

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.764

National Policy

Effective Date:

1/14/26

Cancellation Date:

1/14/27

SUBJ: Title 14 CFR Part 117 Flight Duty Period and Flight Time Limitation Extensions

1. Purpose of This Notice. This notice clarifies underlying concepts of Title 14 of the Code of Federal Regulations (14 CFR) part 117 regulations on flight duty period (FDP) and flight time limitation (FTL) extensions and provides guidance on documenting and recording actions related to the review of FDP or FTL extension reports.

2. Audience. The primary audience for this notice is Flight Standards Service (FS) Air Carrier Safety Assurance (ACSA) personnel. 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 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. Title 14 CFR part 117 allows for FDP or FTL extensions based on “unforeseen operational circumstances” but requires that, if the circumstances were “within the control” of the certificate holder (CH), the CH take “corrective action” within 30 days to reduce the likelihood of future extensions under similar circumstances. FAA Order 8900.1, Volume 3, Chapter 58, Section 2, Understanding and Applying 14 CFR Part 117 and Review and Approval of Fatigue Risk Management Systems (FRMS), contains guidance relevant to documenting FDP and FTL extensions. Due to the complicated nature of FDP and FTL extensions, Order 8900.1, Volume 3, Chapter 58, Section 2 is being updated to ensure 14 CFR part 117 is enforced consistently across the National Airspace System (NAS) in regards to FDP and FTL extensions.

5. Discussion. The FAA reviews the appropriateness of FDP and FTL extensions and any correction actions. It is imperative that the following terms are universally understood and applied to ensure enforcement consistency.

a. The Meaning of “Unforeseen Operational Circumstances.” Title 14 CFR § 117.3 defines unforeseen operational circumstances as “an unplanned event of insufficient duration to allow for adjustments to schedules, including unforecast weather, equipment malfunction, or air traffic delay that is not reasonably expected.”

b. The Meaning of “Circumstances.” Circumstances are not confined to the event itself, but also include elements/conditions leading up to the event (when circumstances might have allowed the CH to foresee the event but its actions did not) and what actions the CH did or did not take after the event occurred (when circumstances might have allowed the CH to mitigate the delay or avoid the extension but its actions did not). “Circumstances” may include consideration of whether an event and the time between it and the exceedance of the limits was of “sufficient duration” to allow for corrections.

c. The Meaning of “Within the Control.” While an event may be unforeseen, the circumstances that led to its being unforeseen may be under the control of the CH. In an extreme example, if a CH simply failed to check weather reports that clearly indicated a severe storm, the event would be “unforeseen” by the CH, but the fact that it was unforeseen was well within its control. While it is within the purview of the CH to state whether it foresaw an event, it is the province of the FAA to determine whether the circumstances surrounding the event (in this case, not checking the weather reports) was within or under the control of the CH. Similarly, if after the unforeseen event occurred, circumstances were such that the CH had the opportunity to avoid an extension (say, by changing personnel) but chose not to, those circumstances and the decision are also subject to review by the FAA.

d. Review by FAA. When an FDP or FTL extension is long enough to require an extension report to the FAA, the report must be filed within 10 days so that the FAA has ready access to information about the circumstances surrounding the event. Refer to 14 CFR §§ 117.11(c), 117.19(a)(4), 117.19(b)(4), and 117.29(e)(1). In reviewing the appropriateness of such an extension, FAA personnel should consider any potentially relevant information, and request any additional information from the CH if it is not already in the report.

e. Corrective Action. In cases where operational changes by the CH might have altered the circumstances surrounding the event (such as the circumstances that led to the event being unforeseen or those leading to the decision to take an extension), the CH is obligated to take corrective actions within 30 days to mitigate the likelihood of further extensions under similar circumstances due to their procedures. It is the responsibility of the CH to report those corrective actions to the FAA and the responsibility of the FAA to determine whether the CH has taken appropriate corrective action. In that determination, the FAA may reasonably be expected to request whatever information is necessary from the CH to evaluate the corrective action (including whether the corrective action, when applied in similar circumstances, has indeed reduced the occurrence of circumstances leading to an extension). Refer to 14 CFR § 117.19(a)(4) and (5).

6. Action. The Principal Operations Inspector (POI)/certificate management office (CMO) will review the FDP or FTL extension report. Reports that do not require further action do not need to be documented in Safety Assurance System (SAS) Action Item Tracking Tool (AITT). Any report that requires followup will be documented in SAS AITT by completing the following steps:

- a.** AITT CH designator.
- b.** Add Action “Other.”

- c. Assign a name or title (e.g., 117 FDP/FTL extension report).
- d. Document all actions related to the report and create SUB-ACTIONS as needed.

7. Disposition. This information will be incorporated into Order 8900.1 before this notice expires. Direct questions or comments concerning the information in this notice to the Air Transportation Division (AFS-200) at 202-267-8166.



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