

December 22, 2022

Federal Aviation Administration
800 Independence Ave SW
Washington, DC 20591

Via Regulations.gov

RE: NBAA Comments to Docket Number FAA-2022-1514 Increase the Duration of Aircraft Registration

The National Business Aviation Association (NBAA) represents the interests of over 11,000 members. Membership includes companies that own and operate aircraft, as well as many that specialize in the process of aircraft acquisition and registration. Processes for aircraft operations and ownership must be as clear and as efficient as possible. Accordingly, we offer the following comments to support and improve the direct final rule that will increase the duration of aircraft registration (the “Rule”).

We support the Rule. By extending the validity of an aircraft’s registration, owners will spend less time filling out the associated renewal form. They will also reduce financial expenses by paying the renewal fee less frequently. Most importantly, the FAA and operators will gain efficiencies without diminishing safety.

The Rule comes at a time that will benefit the industry and the FAA alike. In addition to extending the duration of registration, the Rule will extend the authority to operate on a temporary Certificate of Aircraft Registration from 90 days to 12 months while the FAA reviews an application. At the time of this writing, the Aircraft Registration Branch is processing documents received approximately six months ago, meaning the FAA must currently issue an extension to all applicants operating under a temporary registration. We recognize and appreciate the FAA’s ongoing efforts to reduce the backlog and believe the authority to operate for 12 months on a temporary certificate will reduce the administrative burden on the FAA by eliminating the need to issue extensions to temporary operating authority. It will also provide clarity and peace of mind to aircraft owners waiting on their permanent Certificate of Aircraft Registration.

While we support the rule change, a technical alteration may be necessary. In the amendment to 14 CFR 47.31(c)(1) a comma is misplaced. It should read “until the date the applicant receives the Certificate of Aircraft Registration, or until the date the FAA denies the application.” Moving the comma from after “date” to after “or.”

The FAA may also improve industry understanding of the FAA’s expectations by providing additional information. Specifically, the industry may benefit from details about what constitutes “inaccurate information” in 14 CFR 47.40. Accordingly, we request further clarification about what would be required if the FAA determines a Certificate of Aircraft Registration contains

inaccurate information, how the FAA will determine if a certificate contains inaccurate information, and how long an owner will have to submit a new or corrected AC Form 8050-1.

Aircraft owners will also benefit from additional information about what to expect when the rule takes effect. The FAA stated,

“valid registrations in effect on the date of the direct final rule will be extended such that the total term of registration will be seven years from the date of issuance of the currently valid renewal, notwithstanding the expiration date on the Certificate of Aircraft Registration.”

Because of the language in 14 CFR 47.40(b)(2), we assume the FAA will not provide revised Certificates of Aircraft Registration with updated expiration dates. If the FAA expects operators to fly with a certificate that shows an expiration date that has passed, a pathway is needed that allows operators traveling to a foreign destination to renew their certificate early such that they do not need to travel abroad with a certificate that appears expired in case of a ramp inspection. While FAA personnel may be aware of the regulatory change, foreign inspectors are unlikely to be aware of the change. An inspection can be stressful for crews under the best of circumstances. Asking crews to explain to foreign inspectors, who may not be native English speakers, that the Certificate of Aircraft Registration remains valid even though it contains a lapsed expiration date will unnecessarily complicate an already stressful situation.

As revised, 14 CFR 47.40(b) restricts aircraft owners from applying for renewal until six months preceding the expiration date. However, to address the situation mentioned above, a policy could be issued to (1) temporarily authorize operators traveling abroad to apply for renewal early; or (2) clarify that the FAA will issue Replacement Certificates of Aircraft Registration with revised expiration dates.

NBAA fully supports the Rule extending the duration of aircraft registration from three to seven years. With the clarifications requested, the FAA can ensure a smooth implementation process. Please contact me at bkoester@nbaa.org or 202-783-9454 to discuss the matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Koester', with a long horizontal flourish extending to the right.

Brian Koester
Director, Flight Operations & Regulations
National Business Aviation Association