



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

Aviation Safety

800 Independence Ave  
Washington, DC 20591

June 10, 2021

Exemption No. 18826  
Regulatory Docket No. FAA-2016-9362

Mr. Daniel S. Hollowell  
Vice President, Safety and Operations  
International Council of Air Shows, Inc.  
205 Van Buren Street, Suite 120  
Herndon, VA 20175

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 letter submitted to the federal docket on June 3, 2021, you petitioned the FAA on behalf of the International Council of Air Shows, Inc. and its members (ICAS) for an exemption from § 91.151(a)(1), (a)(2), and (b) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow ICAS members participating in waived events to begin flight in an airplane or rotorcraft, considering local conditions affecting fuel consumption, when there is enough fuel on board the aircraft to take off, complete the planned flight maneuvers, and land at the same airport with enough fuel to fly for an additional 10 minutes at normal cruising speed.

Although you requested an extension of Exemption No. 17326A (copy enclosed) that exemption expired on May 31, 2021. Therefore, the FAA is issuing the International Council of Air Shows, Inc. a new exemption.

The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption Nos. 17326 and 17326A (copies enclosed), the FAA found that International Council of Air Shows, Inc.'s members could operate their aircraft carrying less than the visual flight rules' fuel requirements while conducting their aviation performance at an ICAS member waived aviation event.

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

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- they are similar in all material respects to relief previously requested in the enclosed Grant of Exemption Nos. 17326 and 17326A;
- the reasons stated by the FAA for granting the enclosed Grant of Exemption Nos. 17326 and 17326A 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 91.151(a)(1), (a)(2), and (b) to the extent necessary to allow ICAS members to carry less than the visual flight rules' (VFR) fuel requirements while conducting their aviation performance at an ICAS member waived aviation event, subject to the following conditions and limitations.

### **Conditions and Limitations**

1. This exemption applies only to ICAS members when participating in an ICAS-sanctioned aviation event or aerobatic practice area for that event, at the event site, and in the same location and conditions as the event.
2. Only ICAS members identified as performers in the application for a certificate of waiver to the local Flight Standards District Office overseeing the event or aerobatic practice area may serve in operations pursuant to this exemption.
3. This exemption is applicable for flights conducted in VFR conditions only.
4. A person serving in operations pursuant to this exemption must comply with the requirements of an approved pilot operating handbook or aircraft flight manual concerning minimum fuel quantity during aerobatic flight.
5. All flights conducted by a person in accordance with this exemption must take off and land from the same airport.
6. Each ICAS member participating in an ICAS-sanctioned aviation event or aerobatic practice area must be given a formal briefing by the responsible person on the provisions of this exemption.

7. ICAS may operate outside of the United States under this exemption, unless otherwise prohibited by a foreign country. Crewmembers must have in their physical possession, or readily accessible in the airplane, a copy of this grant of exemption when exercising the relief provided. In accordance with the Convention on International Civil Aviation (Chicago Convention), and its Annexes, crewmembers must present a copy of this grant of exemption for inspection upon request by a foreign civil aviation authority.

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

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

To request an extension to this exemption, please submit your request by using the Regulatory Docket No. FAA-2016-9362 (<http://www.regulations.gov>). In addition, you should submit your request no later than 120 days prior to the exemption's expiration date listed above.

To request an amendment to this exemption, please submit your request no later than 120 days prior to the date you need the amendment using the process indicated above.

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

Sincerely,

/s/

Ricardo Domingo  
Executive Director, Flight Standards Service

Enclosures



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

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

May 11, 2017

Exemption No. 17326  
Regulatory Docket No. FAA-2016-9362

Mr. Daniel S. Hollowell  
Director of Operations  
International Council of Air Shows, Inc.  
748 Millar Drive SE, Ste. G-3  
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 October 28, 2016, you petitioned the Federal Aviation Administration (FAA) on behalf of International Council of Air Shows, Inc. (ICAS) for an exemption from § 91.151(a)(1), (a)(2), and (b) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow ICAS members to carry less than the visual flight rules' fuel requirements while conducting their aviation performance at an ICAS member waived aviation event.

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.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition with respect to § 91.151(a)(1). In Grant of Exemption No. 5745, as amended (copy enclosed), the FAA granted an exemption from the minimum fuel requirements provided in § 91.151(a)(1) to allow International Aerobatic Club (IAC) members to operate their aircraft at IAC-sanctioned competitions, provided that the appropriate conditions and limitations were applied.

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In consideration of the foregoing, I find that the request for relief from § 91.151(a)(1) is similar in all material respects to relief previously requested in the enclosed Grant of Exemption No. 5745, as amended. The reasons stated by the FAA for granting the enclosed Grant of Exemption No. 5745, as amended, also apply to the situation you present with respect to §91.151(a)(1) and for the reasons stated in Grant of Exemption No. 5745, as amended, a grant of exemption is in the public interest.

