



**BARBERA & WATKINS, LLC**

www.bwaerolaw.com

**Urgent update: All aircraft operators utilizing the NBAA Small Aircraft Exemption for FAR 91.501 operations such as demonstration flights, parent subsidiary, time sharing, interchange or joint ownership, must file Notice of Joinder by September 27, 2020.**

With the renewal of the National Business Aviation Association (NBAA) Small Aircraft Exemption this year, the FAA added a new Notice of Joinder requirement which must be met by Sunday, September 27, 2020, for all applicable operators to use the exemption.

Part 91 Subpart F of the Federal Aviation Regulations allows operators of aircraft to charge for certain flights, including demonstration flights, parent subsidiary operations, and time sharing, interchange and joint ownership arrangements, under certain circumstances and with limitations, in operations not involving common carriage. This subpart is limited to large airplanes, turbojet-powered multiengine airplanes and fractional ownership program aircraft, all of which aircraft must be U.S. registered. Large airplanes are over 12,500 lbs Maximum Certificated Takeoff Weight. A number of years ago, NBAA received from the FAA an exemption to allow NBAA members operating helicopters and small airplanes that are not turbojet-powered multiengine or operated in a fractional ownership program to engage in a number of the Subpart F operations with some additional limitations and requirements. In the past, the FAA routinely extended the exemption and only this year added the Notice of Joinder requirement.

Under the extension issued on March 27, 2020, as of Sunday, September 27, 2020, all aircraft operators with Subpart F operations utilizing the NBAA Small Aircraft Exemption must file a Notice of Joinder to FAA Exemption No. 7897K including all required information as listed in the exemption in order to engage in and continue such operations. The NBAA has developed an online tool to assist operators in submitting the Notice of Joinder to the Federal Docket. The following link contains more information about the Notice of Joinder, the exemption and the online tool to submit the notices:

<https://nbaa.org/flight-department-administration/aircraft-operating-ownership-options/nbaas-small-aircraft-exemption/using-nbaas-small-aircraft-exemption-submit-rejoinder-notice-by-sept-27/>

Note that as with any petition for exemption, once filed, the Notice of Joinder including all of the information provided will appear on the Federal Docket. Note also that the long-standing exemption requirements remain in place, which include notice and providing a copy of the applicable agreement to the appropriate Flight Standards Office, appropriate aircraft logbook entry, and submission and approval of the aircraft inspection program.

9/2020

THE INFORMATION CONTAINED HEREIN IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE.  
COPYRIGHT © BARBERA & WATKINS, LLC 2016-2020. ALL RIGHTS RESERVED

---

6701 W. 64th St. • Suite 315 • Overland Park, KS 66202  
Phone: 913.677.3800 • Fax: 913.677.3801