

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.294

National Policy

Effective Date:
4/29/15

Cancellation Date:
4/29/16

SUBJ: OpSpec A033, Title 14 CFR Part 135 Flight and Rest Time Requirements for Certain Part 121 All-Cargo Operations

1. Purpose of This Notice. This notice announces a mandatory revision to operations specification (OpSpec) A033 for Title 14 of the Code of Federal Regulations (14 CFR) part 121 and part 121/135 combination certificate holders. For these certificate holders, OpSpec A033 HQ Rev 010 supersedes HQ Rev 000. The purpose of the revision is to update part 121 requirements. No revision has been made to the A033 management specification (MSpec) for 14 CFR part 91 subpart K or to the strictly 14 CFR part 135 A033 template.

2. Audience. The primary audience for this notice is certificate-holding district offices (CHDO) (including Flight Standards District Offices (FSDO) and certificate management offices (CMO)), principal operations inspectors (POI), and aviation safety inspectors (ASI). The secondary audience includes regional Flight Standards division (RFSO) managers and headquarters (HQ) policy divisions.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee 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.faa.gov>. Operators can find this notice on the Federal Aviation Administration's (FAA) Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Background. OpSpec A033 originally allowed certificate holders conducting part 121 domestic, flag, or supplemental operations, with airplanes having a passenger seat configuration of 30 seats or fewer and a payload capacity of 7,500 pounds or less to conduct those operations in accordance with part 135 crewmember flight time and duty period limitations. The ability to apply the part 135 flight and duty requirements instead of the part 121 requirements was allowable for these operations, in accordance with part 121, §§ 121.470, 121.480, and 121.500 (as applicable to the kind of operation being conducted). On January 4, 2014, 14 CFR part 117, Flightcrew Member Duty and Rest Requirements became effective. As a result, all certificate holders conducting part 121 passenger-carrying operations are required to comply with the part 117 flightcrew member duty and rest requirements, regardless of the seat configuration and weight of the airplane. Certificate holders conducting part 121 all-cargo operations may still operate in accordance with §§ 121.470, 121.480, and 121.500, as applicable. Accordingly, the Air Transportation Division (AFS-200) has revised the part 121 requirements contained within

OpSpec A033 to align with the requirements of part 117. The revised OpSpec A033 template for part 121 and part 121/135 combination certificates is now limited to all-cargo operations conducted with airplanes having a passenger seat configuration of 30 seats or fewer and a payload capacity of 7,500 pounds or less.

5. Sample OpSpec A033. A sample of the OpSpec A033 template for part 121, HQ Rev 010, is contained in Appendix A.

6. Action. This action applies only to those POIs and ASIs who are responsible for part 121 or part 121/135 combination certificate holders.

a. POIs of Certificate Holders Who Are Currently Issued OpSpec A033, HQ Rev 000. Within 45 days from the date of this notice, POIs of part 121 certificate holders or part 121/135 combination certificate holders who are currently issued A033, HQ Rev 000, must archive the old OpSpec and issue OpSpec A033, HQ Rev 010.

b. POIs of Certificate Holders Seeking the OpSpec A033 Authorization. Effective on the date this notice is issued, POIs of certificate holders who are not yet issued OpSpec A033, but are seeking its authorization, must issue OpSpec A033 HQ Rev 010.

7. Disposition. The information contained in this notice has been incorporated into FAA Order 8900.1. Direct your questions or comments concerning this notice to the New Program Implementation Branch (AFS-240) at (202) 267-8166.



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Appendix A. Sample OpSpec A033, Title 14 CFR Part 135 Flight and Rest Time Requirements for Certain Part 121 All-Cargo Operations: 14 CFR Part 121

a. The certificate holder is authorized to conduct 14 CFR part 121 all-cargo operations with airplanes having a passenger seat configuration of 30 seats or fewer and a payload capacity of 7,500 pounds or less in accordance with part 121, §§ 121.470(a), 121.480, and 121.500, using flight and rest time limitations under 14 CFR part 135, §§ 135.261 through 135.273. The following conditions and limitations apply.

(1) This authorization applies only to all-cargo operations as defined in 14 CFR part 110, § 110.2 and § 121.583.

(2) This authorization applies only to the kinds of operation the certificate holder is authorized to conduct in paragraph A001 of these operations specifications.

(3) Operations in accordance with this authorization must be described in the certificate holder's approved Fatigue Risk Management Plan (FRMP).

b. This authorization may not be applied to any part 121 passenger-carrying operation.