

# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.582

National Policy

Effective Date:  
2/19/21

Cancellation Date:  
2/19/22

## **SUBJ:** Suspected Illegal Charter Investigations Reporting

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- 1. Purpose of This Notice.** This notice introduces new reporting requirements and procedures for suspected illegal charter investigations and announces revisions to General Aviation (GA) Job Task Analysis (JTA) O1.2.3, Conduct Investigation of Suspected Illegal Charter.
- 2. Audience.** The primary audience for this notice is responsible Flight Standards offices (including Flight Standards District Offices (FSDO) and certificate management offices (CMO)), International Field Offices (IFO), principal inspectors (PI), and aviation safety inspectors (ASI).
- 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 <https://fsims.avs.faa.gov>. Operators can find this notice on the FAA's website at <https://fsims.faa.gov>. This notice is available to the public at [https://www.faa.gov/regulations\\_policies/orders\\_notices](https://www.faa.gov/regulations_policies/orders_notices).
- 4. Background.** H.R. 302, FAA Reauthorization Act of 2018, Section 540 directs the Office of the Secretary of Transportation (OST) to provide a report to Congress on illegal charter operations. This includes, among other obligations, how many illegal charter investigations are conducted. This Act was subsequently signed into law as Public Law (PL) 115-254. In compliance with Section 540, the FAA has amended JTA O1.2.3 and developed three activity codes (1730, 3730, and 5730) in the Safety Assurance System (SAS) to clearly identify data. Additionally, adding the discriminator "134" in the National Use field will allow efficient and accurate data retrieval.
- 5. Discussion.** JTA O1.2.3 was developed and published in November 2019 to prevent uncertificated entities from providing commercial air transportation for hire. Since that time, follow-on actions in support of this initiative, and revisions to the JTA, have been made, which include:
  - Revision of on-the-job training (OJT) GA JTA O1.2.3 (OP), Conduct Investigation of Suspected Illegal Charter.
  - Replace SAS activity codes with those specifically created to identify investigations connected to illegal charter.

- Development of FAA Training Course 27100294, Introduction to Illegal Charter Operations, now available for assignment in the electronic Learning Management System (eLMS) at the discretion of office management.
- Stand up of the Uncertified Air Charter Working Group.
- Stand up of the Charter Safety Initiatives Group OJT Trainer. Monthly meetings are open to interested General Aviation Safety Assurance (GASA) office managers and their OJT trainers. Monthly case studies of illegal charter cases drawn from the participating offices.
- Development of a follow-on eLMS course (web-based training (WBT) course) to support learning in preparation for an instructor-led classroom course offered at the FAA Academy in Oklahoma City. This course is actively under development, and its projected deployment date is in early 2021.
- Development of a follow-on course for an Instructor-Led Training (ILT) classroom course offered at the FAA Academy in Oklahoma City. This course is actively under development, and its projected deployment date is in early 2021.

**6. Action.** Until further notice, offices initiating investigations into suspected illegal charter operations must document the investigation using the appropriate SAS activity code (1730, 3730, or 5730). In the event that the investigation draws in multiple ASIs of different specialties, there is no need to open more than one activity. The initiating inspector will enter “134” in the National Use field of the activity. This action will provide a consistent path of visibility to current and past investigations.

**a.** When assigning this work in SAS, a manager will:

- (1) Access the Office Workload List (OWL) for the office.
- (2) Create a new task for assignment.

(a) When creating a new task, use the pull-down menu to select “Investigate Illegal Charter.”

(b) Select one of the SAS activity codes (1730, 3730, or 5730) appropriate to the specialty of the assigned inspector.

**b.** In the event that an ASI encounters a potential illegal charter while engaged in routine work or in an ad hoc encounter, they may document that in their associated activity code in SAS.

- (1) Record using the SAS activity code (1730, 3730, or 5730).
- (2) Place the descriptor/search term “134” in the National Use field of the activity.

**Note:** A suspected illegal charter investigation will often begin as a result of a complaint. That complaint should be documented separately from the illegal charter investigation. If the resolution of the complaint is the initiation of an illegal charter investigation; then the above procedures will allow the Safety Assurance (SA) office to document that.

**7. Disposition.** The information contained in this notice will not be incorporated into Order 8900.1. Direct questions concerning the information in this notice to Greg Maury, Air Transportation Division, at 901-350-0596.



Robert C. Carty  
Deputy Executive Director, Flight Standards Service

**Appendix A. Task O1.2.3 Conduct Investigation of Suspected Illegal Charter**

<b>Task:</b>	O1.2.3 Conduct Investigation of Suspected Illegal Charter	
<b>Function:</b>	1.0 Investigations	
<b>Duty:</b>	1.2 Enforcement Investigation	
<b>Sponsor:</b>	Air Transportation Division Job Series:	1825-Aviation Safety Inspector

**Rating and Ranking:**

Difficulty: High

Importance: Semi-critical

**Task Applicability:**

SAS activity codes: 1730 3730 5730

SAS Elements: None

**Regulatory and/or Statutory Requirement(s):**

14 CFR Part 91, § 91.23 Truth-in-Leasing Clause Requirement in Leases and Conditional Sales Contracts

**Relevant Guidance and Advisory Material (current editions):**

Order 2150.3 FAA Compliance and Enforcement Program  
Order 8900.1 Vol. 3, Chap. 13, Lease and Interchange Agreements  
Order 8900.1 Vol. 3, Chap. 25, Sec. 5, Safety Assurance System: Part 135 Flight Locating Systems and Operating Rules  
Order 8900.1 Vol. 6, Chap. 1, Sec. 1, Inspect an Executive/Corporate Operator  
Order 8900.1 Vol. 6, Chap. 1, Sec. 4, Conduct a Part 91 Ramp Inspection  
Order 8900.1 Vol. 7, Chap. 5, Sec. 1, Background and Procedure  
Order 8900.1 Vol. 14, Chap. 2, Sec. 2, Preparation of Federal Aviation Administration Form 2150-5, Enforcement Investigative Report  
Order 8900.1 Vol. 16, Unmanned Aircraft Systems  
AC 91-37B Truth in Leasing  
AC 107-2 Small Unmanned Aircraft Systems (sUAS)  
AC 120-12A Private Carriage Versus Common Carriage of Persons or Property

**Forms:**

FAA Form 2150-5, Enforcement Investigative Report

**Job Aid(s):**

None

**Prerequisite Specialized Training:**

FAA Training Course 27100281, US-EASA MAG for SAS Peer Group 145H

**Note: Ensure you have the most current information. Use the Flight Standards Information Management System (FSIMS) to obtain current guidance.**

**Job Task Performance Steps and Knowledge:**

- 1 Receive notification of a possible violation or complaint.  
K: Order 8900.1, Vol. 7, Chap. 5, Sec. 1
- 2 Open the SAS activity code.  
K: Order 8900.1, Vol. 7, Chap. 5, Sec. 1  
Order 1380.51
- 3 Surveillance.  
K: Order 8900.1, Vol. 3, Chap. 13, Secs. 1 and 6  
Order 8900.1, Vol. 6, Chap. 1, Sec. 1  
Order 8900.1, Vol. 6, Chap. 1, Sec. 4
- 4 Determine if there is a basis for a violation.  
K: Order 2150.3, Chap. 4  
Order 8900.1, Vol. 14, Chap. 2, Sec. 2
- 5 Close the SAS activity code.  
K: Order 1380.51
- 6 Prepare the office file.  
K: Order 8900.1, Vol. 7, Chap. 5, Sec. 1  
Individual Office SOP/LTI