

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.110

National Policy

Effective Date:
2/3/10

Cancellation Date:
2/3/11

SUBJ: Interim Guidance for FAA Aircraft Management Program Flight Program Participants Regarding Order 4040.9D, FAA Aircraft Management Program

- 1. Purpose of This Notice.** This notice provides interim guidance to Federal Aviation Administration (FAA) Aircraft Management Program Flight Program participants regarding FAA Order 4040.9D, FAA Aircraft Management Program, and each individual flight program system of manuals, until its revision is implemented.
- 2. Audience.** The primary audience for this notice is FAA Aircraft Management Program Flight Program participants and management personnel, Aviation Safety, Air Traffic Organization, Aviation Rulemaking Committee, and the National Flight Program Oversight Office. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA Web site at https://employees.faa.gov/tools_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 may find this information at: <http://fsims.faa.gov>.
- 4. Background.** The revision to Order 4040.9D is in coordination and will be a significant update. The Flight Program Policy Committee (FPPC), at the direction of the Director, Flight Standards Service (AFS-1) as the Flight Program Oversight Executive (FPOE), revised Order 4040.9D to incorporate certain provisions and adjust certain levels of approval authority in accordance with the applicable Federal guidance documents. The FPPC addressed several areas of concern during the drafting process to allow the six FAA flight programs to operate safely and effectively. Order 4040.9D requires an official at the division manager level or above to approve check pilots. Order 4040.9D requires that the approval authority for rental aircraft with a maximum approved takeoff weight of more than 12,500 lb and/or requiring a type rating be no lower than the division manager level. Certain types of approval authority were reviewed and adjusted to reflect the size and scope of operations, as well as the management structure of the FAA Aircraft Management Program. Each flight program implemented a system of manuals after Order 4040.9D was implemented to address day-to-day operations, policies, and procedures. There are inconsistencies between Order 4040.9D and certain flight program manuals because of the timing of certain changes to Order 4040.9D.

5. Policy. In order to allow the Flight Programs to continue to operate safely and effectively, this interim guidance addresses the inconsistencies that relate to certain types of approval authority. Each individual flight program's system of manuals (duly approved within that flight program's line of business) defines the approval authority for that flight program. This notice provides policy guidance until a revision to Order 4040.9D is signed, or until this notice expires. The FAA authorizes the following approval authority to avoid any confusion.

a. Flight Program Participants. The authority to assign participants into/remove participants from the flight program (using Form 4040-7, Flight Program Crewmember Authorization and Data) may be delegated, at each flight program's discretion, to the facility manager level.

b. Rental of Aircraft. The Flight Program manager will be the approval authority for the rental of aircraft that weigh more than 12,500 lb, or require a type rating.

c. Assignment of FAA Check Pilots. The facility manager will assign FAA check pilots, as needed for that particular facility. (Refer any questions to the flight program manager.)

d. Observation Flights by Management Personnel. Management personnel may be carried onboard the Flight Program's aircraft for observing flight program activities without prior approval (e.g., crewmember observation, multiple workday trip).

e. Flights with Qualified Noncrewmembers. For purposes of the FAA Aircraft Management Program, a qualified noncrewmember is a person flying onboard a Government aircraft whose skills or expertise are required to perform, or are associated with performing the Governmental function for which the aircraft is being operated. Qualified noncrewmembers are not passengers. Each flight program will define approval authority for flights with qualified noncrewmembers.

f. Memorandum of Agreement (MOA) Between Two Flight Programs. A flight program may choose to affiliate with another flight program for the purpose of satisfying flight program requirements in accordance with a properly executed MOA signed by the appropriate flight program managers. A copy of the MOA will be provided to the appropriate Associate Administrator(s), or equivalent.

6. Disposition. The information in this notice will be incorporated into Order 4040.9 before this notice expires. Direct questions concerning this notice to Christopher Keyes, at (405) 954-0057; e-mail: christopher.h.keyes@faa.gov.



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