



U.S. Department
of Transportation
Federal Aviation
Administration

InFO

Information for Operators

InFO 16017
DATE: 9/28/16

Flight Standards Service
Washington, DC

http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info

An InFO contains valuable information for operators that should help them meet certain administrative, regulatory, or operational requirements with relatively low urgency or impact on safety.

Subject: Authorization to Use Exemptions Issued to Industry Associations

Purpose: This InFO notifies external stakeholders that grants of exemption to the members of an industry association that petitioned on behalf of its members, will not include, or provide similar relief, to certificate holders who are not members of that association unless the non-member certificate holder has petitioned for relief.

Background: In certain past grants of exemption, when Airlines for America, Regional Airline Association or other industry associations petitioned the Federal Aviation Administration (FAA) for relief from certain requirements, the grant of exemption noted that relief was granted to the member airlines of the petitioning association(s), as well as to all other “similarly situated air carriers.” This generally included any qualifying air carriers operating under the provisions of Title 14 of the Code of Federal Regulations (14 CFR) Part 121.

The FAA did not require a certificate holder requesting use of an exemption that had been granted to an association to submit a separate petition. Instead, the appropriate principal inspector (PI) reviewed the request to verify if the certificate holder met the criteria stated in the exemption granted to the association and approved use of the exemption by amending Operations Specification (OpSpec) A005, Exemptions and Deviations.

Discussion: In an effort to manage the exemptions granted by the FAA and to facilitate operator compliance with the conditions and limitations of a grant of exemption, the FAA is no longer including “similarly situated air carriers” in grants of exemption. Additionally, the FAA is specifically listing each member certificate holder to which relief is granted, in an attachment to the grant of exemption.

Any certificate holder that is a non-member of the petitioning association must petition the FAA separately to be able to exercise similar relief. In addition, any certificate holder who joins the industry association(s) that was granted the exemption after the exemption was issued must petition the FAA to receive similar relief. The petition should reference the existing Exemption Number. The petition will be posted to a new and separate docket. After analysis of each petition, if appropriate, the FAA will grant similar relief to the additional petitioner and will amend the attachment to the exemption to include the name of the additional certificate holder on the list in the grant of exemption.

Note: Certificate holders may only exercise similar relief when they are listed in the attachment to the applicable grant of exemption and are authorized in OpSpec A005.

Recommended Action: Directors of Operations and Directors of Regulatory Compliance should ensure that they have petitioned for, and been explicitly granted relief for all exemptions list in Opspec A005 of their OpSpecs. A complete list of all issued grants of exemption can be found at the following website: <http://aes.faa.gov/>

Contact: Questions or comments regarding this InFO should be directed to the Air Transportation Division's Policy Integration Branch, AFS-270, at 202-267-8166