

Big Win for Experimental Aircraft on AD Applicability

March 15, 2012 – EAA and experimental category aircraft owners waited a long time for this piece of good news, but it finally arrived on March 12, when the FAA published an updated Advisory Circular (AC 39-7D) on Airworthiness Directives (ADs). The circular formally set FAA policy that ADs are not applicable on non-type certificated aircraft, except when specifically noted. This is an issue that has been on EAA's "Top 10" list of advocacy issues and has been part of the agenda at the last three EAA/FAA Recreational Aviation Summits. The absence of FAA headquarters guidance had created a patchwork of regional policies that varied and at times conflicted with each other.

"This is an outcome that is the result of many hours of hard work on EAA's insistence that ADs do not apply to experimental aircraft," said Sean Elliott, EAA vice president of safety and advocacy. "It clears up a great deal of confusion by setting a consistent FAA policy."

The circular also maintained FAA's option to include experimental category aircraft in an AD but must state that inclusion. Examples may include an Emergency AD involving an immediate safety of flight issue or products that may be installed on type certificated and non-type certificated aircraft, such as aircraft engines, propellers, and similar products.