

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.676

National Policy

Effective Date:
9/26/23

Cancellation Date:
9/26/24

SUBJ: Mandatory Reissuance of Operations Specification (OpSpec) A001, Issuance and Applicability, for Parts 121, 135, and 121/135 Certificate Holders

1. Purpose of This Notice. This notice announces a mandatory revision to OpSpec A001 for Title 14 of the Code of Federal Regulations (14 CFR) parts 121, 135, and 121/135 combined certificate holders (CH) to modify the language in subparagraph d.

2. Audience. The primary audience for this notice is Flight Standards (FS) Safety Assurance principal inspectors (PI) with oversight responsibilities for parts 121, 135, and 121/135 CHs. The secondary audience includes FS personnel in the Office of Safety Standards and the Safety Risk Management Division of the Office of Foundational Business (AFB-400).

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 and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>. Operators and the public can find this notice on the Federal Aviation Administration's (FAA) website at https://www.faa.gov/regulations_policies/orders_notices and DRS.

4. Background. OpSpec A001, subparagraph d was added to the parts 121, 135, and 121/135 templates on August 21, 2002, in Revision 02b. The intent of subparagraph d was to eliminate the need for an operator to obtain a separate Letter of Authorization (LOA) to conduct flights under 14 CFR part 91 for crewmember training, maintenance tests, ferrying, repositioning, and the carriage of company officials.

a. Revision 02b. The language in subparagraph d stated, "Certificate holders conducting flights for training, maintenance tests, ferrying, re-positioning, the carriage of company officials and their guests, and the carriage of an athletic team, sports, choral, or similar group having a common purpose, may use the applicable authorizations in these OpSpecs for those operations in lieu of a LOA, provided the flights are not conducted for compensation or hire and no charge is made under the applicable provisions of Parts 91 and 125."

b. Revision 02c. In 2003, in response to changes to 14 CFR parts 121, 125, 135, and 121/135, OpSpec A001 templates were revised to Revision 02c to change the text in subparagraph d from "...no charge made under the applicable provisions of Parts 91 and 125," to: "...no charge of any kind is made for the conduct of the flights."

c. Revision 030. The language in parts 121, 135, and 121/135 OpSpec A001, subparagraph d was recently brought to the FAA’s attention by the National Transportation Safety Board (NTSB) in response to an accident. The Air Transportation Division (AFS-200) reviewed the language and history and believes that it is overreaching to say a CH cannot charge for anything related to the aircraft movement when the regulations do not prohibit it. Therefore, AFS-200 is removing the reference to “no charge of any kind is made for the conduct of the flights.” The language in OpSpec A001, subparagraph d for parts 121, 135, and 121/135 is being changed to read as follows:

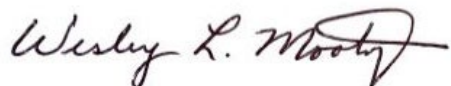
“d. The certificate holder is authorized to conduct flights under 14 CFR Part 91 for crewmember training, maintenance tests, ferrying, repositioning, and the carriage of company officials using the applicable authorizations in these operations specifications, without obtaining a Letter of Authorization (LOA), provided the flight does not involve the carriage of persons or property for compensation or hire.”

5. Guidance. The revised OpSpec A001 templates for parts 121, 135, and 121/135 are available in the Web-based Operations Safety System (WebOPSS). This notice contains the following:

Appendix	Authorizing Document	Paragraph	Applicable to Part
A	OpSpec	A001	121
B	OpSpec	A001	135
C	OpSpec	A001	121/135

6. Action. This is a mandatory revision to OpSpec A001 for parts 121, 135, and 121/135 CHs. PIs must reissue OpSpec A001 within 60 days of the date of the template HQ Control Date in WebOPSS. This action must be accomplished following the procedures in 14 CFR part 119, § 119.51 for Administrator-initiated amendments to a CH’s OpSpecs.

7. Disposition. We will not incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions or comments concerning this notice to AFS-200 at 202-267-8166.



