

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.382

National Policy

Effective Date:
9/16/16

Cancellation Date:
9/16/17

SUBJ: Certificate of Waiver J550, Banner Towing Operations

- 1. Purpose of This Notice.** This notice announces changes to the requirements for issuing the automated Certificate of Waiver (CoW) J550, Banner Towing Operations, and revises the J550 template for Title 14 of the Code of Federal Regulations (14 CFR) part 91 operations. This notice establishes the Web-based Operations Safety System (WebOPSS) and J550 as the preferred method of issuing CoWs for banner tow operations.
- 2. Audience.** The primary audience for this notice is Federal Aviation Administration (FAA) Flight Standards District Offices (FSDO) and aviation safety inspectors (ASI) assigned oversight of operators conducting operations under part 91. The secondary audience includes Flight Standards (AFS) personnel in the divisions and regions and in headquarters (HQ).
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA's Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.
- 4. Background.** Title 14 CFR part 91, § 91.311 does not allow pilots to conduct towing operations except in accordance with the terms of a CoW issued by the Administrator. The changes to the guidance and the requirements for the issuance of waiver for banner towing operations have been made to provide increased visibility during the banner towing operations as a result of an FAA Safety Recommendation submitted to the General Aviation, Commercial Operations Branch (AFS-820).
- 5. Guidance.** AFS-820 is revising FAA Order 8900.1, Volume 3, Chapter 3, Section 1 and the Banner Towing Operations CoW (J550) template in WebOPSS in conjunction with this notice. This notice contains a sample CoW J550 template in Appendix A which applies to banner towing operations under part 91.

 - a. Adding an Operator to WebOPSS.** If a part 91 operator is not already established in WebOPSS, general instructions for adding an operator to WebOPSS in order to issue the automated part 91 CoW J550 is associated with the part 91 letter of authorization (LOA) A001 template guidance in WebOPSS.

b. Required LOAs. When issuing a part 91 J550 from WebOPSS, at a minimum the A001, Issuance and Applicability, and A004, Summary of Special Authorizations and Limitations, LOAs must be included in the operator's package.

6. Explanation of Key Changes.

a. Approved Pilots and Aircraft. The approved pilots and aircraft will be listed on FAA Form 7711-2, Application for Certificate of Waiver or Authorization, that is attached to and becomes a part of CoW J550. They are no longer listed on CoW J550.

b. Waived Part 91 Regulations. Section 91.311 is required to be listed as a waived regulation on the application and CoW J550 for banner tow operations. If the aircraft is certificated in the restricted category and the operator intends to conduct banner tow operations in areas prohibited by § 91.313(e), then § 91.313(e) should also be listed. However, if operations are conducted in any restricted category aircraft, the responsible person must coordinate the operations with the geographical FSDO, as additional special provisions may be needed.

c. Provisions. For standardization, standard provisions and special provisions are printed on CoW J550. There is also the option for additional special provisions that may be needed for certain FSDOs.

7. Action. This is a nonmandatory revision to the automated CoW J550 in WebOPSS. ASIs should review the guidance in Order 8900.1, Volume 3, Chapter 3, Section 1. Existing J550 CoWs may be allowed to expire. Upon expiration, ASIs should archive the CoW J550 issued to the operator in WebOPSS. ASIs should issue all new CoWs for banner towing operations following the revised Order 8900.1 guidance using the J550 CoW in WebOPSS.

8. Disposition. We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions or comments concerning this notice to AFS-820 at 202-267-1100.

ORIGINAL SIGNED by

/s/ John Barbagallo
Deputy Director, Flight Standards Service

**Appendix A. Sample Certificate of Waiver J550, Banner Towing Operations:
14 CFR Part 91**

1. The operator, [Label], is authorized in accordance with Title 14 of the Code of Federal Regulations (14 CFR) part 91, § 91.311 to conduct banner towing operations when issued to the Responsible Person listed in Table 1 and in item 2 on the FAA Form 7711-2 application. This document constitutes the same authority as FAA Form 7711-1 (7-74) and will be issued in lieu of that form for banner towing operations.

(a) This Certificate of Waiver does not waive any state law or local ordinance. Should the proposed operations conflict with any state law or local ordinance or require permission of local authorities or property owners, it is the operator’s responsibility to resolve the matter.

(b) No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the 14 CFR not specifically waived by this Certificate of Waiver.

2. Responsible Person. This Certificate of Waiver is considered invalid until signed by the person responsible for flight operations listed in Table 1. The name, telephone number or email address, street address (not a post office box), city, state, and zip code for the person responsible for flight operations is listed in Table 1 below.

(a) The Responsible Person certifies that the operator and pilot in command (PIC) will comply with all standard and special provisions contained in the Certificate of Waiver.

