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FAA Releases New Hawaii Air Tour Advisory Circular

The FAA has released a [draft advisory circular](#) (AC) applicable to commercial air tour operators in Hawaii who wish to obtain an authorization to operate below the regulatory minimum flight altitudes of 14 CFR Part 136, Appendix A, Section 6(a), which restrict any type of commercial air tour operations at an altitude below 1,500 ft. above ground level (agl) in the state.

The AC is intended to assist certificate holders and operators with the development of operational processes and procedures, and with the recommended pilot training, as part of the application package for the Operations Specification (OpSpec)/Letter of Authorization (LOA) B048, Commercial Air Tour Operations Below 1,500 Feet Above the Surface in the State of Hawaii.

OpSpec/LOA B048 provides the certificate holder or operator with authorization to conduct commercial air tour operations less than 1,500 ft. above ground level in Hawaii in order to remain in VMC and avoid entering unforecasted IMC. This authorization is not intended for flights where forecasted weather conditions would not allow VMC above 1,500 ft.

The authorization does not allow deviation from Part 136, Appendix A, Section 6(b) and is not intended to authorize operations closer than 1,500 ft. to any person or property.

Regulatory Requirement and Authorization

The FAA offers air tour operators the option to deviate from Part 136, Appendix A, Section 6(a) and conduct air tour operations below 1,500 ft. under certain conditions. Applicants must apply for OpSpec B048 for Part 119 certificate holders and LOA B048 for Part 91 operators.

Authorization Process

The FAA administrator will consider each individual application in its entirety and may recommend the inclusion of additional aircraft equipage and inspections, safety risk analysis, FAA approval of pilot training, and FAA acceptance of operating procedures (as they pertain to flight operations below 1,500 ft. agl, as authorized through OpSpec/LOA B048) before such authorization is issued to each specific Hawaii commercial air tour operator.

Operating Procedures

The AC outlines various operating procedures for air tour operators:

- Designation of known site-specific areas (KSSAs) where commercial air tour operations can take place
- Commercial air tour flight profiles, including altitudes, areas, landmarks, and more
- Transition segments for maneuvering between KSSAs
- Communication procedures, radio frequencies, and aircraft-lighting recommendations
- Weather minimums for safe operations below 1,500 ft.
- Safety risk analysis and prohibited operations
- Reporting points and procedures for unforecasted weather encounters.

Aircraft Equipment

As part of the application package, the certificate holder or operator should present to the FAA administrator a list of instruments and equipment installed on each aircraft. It is recommended that the certificate holder or operator include the following:

- All equipment required under Section 91.205(d)
- Instrument navigation equipment capable of conducting at least one type of instrument approach procedure (IAP)
- An ADS-B In and Out system that provides visual and audible traffic warnings
- A supplemental type certificate (STC), as applicable
- Minimum equipment lists (MELs), as applicable.

Pilot Training

The certificate holder's or operator's pilot training should include:

- Ground and flight training subjects for pilots to conduct commercial air tour flights
- KSSA-familiarization flights under supervision
- Initial or annual flight observations by the FAA administrator or an approved person
- Qualifications and responsibilities of instructors
- Documentation and recordkeeping of training and observations.

The public has 30 days from Aug. 4 to comment on the new AC, which would take effect in the second quarter of 2024.

Bandelier National Monument: LAST DAY to Submit Your Comments on a New Draft ATMP!

The US National Park Service (NPS) and the FAA are collaboratively revising the regulations governing air tours over US national parks. In the proposed Bandelier National Monument Air Tour Management Plan (ATMP), air tour flights within the New Mexico monument would be discontinued.

This decision has sparked concerns about the plan's potential impact on numerous visitors, including elderly and young people and people with disabilities, who might be deprived of the opportunity to experience the natural beauty of the park without aerial access. Additionally, the NPS intends to significantly reduce air tour flights in US parks in general, which could potentially lead to the closure of some tour operations.

We urge you to act today in support of your industry. Let the NPS know you favor preserving access to aerial tours in our national parks! The deadline for submitting comments regarding the Bandelier National Monument ATMP is **TODAY**, Aug. 11, 2023!

HAI has made it easy for you to show your support:

1. [Click here](#) to access a templated response to the NPS about the Bandelier draft ATMP. Personalized messages have more impact, so we encourage you to adjust the templated message accordingly before submitting your comments.
2. Enter your contact information.
3. Hit "Send Email."

Thank you for your proactive stance!

NCSL Legislative Summit

The HAI Government Affairs team is excited to participate in the upcoming National Conference of State Legislators (NCSL) Legislative Summit, taking place in Indianapolis, Indiana, from Aug. 14 to 16. This event represents the largest assembly of state legislators and legislative staff across the United States. If you are an HAI member attending the summit, or if you would like our team to contact your local representative, please email us at katia.veraza@rotor.org. Your input and engagement are highly valued.

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