Wesley L. Mooty
Acting Deputy Executive Director, Flight Standards Service

Appendix A. Sample OpSpec A001, Issuance and Applicability: 14 CFR Part 121

a. These operations specifications are issued to [CERTIFICATE HOLDER NAME], whose principal base of operation is located at:

Primary Business Address:

Mailing Address:

The holder of these operations specifications is the holder of [Air Carrier/Operating] Certificate Number [CERTIFICATE NUMBER] and shall hereafter be referred to as the certificate holder. The certificate holder is authorized to conduct:

[Dropdown list]	operations in	[Dropdown list]	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	[Dropdown list]	[Dropdown list]
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The certificate holder will conduct these kinds of operations in accordance with the specific authorizations, limitations, and procedures in these operations specifications and all appropriate Parts of the CFR.

b. These operations specifications are effective as of the “Date Approval is effective” listed in each paragraph and will remain in effect as long as the certificate holder continues to meet the requirements of Part 119 as specified for certification.

c. The certificate holder is authorized to use only the business name which appears on the certificate to conduct the operations described in subparagraph a.

c. The certificate holder is authorized to conduct the operations described in subparagraph a under the following other business names:

[DBA NAME(S)]

d. The certificate holder is authorized to conduct flights under 14 CFR Part 91 for crewmember training, maintenance tests, ferrying, repositioning, and the carriage of company officials using the applicable authorizations in these operations specifications, without obtaining a Letter of Authorization (LOA), provided the flight does not involve the carriage of persons or property for compensation or hire.

Appendix B. Sample OpSpec A001, Issuance and Applicability: 14 CFR Part 135

a. These operations specifications are issued to [CERTIFICATE HOLDER NAME], whose principal base of operation is located at:

Primary Business Address:

Mailing Address:

The holder of these operations specifications is the holder of [Air Carrier/Operating] Certificate Number [CERTIFICATE NUMBER] and shall hereafter be referred to as the certificate holder. The certificate holder is authorized to conduct:

[Dropdown list]	operations in	[Dropdown list]	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	[Dropdown list]	[Dropdown list]
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The certificate holder will conduct these kinds of operations in accordance with the specific authorizations, limitations, and procedures in these operations specifications and all appropriate Parts of the CFR.

b. These operations specifications are effective as of the “Date Approval is effective” listed in each paragraph and will remain in effect as long as the certificate holder continues to meet the requirements of Part 119 as specified for certification.

c. The certificate holder is authorized to use only the business name which appears on the certificate to conduct the operations described in subparagraph a.

c. The certificate holder is authorized to conduct the operations described in subparagraph a under the following other business names:

[DBA NAME(S)]

d. The certificate holder is authorized to conduct flights under 14 CFR Part 91 for crewmember training, maintenance tests, ferrying, repositioning, and the carriage of company officials using the applicable authorizations in these operations specifications, without obtaining a Letter of Authorization (LOA), provided the flight does not involve the carriage of persons or property for compensation or hire.

**Appendix C. Sample OpSpec A001, Issuance and Applicability: 14 CFR
Part 121/135**

a. These operations specifications are issued to [CERTIFICATE HOLDER NAME], whose principal base of operation is located at:

Primary Business Address:

Mailing Address:

The holder of these operations specifications is the holder of [Air Carrier/Operating] Certificate Number [CERTIFICATE NUMBER] and shall hereafter be referred to as the certificate holder. The certificate holder is authorized to conduct:

[Dropdown list]	operations in	[Dropdown list]	carriage pursuant to Title 14 Code of Federal Regulations (CFR) Section	[Dropdown list]	[Dropdown list]
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The certificate holder will conduct these kinds of operations in accordance with the specific authorizations, limitations, and procedures in these operations specifications and all appropriate Parts of the CFR.

b. These operations specifications are effective as of the “Date Approval is effective” listed in each paragraph and will remain in effect as long as the certificate holder continues to meet the requirements of Part 119 as specified for certification.

c. The certificate holder is authorized to use only the business name which appears on the certificate to conduct the operations described in subparagraph a.

c. The certificate holder is authorized to conduct the operations described in subparagraph a under the following other business names:

[DBA NAME(S)]

d. The certificate holder is authorized to conduct flights under 14 CFR Part 91 for crewmember training, maintenance tests, ferrying, repositioning, and the carriage of company officials using the applicable authorizations in these operations specifications, without obtaining a Letter of Authorization (LOA), provided the flight does not involve the carriage of persons or property for compensation or hire.