

ISSUANCE OF EXPERIMENTAL LIGHT-SPORT OPERATING LIMITATIONS.

- a. Operating limitations must be designed to fit the specific situation encountered. The FAA may impose any additional limitations deemed necessary in the interest of safety. The FAA must review each imposed operating limitation with the applicant to ensure the applicant understands the operating limitations.
- b. Operating limitations for phase I flight testing to meet the requirements of §91.319(b) are not applied to those aircraft surrendering an LSA category certificate and applying for an experimental certification for the purpose of operating LSA when the aircraft has previously been flight tested and is in a condition for safe operation, and all information is documented in the aircraft's records. This exclusion from phase I flight testing does not apply to those transfers of aircraft airworthiness certification when the purpose is to incorporate a major change to the aircraft that would require compliance to §91.319(b).
- c. Ultralight-like vehicles that do not meet part 103 requirements and are transitioning into experimental purpose for operation of LSA may be used for compensation or hire for training and/or towing at the request of the applicant. The allowance of flight training for compensation or hire will expire January 31, 2010, in accordance with §91.319(e)(2), and this date must coincide with the expiration date of the experimental airworthiness certificate and operating limitations.
- d. The following operating limitations must be prescribed for the operation of experimental light-sport aircraft when certification has been conducted under the provisions § 21.191(i)(1), (2), or (3), and will be issued as shown below. Any deviation from the text must be coordinated in accordance with this order.
 - (1) No person may operate this aircraft for other than the purpose of meeting the requirements of § 91.319(b) during phase I flight testing and, for the purpose of operating light-sport aircraft, after meeting these requirements as stated in the program letter (required by § 21.193) for this aircraft. In addition, this aircraft must be operated in accordance with applicable air traffic and general operating rules of part 91 and all additional limitations herein prescribed under the provisions of § 91.319(e). These operating limitations are a part of Form 8130-7, must be carried in the aircraft at all times, and must be available to the pilot in command of the aircraft.
 - (2) This aircraft must display the word "experimental" in accordance with § 45.23(b).
 - (3) This aircraft does not meet the requirements of the applicable comprehensive and detailed airworthiness code as provided by Annex 8 to the Convention on International Civil Aviation. The owner/operator of this aircraft must obtain written permission from another CAA before operating this aircraft in or over that country. That written permission must be carried aboard the aircraft together with the U.S. airworthiness certificate and, upon request, be made available to an ASI or the CAA in the country of operation.
 - (4) Application must be made to the geographically responsible FSDO or MIDO for any amendment to these operating limitations.
 - (5) During phase I flight testing to meet the requirements of §91.319(b), or as a result of the incorporation of a major change, all flights must be conducted within the assigned geographic area.
 - (a) The area must be described by radius, coordinates, and/or landmarks.
 - (b) The designated area must be over open water or sparsely populated areas having light air traffic.
 - (c) The size of the area must be adequate to safely conduct the anticipated maneuvers and tests.

NOTE: In the case of an airport surrounded by a densely populated area, refer to section 7, paragraph 135b(1) of this order.

(6) Flight testing required for phase I operations or as a result of the incorporation of a major change will be conducted in the assigned test area. Flight test operations will only be conducted under VFR day conditions, with the pilot as the sole occupant of the aircraft. This aircraft must be operated for at least _____ hours in the assigned geographic area. Following the satisfactory completion of the required number of flight hours in the flight test area, the pilot must certify in the aircraft records that the aircraft has been shown to comply with §91.319(b) with a statement that includes the following information: ***“I certify that the prescribed flight test hours have been completed and the aircraft is controllable throughout its normal range of speeds and throughout all man-euvers to be executed, has no hazardous operating characteristics or design features, and is safe for operation. The flight test was completed under the following conditions: maximum operating weight, style/set of wing or sail, maximum demonstrated airspeed, and minimum demonstrated stall speed.”*** All major changes or modifications will be listed in the aircraft records and the compliance statement will be restated with the changes listed. The aircraft may not be operated in excess of the weights and speeds demonstrated.

NOTE: An LSA-issued original experimental certificate or one issued as a result of the incorporation of a major change should be limited to operations within an assigned flight test area for a minimum of 5 hours for all classes of LSA.

(7) Any change to the flight test area location or size must be coordinated with the geographically responsible FSDO where the aircraft is based, with FAA concurrence received in writing.

(8) Except for takeoffs and landings, this aircraft may not be operated over densely populated areas or in congested airways.

NOTE: This limitation is applicable for phase 1 and 2 and should be issued in accordance with paragraph 135b(1) and (2) of this order.

(9) This aircraft is prohibited from operating in congested airways or over densely populated areas, unless directed by air traffic control, or unless sufficient altitude is maintained to effect a safe emergency landing in the event of a power unit failure, without hazard to persons or property on the ground.

NOTE: This limitation is applicable to the aircraft after it has satisfactorily completed all requirements for phase I flight testing, has the appropriate endorsement in the aircraft logbook, and is operating in phase II.

(10) This aircraft is to be operated under VFR day only.

(11) After completion of phase I flight testing, unless appropriately equipped for night and/or * instrument flight in accordance with § 91.205, this aircraft is to be operated under VFR day only.

(12) No person may operate this aircraft for carrying persons or property for compensation or hire.

NOTE: This limitation must be issued to § 21.191(i)(1) aircraft when limitations (13) and (14) are not issued. This limitation must be issued for all aircraft certificated under §21.191(i)(2) and (3).

(13) No person may operate this aircraft for compensation or hire, except this aircraft may be used for compensation or hire to conduct flight training in accordance with §91.319(e), until January 31, 2010, at which time this airworthiness certificate and operating limitation expires.

(c) A recreational pilot certificate or higher with sport pilot privileges, with a _____ category, _____ class, and _____ make/model privilege within that set of aircraft (reference § 61.1(b)(14)); or

(d) A recreational pilot certificate or higher.

NOTE: This limitation must be aircraft-specific. When the aircraft clearly fits a category or class, the ASI or designee must list the category and class. When it is an aircraft for which a category and class has not been defined, select a category and class that has operating and handling characteristics that most closely resemble those of the aircraft.

(20) This aircraft must not be used for banner towing operations or intentional parachute jumping.

(21) The pilot in command of this aircraft must notify air traffic control of the experimental nature of this aircraft when operating into or out of airports with an operational control tower. When filing IFR, the experimental nature of this aircraft must be listed in the remarks section of the flight plan.

(22) Aircraft instruments and equipment installed and used under § 91.205 must be inspected * and maintained in accordance with the requirements of part 91. Any maintenance or inspection of this equipment must be recorded in the aircraft maintenance records.

(23) No person may operate this aircraft unless within the preceding 12 calendar months it has had a condition inspection performed in accordance with the scope and detail to appendix D to part 43, or other FAA-approved programs, and was found to be in a condition for safe operation. As part of the condition inspection, cockpit instruments must be appropriately marked and needed placards installed in accordance with § 91.9. In addition, system-essential controls must be in good condition, securely mounted, clearly marked, and provide for ease of operation. This inspection will be recorded in the aircraft maintenance records.

(24) No person may operate this aircraft to tow a light-sport glider or unpowered ultra-light vehicle for compensation or hire or conduct flight training for compensation or hire in this aircraft unless * within the preceding 100 hours of time in service the aircraft has been inspected by a certificated light-sport repairman with a maintenance rating, or an appropriately rated certificated mechanic, or an appropriately rated repair station in accordance with inspection procedures developed by the aircraft manufacturer or a person acceptable to the FAA.

(25) Condition inspections must be recorded in the aircraft maintenance records showing the following, or a similarly worded, statement: ***"I certify that this aircraft has been inspected on _____ (insert date) in accordance with the scope and detail of appendix D to part 43 or the manufacturer's inspection procedures, and was found to be in a condition for safe operation."*** The entry will include the aircraft's total time-in-service, and the name, signature, certificate number, and type of certificate held by the person performing the inspection.

(26) An experimental LSA owner/operator as a repairman for this aircraft under §65.107 or an appropriately rated FAA-certificated mechanic may perform the condition inspection required by these operating limitations.