



U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

October 28, 2015

Exemption No. 11290A
Regulatory Docket No. FAA-2014-0474

Mr. Paul Misener
Vice President, Global Public Policy
Amazon.com
440 Terry Avenue North
Seattle, WA 98109

Dear Mr. Misener:

This letter is to inform you that we have partially granted your petition for an amendment to add additional prime test air vehicles. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letter dated April 8, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Amazon.com (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to operate a UAS to conduct outdoor research and development testing for Prime Air. You requested an amendment to add additional prime test air vehicles and changes to Condition and Limitation No. 26 (to operate within 200 feet from nonparticipating persons, vehicles, and structures) to your exemption.

In regard to the proposal to add additional aircraft, the FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

In regard to the revision proposed to Condition No. 26, this is considered a substantial change to your Conditions and Limitations, and reasons relative to public interest and safety that were the basis for granting the original exemption. The FAA will conduct further analysis of the outstanding request described above to determine precedence and safety of operations in the

National Airspace System (NAS); the outcome of which will determine if good cause exists for publishing a summary of the petition in the Federal Register.

Airworthiness Certification

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that the prime test air vehicles 1 meet the conditions of Section 333.

Therefore, the FAA finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 11290 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to only add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

Conditions and Limitations

All conditions and limitations within Grant of Exemption No. 11290 remain in effect except as follows.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to the Amazon-manufactured multi-rotor small UAS and additional prime test air vehicles that have been described to the FAA in a confidential filing when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service