



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Aviation Safety

800 Independence Ave  
Washington, DC 20591

June 24, 2022

Exemption No. 19176  
Regulatory Docket No. FAA-2022-0795

Brian Koester, CAM  
Director, Flight Operations & Regulations  
National Business Aviation Association  
1200 G St NW, Suite 1100  
Washington DC, 20005

Dear Mr. Koester:

This letter is to inform you that the Federal Aviation Administration (FAA) has partially granted your request for an exemption. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date it ends.

### **Petition for Exemption**

By letter dated June 10, 2022, you petitioned the FAA on behalf of National Business Aviation Association (NBAA) for an exemption from § 111.215(a) of Title 14, Code of Federal Regulations (14 CFR) for any operator certificated under Parts 125 or 135 or issued management specifications (MSpecs) under Part 91, Subpart K, who holds operations specification (OpSpec) A025, letter of authorization (LOA) A025, or MSpec MA025 specifically for electronic recordkeeping of training records. The proposed exemption requests that the FAA provide relief from the June 10, 2022 interim compliance deadline of the Pilot Records Database (PRD) reporting requirement until the FAA implements electronic transfer for transmission of pilot records to the PRD.

### **The Basis for the FAA's Decision**

The FAA has issued a grant of exemption in circumstances similar in part in material respects to those presented in your petition. In Grant of Exemption No. 19135 (copy enclosed), the FAA found that a grant of petition for exemption to facilitate complete and accurate compliance with Part 111 for operators generating a high volume of records on a daily basis is in the public interest. This rationale also extends to the petitioner's request for relief on behalf of operators certificated under Part 91, Subpart K, who hold MSpec MA025. The FAA reviewed the petitioner's request and determined that for operations under Part 91(k), the volume of records

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generated on a daily basis would cause a burden to those entities to begin reporting records within 30 days of the record's effective date, for records created on or after June 10, 2022 as forth in § 111.215(a).

Having reviewed your reasons for requesting an exemption, I find that:

- They are similar in certain material respects to relief previously requested in the enclosed Grant of Exemption No. 19135;
- The reasons stated by the FAA for granting the enclosed Grant of Exemption No. 19135 also apply to the situation presented in your petition; and
- A grant of exemption is in the public interest.

### **The FAA's Decision**

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* because any delay would adversely affect the petitioner. The compliance date for certificate holders to begin to report records under Part 111 is June 10, 2022, and the FAA is providing a response to the request for relief expeditiously so affected entities can make staffing plans regarding record reporting.

Under the authority contained in 49 U.S.C. §§ 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I hereby grant members of the National Business Aviation Association who hold Part 119 certificates authorized to conduct operations under Part 135 and who hold OpSpec A025 for electronic training records, and members operating under Part 91(k) who hold MSpec MA025 for electronic training records, an exemption from 14 CFR § 11.215(a) to the extent necessary to report records to the Pilot Records Database, subject to the conditions and limitations listed below.

The FAA denies the petition for relief for Part 125 operators. The FAA reviewed the petitioner's request and determined that for Part 125 operators, the volume of records generated on a daily basis would not cause a burden to those entities to begin reporting records within 30 days of the record's effective date, for records created on or after June 10, 2022 as forth in § 111.215(a). Accordingly, the FAA did not identify a public interest in granting an exemption to those operators.

### **Conditions and Limitations**

1. This exemption applies only to members of the National Business Aviation Association that are Part 119 certificate holders conducting operations under Part 135 who hold OpSpec A025 for electronic training records, and members operating under Part 91(k) who hold MSpec MA025 for electronic training records.

2. Qualifying certificate holders must submit a Letter of Intent to the Federal eRulemaking Portal, under Docket No. FAA-2022-0795. Go to <http://www.regulations.gov> and follow the online instructions for submitting documents electronically. The Letter of Intent must state the certificate holder's or operator's intention to exercise the relief granted in this exemption and affirm the intention to comply with all conditions and limitations herein.
3. Records created June 10, 2022 through January 10, 2023 must be reported to the Pilot Records Database by June 12, 2023.

### **The Effect of the FAA's Decision**

This exemption terminates on January 10, 2023, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2022-0795 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,

/s/

Caitlin E. Locke

Acting Deputy Executive Director, Flight Standards Service

Enclosure: Exemption No. 19135