Exemption No. 9849

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
KANSAS CITY, MO 64106

In the matter of the petition of

CIRRUS DESIGN CORPORATION (CIRRUS DESIGN)

for an exemption from § 23.1419(a) of Title 14, Code of Federal Regulations

Regulatory Docket No. FAA-2009-0040

GRANT OF EXEMPTION

By letter dated January 13, 2009, Mr. Christopher Mitchell, Director, Airworthiness, Cirrus Design Corporation (Cirrus Design), 4515 Taylor Circle, Duluth, Minnesota, 55811 petitioned the Federal Aviation Administration (FAA) on behalf of Cirrus Design for an exemption from § 23.1419(a) of Title 14, Code of Federal Regulations (14 CFR). The proposed exemption, if granted, would allow a stall speed above 61 knots in the landing configuration (V_{SO}), in icing conditions.

The petitioner requests relief from the following regulation:

Section 23.1419(a) prescribes that airplane performance, controllability, maneuverability, and stability must not be less than that required in part 23, subpart B, in the icing conditions defined in part 25, Appendix C. Section 23.49 is included in subpart B performance, and § 23.49(c) requires V_{SO} to be 61 knots or less for the Cirrus Design model SR22.

The petitioner supports its request with the following information:

The petitioner states that compensating features in support of the requested exemption are listed in FAA Advisory Circular (AC) 23.1419-2D. The petitioner states that granting the exemption would benefit the public by increasing the safety of the airplane, since the model SR22 is primarily used for cross-country travel and has a high probability of encountering inclement weather, including icing conditions. Granting the

exemption would allow the airplane to be certified for flight into known icing with a system that has increased redundancy and capability compared to the system currently certified. The utility of the airplane in icing would be reduced if the exemption were not granted because the payload would be reduced by approximately 302 pounds, or about 30 percent. The petitioner states safety is not adversely affected because the model SR22 has all the compensating features listed in the AC.

A similar exemption has been granted on a multi-engine airplane, and this was the first exemption request for a single engine airplane. The FAA found that the petition, if granted, would set a precedent. Therefore, to allow an opportunity for the public to comment on the petition, a summary of this petition was published in the Federal Register on February 17, 2009 (74 FR 7534). No comments were received.

The FAA's analysis is as follows:

The FAA finds that the model SR22, as modified by the type design change defined by FAA project TD6406CH-A, incorporates the compensating features listed in Advisory Circular 23.1419-2D, paragraph 13.a.(1)(c).

The FAA's Decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Cirrus Design Corporation is granted an exemption from 14 CFR § 23.1419(a) to the extent necessary to allow Cirrus Design to certificate the ice protection system on the model SR22, subject to the conditions and limitations listed below.

Conditions and Limitations

This exemption applies only to model SR22 airplanes that conform to the Flight into Known Icing (FIKI) major type design change defined in FAA project TD6406CH-A.

Issued in Kansas City, MO on April 2, 2009.

John Colomy
Acting Manager, Small Airplane Directorate
Aircraft Certification Service