In addition to § 91.151(a)(1), this petitioner sought relief from paragraphs (a)(2) and (b) of § 91.151 in its petition for exemption. Although these operations present different safety risks from those presented by aerobatic flight that occurs using an airplane and during the day, the FAA has found that adding night airplane operations and helicopter operations do not change the safety analysis or the public interest finding of Exemption No. 5745. Similar to airplane day operations, the minimum fuel quantity for aerobatic flight for both night operations and for helicopter operations would be included in the approved pilot operating handbook and/or aircraft flight manual, and the exemption holder must comply with that manual regardless of the aircraft or the time of day.

Additionally, only ICAS members identified as performers in the application for a certificate of waiver to the local Flight Standards District Office overseeing the event or aerobatic practice area may serve in operations pursuant to this exemption.

Therefore, the FAA also grants an exemption to ICAS with respect to paragraphs (a)(2) and (b) of § 91.151.

### **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.

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 International Council of Air Shows, Inc. (ICAS) an exemption from 14 CFR § 91.151 (a)(1), (a)(2) and (b) to the extent necessary to allow ICAS members to carry less than the visual flight rules' fuel requirements while conducting their aviation performance at an ICAS-sanctioned aviation event or aerobatic practice area, subject to the conditions and limitations described below.

### **Conditions and Limitations**

This exemption applies only to ICAS members when participating in an ICAS-sanctioned aviation event or aerobatic practice area for that event, at the event site, and in the same location and conditions as the event. Additionally, only ICAS members identified as performers in the application for a certificate of waiver to the local Flight Standards District Office overseeing the event or aerobatic practice area may serve in operations pursuant to this exemption.

1. This exemption is applicable for flights conducted in VFR conditions only.
2. A person serving in operations pursuant to this exemption must comply with the requirements of an approved pilot operating handbook and/or aircraft flight manual concerning minimum fuel quantity during aerobatic flight.
3. All flights conducted by a person in accordance with this exemption must take off and land from the same airport.
4. Each ICAS member participating in an ICAS-sanctioned aviation event or aerobatic practice area must be given a formal briefing by the responsible person on the provisions of this exemption.

This exemption terminates on May 31, 2019, unless sooner superseded or rescinded.

Sincerely,

/s/

John Barbagallo  
Deputy Director, Flight Standards Service

Enclosure



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

Aviation Safety

800 Independence Ave  
Washington, DC 20591

April 25, 2019

Exemption No. 17326A  
Regulatory Docket No. FAA-2016-9362

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 petition to extend Exemption No. 17326. 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 extension of Exemption No. 17326. That exemption from § 91.151(a)(1), (a)(2), and (b) of Title 14, Code of Federal Regulations (14 CFR) allows ICAS members, to the extent necessary, to carry less than the visual flight rules' fuel requirements while conducting their aviation performance at an ICAS member waived aviation event.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

### **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 extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to ICAS.

The FAA has determined that the justification for the issuance of Exemption No. 17326 remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. §§ 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I grant the International Council of Air Shows, Inc. (ICAS) an exemption from § 91.151(a)(1), (a)(2), and (b) of Title 14, Code of Federal Regulations (14 CFR) to

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allow ICAS members, to the extent necessary, to carry less than the visual flight rules' fuel requirements while conducting their aviation performance at an ICAS member waived aviation event, subject to the following conditions and limitations.

### **Conditions and Limitations**

1. This exemption applies only to ICAS members when participating in an ICAS-sanctioned aviation event or aerobatic practice area for that event, at the event site, and in the same location and conditions as the event.
2. Only ICAS members identified as performers in the application for a certificate of waiver to the local Flight Standards District Office overseeing the event or aerobatic practice area may serve in operations pursuant to this exemption.
3. This exemption is applicable for flights conducted in VFR conditions only.
4. A person serving in operations pursuant to this exemption must comply with the requirements of an approved pilot operating handbook and/or aircraft flight manual concerning minimum fuel quantity during aerobatic flight.
5. All flights conducted by a person in accordance with this exemption must take off and land from the same airport.
6. Each ICAS member participating in an ICAS-sanctioned aviation event or aerobatic practice area must be given a formal briefing by the responsible person on the provisions of this exemption.

### **The Effect of Our Decision**

Our decision extends the termination date of Exemption No. 17326, as amended, to May 31, 2021 unless sooner superseded or rescinded.

Sincerely,

/s/

Robert C. Carty  
Deputy Executive Director, Flight Standards Service