person who is not a U.S. citizen. In the new rule, § 61.77(b)(3) will replace the existing age limit of 60 years, with 65 years. The guidance in this notice will be incorporated into the following FAA Order 8900.1, FSIMS sections.
 - Volume 12, Chapter 2, Section 3, Part 129 Part A Operations Specifications, and
 - Volume 12, Chapter 4, Section 1, Special Purpose Pilot Authorizations and Flight Engineer and Flight Navigator Certificates (Sections 61.77 and 63.23).

6. Disposition. We will permanently incorporate the information in this notice to FSIMS before this notice expires. Direct questions or comments concerning the information to the International Operations and Standardization Branch, AFS-52, at (202) 385-8070.

ORIGINAL SIGNED by
/s/ Chester D. Dalbey for

John M. Allen,
Director, Flight Standards Service

Appendix A. Sample OpSpec A001—Issuance, Applicability, and Reports

a. These operations specifications are issued to TEXT01, and will hereafter be referred to as the foreign air carrier. The foreign air carrier's addresses:

TEXT02

TEXT03

TEXT04

The foreign air carrier is the holder of the following:

State of the Operator (Country)	State of the Operator Air Operator Certificate (Identification)	DOT Economic Authority (Type)	DOT Economic Authority (Expiration)
TABL05	TABL04	TABL06	TABL03

b. The holder of these operations specifications will conduct foreign air carrier operations in common carriage in the United States of America pursuant to the applicable provisions of 14 CFR parts 91 and 129; 49 CFR part 175; and any other applicable regulations, laws, and orders of the U.S.

(1) At all times the foreign air carrier must have appropriate economic authority issued by the U.S. Department of Transportation (DOT), and an appropriate security program, as required by the Transportation Security Administration (TSA).

(2) These operations specifications will become void and will be surrendered by request of the FAA unless:

(i) The foreign air carrier complies with the terms and conditions of their DOT-issued economic authority; and

(ii) Any required TSA security program; and

(iii) The foreign air carrier is in possession of a valid air operator certificate (AOC) or equivalent document issued by the State of the Operator.

(3) The foreign air carrier may conduct TEXT07 operations to the U.S. using regular destination and alternate airports that are authorized by the State of the Operator's civil aviation authority for operations, and which the carrier has determined to be operationally suitable.

c. The foreign air carrier will TEXT05 TEXT06.

d. The foreign air carrier must use only the official business name or a name authorized by the DOT, as shown in paragraphs a. and c. above, in the conduct of foreign air transportation within the U.S.

e. The foreign air carrier must conduct each operation within the U.S. in accordance with its State of the Operator-issued AOC and associated limitations and provisions; and in accordance with specific authorizations, limitations, and procedures contained in these FAA-issued foreign operations specifications. The carrier is limited to operating in the U.S. geographical areas of operations shown below. *U.S.*, in a geographical sense, means (1) the States, the District of Columbia, Puerto Rico, and the possessions, including the territorial waters, and (2) the airspace of those areas.

Authorized Geographic Areas of U.S. Operation
TABL07

f. All radio communications with the U.S. air traffic control system will use the appropriate call sign, as indicated in International Civil Aviation Organization Document 8585, or FAA Order JO 7340.2.

Authorized Radio Call Sign	ICAO 3-Letter Identifier
TABL08	TABL09

g. The following must be provided to the FAA Flight Standards field office listed in subparagraph h, below, in a manner and form acceptable to the FAA.

(1) Required Reports and Notifications—Information and any changes thereto, required on a continuing basis to maintain currency of information.

(a) Foreign air carrier (company) ownership information.

(b) Addresses for the foreign air carrier, including principal business, mailing, and e-mail address; and telephone, fax, and other appropriate carrier personnel names, contact numbers and e-mail addresses at the principal operations and maintenance locations in the State of the Operator and the U.S. identified in these operations specifications.

(c) The foreign air carrier agent for service and management personnel information identified in paragraph A007 of these operations specifications, and any changes thereto.

(d) A copy of any economic authority issued by the U.S. DOT.

(e) The complete list of regular U.S. destination and U.S. destination alternate airports authorized for scheduled operations to the U.S. by the State of the Operator.

(f) Prior notification of nonscheduled flights to the U.S. This notification is required for any nonscheduled flights to the U.S. unless those flights are conducted to regular destination airports, as provided in the listing supplied by the air carrier in accordance with subparagraph e above. This notification will be by the method listed below.

Non-Scheduled Flight Notification Method
TABL10

(g) Prior notification of any wet lease or interchange operations conducted by the foreign air carrier to, from, or within the U.S. on behalf of other carriers.

(2) Required Reports and Notifications—Information and any changes thereto *when requested by FAA*.

(a) The foreign air carrier's airmen crew list.

(b) A copy of the valid AOC or equivalent document issued by the State of the Operator.

(c) For scheduled flights, the schedule and frequency of flights, and any changes to those schedules and frequencies.

(d) The foreign air carrier's operations and maintenance liaison persons and contractors at any U.S. airport to be served on a scheduled basis.

h. FAA International Field Office Assigned Contact Information.

Assigned FAA office:
TABL11

US Post Office Mailing Address	Overnight Package Delivery Address
TABL12	TABL13

FAA Principal Inspector(s) Name/Title	Phone Number	Fax Number	E-mail Address
TABL14	TABL15	TABL16	TABL17

i. Pilot Age Requirements. Foreign air carriers must comply with the current age requirements of ICAO Annex 1, as amended, except in accordance with 14 CFR § 61.3(j), the foreign air carrier may not use the services of a pilot, nor may any person act as a pilot of a civil airplane of U.S. registry in any of the following operations under the authority of these operations specifications, if that person has reached his or her 65th birthday:

- (1) Scheduled international air services carrying passengers in turbo-jet-powered airplanes;
- (2) Scheduled international air services carrying passengers in airplanes with a passenger seat configuration of more than nine, excluding each crewmember seat;
- (3) Nonscheduled international air transportation for compensation or hire in airplanes with a passenger seat configuration of more than 30 seats, excluding each crewmember seat;
- (4) Scheduled international air services, or nonscheduled international air transportation for compensation or hire in airplanes with a payload capacity of more than 7,500 pounds.

TEXT99

-
1. Issued by the Federal Aviation Administration.
 2. These Foreign operations specifications are approved by direction of the Administrator.

3. Date Approval is effective: _____ Amendment Number: _____
4. I hereby accept and receive the foreign operations specifications in this paragraph.

Date: