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SUBJ: RESTRICTED CATEGORY AIRCRAFT OPERATIONS

1. PURPOSE. This notice contains information on the use of restricted category aircraft in special purpose operations and operating limitations associated with such aircraft.
2. DISTRIBUTION. This notice is distributed to the regional Flight Standards Divisions; the Aircraft Certification Directorates and all International Aviation Officers; to the Europe, Africa, and Middle East Office Flight Standards Staff; to all Flight Standards District Offices; to all Aircraft Certification Offices; and to all International Aviation Field Offices. An informational copy is distributed to the branch level in the Flight Standards Service and to all regional administrators.
3. BACKGROUND. Because of the special nature of the intended use of restricted category civil aircraft, their airworthiness certification standards are not designed to provide the same level of certitude that is required for aircraft certificated under standard category airworthiness standards. However, through operating limitations and operating rules, equivalent levels of safety are maintained for the public. The Federal Aviation Regulations (FAR) are very explicit with respect to limitations applicable to the operation of restricted category aircraft.
4. Operating Limitations. Section 91.313 (a) of the FAR states, in pertinent part, that no person may operate a restricted category civil aircraft for other than the special purpose for which it is certificated; or in an operation other than one necessary to accomplish the work activity directly associated with that special purpose. However, operating a restricted category civil aircraft to provide flight crewmember training in a special purpose operation for which the aircraft is certificated is considered to be an operation for that special purpose. For example, instruction in agricultural aircraft operations, such as swath runs and pullups and turnarounds in an restricted category aircraft certificated for the special purpose of agricultural operations, would be considered to be an operation for that special purpose.

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Initiated By: AFS-820

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The FAR do not permit the carriage of persons or property for compensation or hire in restricted category aircraft. However, the carriage of persons or materials necessary for the accomplishment of a special purpose, such as forest and wildlife conservation, is authorized under § 91.313 of the FAR when that carriage is necessary for that special purpose operation. For example, the carriage of firefighters and their firefighting equipment from a staging area or fire camp to the location of the fire would not be considered to be the carrying of persons or property for compensation or hire. The carriage of persons or materials not necessary for the accomplishment of the work activity associated with the special purpose is contrary to the FAR.

4. SPECIAL PURPOSE OPERATIONS. Section 21.25 (b) of the FAR enumerates the special purpose operations for which restricted category type certificates are issued. These special purposes include:

- a. Agricultural (spraying, dusting, and seeding, and livestock and predatory animal control);
- b. Forest and wildlife conservation;
- c. Aerial surveying (photography, mapping, and oil and mineral exploration);
- d. Patrolling (pipelines, power lines, and canals);
- e. Weather control (cloud seeding);
- f. Aerial advertising (skywriting, banner towing, airborne signs and public address systems); and
- g. Any other operation specified by the Administrator.

The purposes in Section 21.25(b) of the FAR, including the "other operation[s] specified by the Administrator" cited in (b)(7), have been construed as encompassing a specific operation only when the unusual nature of the operation precludes it from being conducted in an aircraft certificated in another category. For example, intentional parachute jumping may be conducted in aircraft certificated in other categories, and therefore, the issuance of a restricted category type certificate, where parachute jumping is cited as the special purpose operation, would be inconsistent with the intent of the restricted category provisions.

5. Carriage of Cargo in Surplus Military Aircraft. The carriage of a particular type of cargo by surplus U.S. military restricted category aircraft when that operation is not for compensation or hire may be considered a valid special purpose operation under Section 21.25(b)(7) of the FAR when it is in fact a special purpose operation. Accordingly, the carriage of a particular type of cargo by surplus U.S. military aircraft could qualify as a special purpose operation in the following situations.

a. When the particular cargo is outsize cargo which cannot be readily carried by any standard category aircraft and the carriage of such cargo is incidental to the operator's business which is other than air transportation.

b. When other standard category aircraft are not reasonably available to carry the particular cargo in a particular area and the carriage of such cargo is incidental to the operator's business which is other than air transportation.

However, there are several types of airplanes, such as the Lockheed Model 382, the Shorts Skyvan, and the Casa 212, that are certificated under standard category airworthiness standards but which have the capability to carry outsized cargo. These airplanes also have a convenient ventral ramp loading system which was once offered a unique advantage to certain restricted category surplus military aircraft, such as the C-82, but this is no longer the case.

6. Surveillance of Restricted Category Aircraft Operators. Surveillance procedures for operators of restricted category aircraft operated under Part 133 or 137 of the FAR are contained in FAA Order 8700.1, General Aviation Inspector's Handbook, Chapters 104 and 119. Ramp inspection procedures for operators under Part 91 of the FAR are contained in Chapter 56 of Order 8700.1. Inspectors should follow the appropriate guidance contained in Order 8700.1 when conducting restricted category aircraft surveillance activities.

a. Aircraft Markings. Restricted category aircraft are required to be marked in accordance with Part 45 of the FAR. Generally, restricted category aircraft are identified by either the letter "R" preceding the registration number e.g. NR12345 or by the word, "RESTRICTED," in letters not less than two inches nor more than six inches in height, displayed on the aircraft near the entrance to the cabin or cockpit.

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b. Special Airworthiness Certificates. Restricted category aircraft are issued special airworthiness certificates (pink) and special operating limitations, which are attached to such certificates. The special purpose operation[s] for which the restricted category aircraft is certificated is listed on the face of the special airworthiness certificate. Flight Standards inspectors should determine if the special purpose operation contained on the special airworthiness certificate corresponds to the actual operation observed. Flight Standards inspectors should place special emphasis upon continuing compliance with restrictions on the carriage of persons or property and any special conditions or limitations specified in the special operating limitations. If noncompliance with the FAR are discovered, appropriate enforcement action should be initiated.

7. DISPOSITION. The guidance contained in this notice will be incorporated in an upcoming change to Order 8700.1.

8. IMPACT STATEMENT. Program requirements to be accomplished within available resources.