

# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.498

National Policy

Effective Date:  
12/19/18

Cancellation Date:  
12/19/19

**SUBJ:** Revision to FAA Order 8900.1, Volume 4, Chapter 1, Section 6, General Communication Concepts, Policies, and Guidance—Overwater Operations

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- 1. Purpose of This Notice.** This notice announces amendments and clarifications to inspector guidance in Federal Aviation Administration (FAA) Order 8900.1, Volume 4, Chapter 1, Section 6, General Communication Concepts, Policies, and Guidance—Overwater Operations.
- 2. Audience.** The primary audience for this notice is the Flight Standards Safety Assurance offices, International Field Offices (IFO), and Principal Operations Inspectors (POI) with oversight responsibilities for operators conducting airplane operations under Title 14 of the Code of Federal Regulations (14 CFR) parts 91, 91 subpart K (part 91K), 121, 125 (including part 125 Letter of Deviation Authority (LODA) holders), 129, and 135. The secondary audience includes the Safety Standards and Foundational Business offices.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website at [https://employees.faa.gov/tools\\_resources/orders\\_notices](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 can find this notice on the FAA’s website at <http://fsims.faa.gov>. This notice is available to the public at [http://www.faa.gov/regulations\\_policies/orders\\_notices](http://www.faa.gov/regulations_policies/orders_notices).
- 4. Background.** Regulatory language in part 91, § 91.511 is not very straightforward, which has led to some confusion among inspectors and stakeholders. Pursuant to an FSIMS librarian inquiry, the Flight Technologies and Procedures Division (AFS-400), in cooperation with the Air Transportation Division (AFS-200) and the General Aviation and Commercial Division (AFS-800), developed this notice alongside a change to Order 8900.1 guidance regarding communications.
- 5. Guidance.** The two notes under Order 8900.1, Volume 4, Chapter 1, Section 6, subparagraph 4-127A2) provide clarification regarding § 91.511. The notes are reprinted here (and can be found in the updated guidance in FSIMS):

**Note:** Section 91.511 falls under part 91 subpart F, with applicability (described in § 91.501) limited to “large airplanes ... turbojet-powered, multiengine civil airplanes ... and fractional ownership program aircraft... operating under subpart K of this part.” The operating rules in part 91 subpart F

do not apply when aircraft “are required to be operated under parts 121, 125, 129, 135, and 137.” Furthermore, part 91 subpart F may apply to certain operators of small aircraft through Exemption No. 7897 granted to National Business Aircraft Association (NBAA) members to allow them to operate small civil airplanes and helicopters of U.S. registry under the operational rules of §§ 91.503 through 91.535 and to select an inspection program as described in § 91.409(f).

**Note:** According to § 91.511(d) (for applicability, see the NOTE above) if an aircraft is flying over water for more than 30 minutes flying time or 100 nautical miles (NM) from the nearest shore and the route requires the aircraft to have both very high frequency (VHF) and HF communications equipment, then the aircraft only needs to be equipped with a single HF transmitter and HF receiver if the airplane is also equipped with two independent VHF transmitters and two independent VHF receivers. Refer to the legal interpretation to DePasquale, from Lorelei Peter, Assistant Chief Counsel for Regulations (March 13, 2018), at [https://www.faa.gov/about/office\\_org/headquarters\\_offices/agc/practice\\_areas/regulations/interpretations/data/interps/2018/DePasquale-Williams%20International%20Air%20-%20\(2018\)%20Legal%20Interpretation.pdf](https://www.faa.gov/about/office_org/headquarters_offices/agc/practice_areas/regulations/interpretations/data/interps/2018/DePasquale-Williams%20International%20Air%20-%20(2018)%20Legal%20Interpretation.pdf).

**6. Action.** Inspectors who deal with oceanic communications should review the revised guidance. AFS-800 has coordinated with the relevant POIs to archive all Management Specifications (MSpecs) B045, Extended Overwater Operations Using a Single Long-Range Communication System, issued to part 91K operators, and has decommissioned the associated template in the Web-based Operations Safety System (WebOPSS). Inspectors, when assessing oceanic communications, should confirm that operators can communicate with an appropriate air traffic control (ATC) facility at all times and are complying with the regulatory minimum requirement published in 14 CFR and clarified here.

**7. Disposition.** We will incorporate the information in this notice into Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the Flight Operations Group (AFS-410) at 202-267-8806.



Robert C. Carty  
Deputy Executive Director, Flight Standards Service