

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.69

National Policy

Effective Date:
03/05/09

Cancellation Date:
03/05/10

SUBJ: Changes Reducing Maximum Zero Fuel Weight

1. Purpose of This Notice. This notice provides guidance, and information based on Action Memorandum dated December 22, 2008, issued by the Aircraft Certification Office (ACO). The policy is Supplemental Type Certificate (STC) or an amended type certificate (TC) reducing the maximum zero fuel weight (MZFW) of an aircraft, does not permit a change in the operating rule applicability.

2. Audience. The primary audience for this notice is Flight Standards District Office (FDSO) aviation safety inspectors (ASI) who have maintenance surveillance responsibility for Title 14 of the Code of Federal Regulations (14 CFR) parts 91, 121, 125 and 135. 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 and the public can find this notice on the Federal Aviation Administration (FAA) Web Site at <http://fsims.faa.gov>.

4. Background. The FAA is aware that persons have obtained STC or amended TC approvals to change an aircraft's FAA-approved limitations, and then use the approvals to change the applicability of operating rules they operate under. The STC (or amended TC) may or may not actually make a change to the aircraft. An example of this occurred when an applicant elected to reduce an aircraft's MZFW, and subsequently argued that the resulting lower payload made part 125 operating requirements not applicable according to § 125.1(a).

5. Guidance. FAA engineering approval of a changed TC limitation does not permit a change in operating rule applicability.

6. Action.

a. TC Limitations. ASIs should be aware of this guidance when conducting surveillance. These engineering approvals are changes in the TC limitations, not changes to the type design. Therefore, operational applicability (parts 91, 125, 135, etc.) is to be determined based on the original TC.

b. Operational Applicability. ASIs should provide this notice to the operators, for whom they are responsible, alerting them that operational applicability is based on the original TC, not the new STC or amended TC for MZFW.

7. Disposition. We will permanently incorporate the information in this notice in FSIMS before this notice expires. Direct questions or comments concerning this notice, in regard approval for reducing MZFW under parts 91, 121, 125 and 135, to the General Aviation and Avionics Branch, AFS-350, at 202-385-6403.

ORIGINAL SIGNED BY

John W. McGraw for

John M. Allen

Director, Flight Standards Service