



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Aviation Safety

800 Independence Ave  
Washington, DC 20591

July 28, 2021

Exemption No. 18861  
Regulatory Docket No. FAA-2016-9363

Mr. Daniel S. Hollowell  
Vice President, Safety and Operations  
International Council of Air Shows, Inc.  
205 Van Buren Street, Suite 120  
Herndon, VA 20170

Dear Mr. Hollowell:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your request for exemption. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date it ends.

### **The Basis for the FAA's Decision**

By the letter dated June 3, 2021, you petitioned the FAA on behalf of International Council of Air Shows, Inc. (ICAS) for an exemption from § 61.3(a) and (c) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow ICAS pilots to operate as pilots-in-command (PIC) without having their pilot certificates, medical certificates, and photo identifications in their physical possession during flight.

Although you requested an extension of Exemption No. 18193 (copy enclosed) that exemption expired on April 30, 2021. Therefore, we are issuing International Council of Air Shows, Inc. a new exemption.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 9551 (copy enclosed), the FAA found that an exemption was appropriate to allow ICAS members to operate at airshows without the required certificates of 14 CFR § 61.3(a) and (c) since the pilots will take off and land at the same airport during an airshow event, and pilots will have immediate access to their certificates prior to takeoff and after landing.

AFS-22-00002-E

Having reviewed your reasons for requesting an exemption, I find that—

- They are similar in all material respects to relief previously requested in the enclosed Grant of Exemption No. 9551;
- The reasons stated by the FAA for granting the enclosed Grant of Exemption No. 9551 also apply to the situation you present; and
- A grant of exemption is in the public interest.

### **The FAA's Decision**

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register*. The FAA has determined that good cause exists because the requested exemption would not set a precedent and any delay in acting on this petition would be detrimental to ICAS.

Under the authority contained in 49 U.S.C. §§ 106(f), 40113, 44701, and 44807 which the FAA Administrator has delegated to me, I hereby grant International Council of Air Shows, Inc. an exemption from 14 CFR § 61.3(a) and (c) to the extent necessary to allow ICAS pilots to operate as pilots-in-command (PIC) without having their pilot certificates, medical certificates, and photo identifications in their physical possession during flight, subject to the conditions and limitations described below.

### **Conditions and Limitations**

1. Flights must be nonstop and take place within a 25-statute-mile radius of the departure airport.
2. Each airman performing in an airshow must have his or her current pilot certificate, medical certificate, and photo identification readily available for presentation upon request by an FAA inspector or other appropriate authority before and after the airshow performance.
3. Each ICAS pilot operating under this exemption must be given a briefing by an ICAS representative on the provisions of this exemption.
4. Failure to adhere to any of these conditions or limitations may result in immediate withdrawal of this grant at any time.
5. This exemption is not valid for operations outside of the United States.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

### **The Effect of the FAA's Decision**

This exemption terminates on August 31, 2023, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2016-9363 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,

/s/

Robert C. Carty  
Deputy Executive Director, Flight Standards Service

Enclosures



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

April 15, 2019

Exemption No. 18193  
Regulatory Docket No. FAA-2016-9363

Mr. Daniel S. Hollowell  
Vice President, Safety and Operations  
International Council of Air Shows, Inc.  
741 Miller Drive, Suite G-1A  
Leesburg, VA 20175

Dear Mr. Hollowell:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

### **The Basis for Our Decision**

By letter dated March 8, 2019, you petitioned the Federal Aviation Administration (FAA) on behalf of the International Council of Air Shows, Inc. (ICAS) for an exemption from § 61.3(a) and (c) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow ICAS pilots to operate as pilots-in-command (PIC) without having their pilot certificates, medical certificates, and photo identifications in their physical possession during flight.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 9551 (copy enclosed), the FAA found that an exemption was appropriate to allow ICAS members to operate at airshows without the required certificates of 14 CFR § 61.3(a) and (c) since the pilots will take off and land at the same airport during an airshow event, and pilots will have immediate access to their certificates prior to takeoff and after landing.

Having reviewed your reasons for requesting an exemption, I find that:

- They are similar in all material respects to relief previously requested in the enclosed Grant of Exemption No. 9551;

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- The reasons stated by the FAA for granting the enclosed Grant of Exemption No. 9551 also apply to the situation you present; and
- For the reasons stated in Grant of Exemption No. 9551, a grant of exemption is in the public interest.

### **Our Decision**

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to ICAS.

Therefore, under the authority contained in 49 U.S.C. §§ 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I hereby grant the International Council of Air Shows, Inc. (ICAS) an exemption from 14 CFR § 61.3(a) and (c) to the extent necessary to allow ICAS pilots to operate as pilots-in-command (PIC) without having their pilot certificates, medical certificates, and photo identifications in their physical possession during flight, subject to the conditions and limitations described below.

### **Conditions and Limitations**

1. Flights must be nonstop and take place within a 25-statute-mile radius of the departure airport.
2. Each airman performing in an airshow must have his or her current pilot certificate, medical certificate, and photo identification readily available for presentation upon request by an FAA inspector or other appropriate authority before and after the airshow performance.
3. Each ICAS pilot operating under this exemption must be given a briefing by an ICAS representative on the provisions of this exemption.
4. Failure to adhere to any of these conditions or limitations may result in immediate withdrawal of this grant at any time.
5. This exemption is not valid for operations outside of the United States.