(b) A copy of this Certificate of Waiver will become part of the electronic file maintained in the national automated system for this operator.

Table 1 – Responsible Person

Name	Telephone #/Email	Address	City	State	Zip

3. Effective Date and Expiration. This Certificate of Waiver is effective from __, to __ inclusive, and is subject to cancellation at any time upon notice by the Administrator or his authorized representative. The Certificate of Waiver must not exceed 24 calendar-months. The operator may renew this Certificate of Waiver by submitting an application with the local Flight Standards District Office (FSDO) for renewal at least 30 days prior to the expiration date.

4. Regulations Waived. The operator is authorized to waive the provisions of the 14 CFR regulations authorized in Table 2 to conduct banner towing/aerial advertising operations.

Table 2 – Regulations Waived

Operations Authorized	Waived Regulations by Section and Title
Banner Towing/Aerial Advertising	<i>91.311, Towing: Other than under § 91.309. 91.313(e), Restricted category civil aircraft: Operating limitations.</i>

5. Authorized Aircraft.

(a) Restricted category civil aircraft.

(1) Restricted category civil aircraft must be operated in accordance with an FAA Form 8130-7, Special Airworthiness Certificate, and its associated operating limitations.

(2) If § 91.313(e) is waived in Table 2, then the Responsible Person must also coordinate with the FSDO that has jurisdiction over the geographic area of proposed operations.

(b) Helicopters.

(1) The provisions of § 91.119(d) are not applicable when operating under the terms of this certificate.

(2) Section 91.119(c) operations over congested areas must not be lower than 1,000 feet and operations elsewhere shall be prohibited.

6. Authorized Pilots. The operator shall only use the pilots authorized as listed on the approved FAA Form 7711-2 application to conduct operations in accordance with this Certificate of Waiver. When banner tow operations are conducted for compensation or hire, the pilot must have at least a limited commercial pilot certificate (without an instrument rating) and at least a valid second-class medical certificate. For flights that are not conducted for compensation or hire, the pilot of the tow aircraft shall hold at least a valid private pilot certificate and have a minimum of 200 hour PIC time.

7. Geographic Area of Operations. The operator is authorized to conduct banner towing operations in the following geographic area(s):

<i>[Multi-combo box, select from below or enter US state(s)]</i>
The 48 contiguous United States and the District of Columbia
The Commonwealth of Puerto Rico
The State of Alaska

8. Weather Limitations. Banner towing operations are limited to day, visual flight rules (VFR) only operations. Operations shall be conducted only between the hours of official sunrise and official sunset. The operator shall comply with the following additional weather limitations:

9. Standard Provisions. The operator is responsible for compliance with the following standard and special provisions:

(a) A copy of the application (FAA Form 7711-2) made for this Certificate of Waiver shall be attached to, carried with, and become a part hereof.

(b) A copy of this Certificate of Waiver shall be carried on board each authorized aircraft.

(c) This Certificate of Waiver shall be presented for inspection upon request of any authorized representative of the Federal Aviation Administration, or any state or municipal official charged with the duty of enforcing local laws or regulations.

(d) The holder of this Certificate of Waiver shall be responsible for the strict observance of the terms and provisions contained herein.

(e) This Certificate of Waiver is not transferable.

(f) Failure to comply with this Certificate of Waiver and the special provisions may constitute justification for rescinding the Certificate of Waiver.

10. Special Provisions.

(a) For operations outside the geographic area of the issuing FSDO or operating in another FSDO's jurisdiction under a "The 48 contiguous United States and the District of Columbia" authorization, the operator will coordinate with the appropriate jurisdictional FSDO in advance of any operations conducted. If there are special provisions for the added geographical area, those provisions will be added to those originally issued by the original certificating FSDO. The operator will comply with all special provisions attached to its waiver.

(b) Whenever there is a change of pilots or aircraft, the FSDO must be notified at least 7 days or 5 working days in advance of the first date the aircraft or pilot is scheduled to operate. The FSDO must approve the change before the operation involving the new pilot or aircraft takes place.

(c) Operators who hold a Certificate of Waiver have the responsibility to train each new pilot in banner tow operations and in the special provisions of the Certificate of Waiver.

(d) The maximum number of letters (panels) or the largest advertisement to be towed cannot be more than was demonstrated to the FAA on initial observation.

(e) Banner pickup or drop should be in a predesignated area with adequate clearance from taxiways, runways, persons, buildings, parked automobiles, and other aircraft and should avoid obstacles and not endanger other aircraft in the air or persons, property, or aircraft on the surface.

(f) The operator shall obtain the airport manager's approval to conduct banner tow operations at that respective airport.

(g) If the airport involved has an FAA Control Tower, the holder shall coordinate all banner tow operations and operate in coordination with the FAA Control Tower during banner tow operations.

11. Additional Special Provisions.