



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

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

Nov 09 2010

Exemption No. 10159
Regulatory Docket No. FAA-2001-9352

Mr. Randy Hansen
Government Relations Director
Experimental Aircraft Association
P.O. Box 3086
Oshkosh, WI 54903-3086

Dear Mr. Hansen:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

The Basis for Our Decision

On October 13, 2010, you petitioned the Federal Aviation Administration (FAA) on behalf of International Aerobatic Club (IAC) for an extension of Exemption NO. 5745, as amended. That exemption from §§ 91.151(a)(1) and 91.9(b) of Title 14, Code of Federal Regulations (14 CFR) allowed IAC members to carry less than the visual flight rules (VFR) fuel requirements under certain conditions and be exempted from carrying the aircraft flight manual during aerobatic competition and aerobatic practice flights. That exemption, however, expired on September 30, 2009; therefore, we will treat your request as a new petition.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to IAC.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 5745G, the FAA recognized that IAC members reaching the competitive level were highly competent and skilled pilots. It was also recognized that IAC competitions are structured events held at or near airports and are normally conducted with FAA oversight. These factors lead to a higher level of safety than

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normally conducted with FAA oversight. These factors lead to a higher level of safety than would be expected from random flights conducted with less fuel than required by the regulation. Because of these factors, the FAA found that a grant of exemption to allow some reduction in the required fuel reserve would provide an equivalent level of safety.

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

- they do not differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

Our Decision

Under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant International Aerobatic Club an exemption from 14 CFR § 91.151(a)(1) to the extent necessary to allow members to participate in IAC events without meeting the fuel requirements for VFR and § 91.9(b) subject to the conditions and limitations described below.

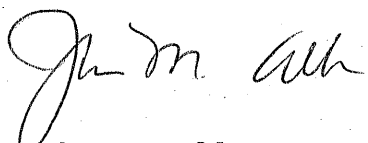
Conditions and Limitations

1. This exemption is applicable for flights conducted under daylight hours in VFR conditions only.
2. The exemption holder and IAC members shall comply with the requirements of an approved pilot operating handbook and/or aircraft flight manual concerning minimum fuel quantity during aerobatic flight.
3. This exemption applies only to members of the IAC when participating in IAC-sanctioned aerobatic competitions and practice sessions for that event, at the event site, and in the same location and conditions as the competition.
4. All flights must takeoff and land from the same airport with the appropriate aircraft flight manual readily available at that airport before takeoff and after landing.

5. Each IAC member participating in an IAC-sanctioned aerobatic competition must be given a formal briefing by the event sponsor on the provisions of this exemption.

This exemption terminates on November 30, 2012, unless sooner superseded or rescinded.

Sincerely,

A handwritten signature in cursive script, appearing to read "John M. Allen".

John M. Allen
Director, Flight Standards Service