This exemption terminates on April 30, 2021, unless sooner superseded or rescinded.

Sincerely,

/s/

Robert C. Carty

Deputy Executive Director, Flight Standards Service

Enclosure

Exemption No. 9551

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC 20591

In the matter of the petition of

**INTERNATIONAL COUNCIL OF  
AIR SHOWS, INC.**

for an exemption from § 61.3(a) and (c)  
of Title 14, Code of Federal Regulations

**Regulatory Docket No.  
FAA-2006-26238**

**GRANT OF EXEMPTION**

By letter dated October 27, 2006, Mr. Bruce A. Wilson, President and Chief Executive Officer, International Council of Air Shows, Inc. (ICAS), 751 Miller Drive, SE, Suite F-4, Leesburg, Virginia 20175, petitioned the Federal Aviation Administration (FAA) on behalf of ICAS for an exemption from § 61.3(a) and (c) of Title 14, Code of Federal Regulations (14 CFR). The proposed exemption, if granted, would permit ICAS pilots to operate as pilots in command (PIC) without having their pilot certificates, medical certificates, and photo identifications in their physical possession during flight.

**The petitioner requests relief from the following regulation:**

Section 61.3(a) and (c) prescribe, in pertinent part, that no person may act as PIC or in any other capacity as a required pilot flight crewmember of a civil aircraft of U.S. registry, unless he or she has in his or her personal possession a current pilot certificate, medical certificate, and photo identification.

**The petitioner supports its request with the following information:**

ICAS states that it typically uses high performance specialty aircraft made for aerobatics. These aircraft usually have very confined and restricted cockpits and are equipped with tight-fitting safety harnesses and often times a parachute. These aircraft also do not typically have built-in compartments to hold paperwork or certificates.

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The petitioner also states that because these pilots are performers, they often wear tight-fitting flight suits that do not allow the carrying of extra materials that are not essential to the performance of their routines. However, the pilot usually meets with an FAA representative prior to his or her performance and participates in a safety briefing prior to his or her flight. The pilots could, therefore, easily make accessible and provide the required information to the FAA prior to any flight.

The petitioner states its member pilots perform at more than 500 airshows each year at more than 250 locations throughout the United States. Their performances are typically short in duration averaging between 8 to 15 minutes. The flights are choreographed turn-by-turn and require high G-loads. The pilots are highly competent and skilled pilots. Aside from their general pilot's license and commercial certification, most have a statement of aerobatic competency card. The petitioner states that this provides an elevated level of safety above the average pilot bound by the regulations.

Airshow events are usually at or adjacent to an airport, so performers are seldom more than 5 miles away from the airport during the performance. The flight takeoff and landing almost always occur at the same location. A detailed schedule and air ground operations personnel coordinate the performances at the event and pilots are visible during their entire flight. The petitioner states that the events are conducted in FAA-waivered airspace providing a higher level of safety than the average circumstances would allow.

Furthermore, the petitioner states that this exemption would be in the public interest because aerobatic displays provide support for military aviation, increase national pride, and elevate awareness of aviation in general. They are important events that foster aviation growth and interest in aviation careers.

A summary of the petition was published in the Federal Register on March 20, 2007 (72 FR 13157). No comments were received.

**The FAA's analysis is as follows:**

The FAA has fully considered the petitioner's supportive information and finds that a grant of exemption would be in the public interest and would provide a degree of safety equivalent to that set by the current regulations.

The FAA notes that the information found on pilot and medical certificates confirms FAA findings, made at the time each certificate was issued, regarding the airman's qualifications. By having these documents in an airman's possession, he or she can demonstrate to an FAA aviation safety inspector or other appropriate authorities that he or she has previously demonstrated qualification to conduct the proposed operation.



The FAA finds that because aircraft performing in ICAS airshows takeoff and land at the same airport, the ICAS pilots will have immediate access to their certificates prior to takeoff and after landing. As such, upon request by an appropriate official, the ICAS pilot will be able to present the required certificates for inspection.

### **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, International Council of Air Shows, Inc., is granted an exemption from 14 CFR § 61.3(a) and (c) to the extent necessary for ICAS pilots to act as PICs, or in any other capacity as a required pilot flight crewmember of a civil aircraft of U.S. registry, without having their current airman medical certificates, pilot certificates, and photo identifications in their personal possession. This exemption is subject to the conditions and limitations listed below.

### **Conditions and Limitations**

1. Flights must be nonstop and take place within a 25-statute-mile radius of the departure airport.
2. Each airman performing in an airshow must have his or her current pilot certificate, medical certificate, and photo identification readily available for presentation upon request by an FAA inspector or other appropriate authority before and after the airshow performance.
3. Each ICAS pilot operating under this exemption must be given a briefing by an ICAS representative on the provisions of this exemption.

This exemption terminates on November 31, 2009, unless sooner superceded or rescinded.

Issued in Washington, DC, on November 9, 2007.

/s/

James J. Ballough  
Director, Flight Standards Service