

Experimental, Primary, and Limited Category Flight Training

The FAA released a policy in early July addressing the issue of training for compensation of hire in Experimental, Primary, and Limited category aircraft.

The policy states that, without exception, no compensated flight training can take place in these aircraft categories without an exemption of letter of deviation authority (LODA).

EAA continues to push the FAA for a legitimate solution to the harm and confusion the agency has created with this policy, and we are in the process of finding a long term solution in the form of legislation. In the interim, EAA has urged the FAA to establish a process that is as simple as possible to minimize the burden on the community, and the result was a LODA application process for experimental aircraft via email.

Frequently Asked Questions:

How do I get a LODA?

Per the FAA policy, you must send an email to 9-AVS-AFG-LODA@faa.gov with the following information:

- > Name
- > Address
- > Email address
- > Pilot certificate number
- > Flight instructor certificate number (if applying as a CFI)
- > Aircraft registration number (if applying as an owner)
- > Aircraft make/model in which you will receive or provide instruction
- > Aircraft home base airport (if applying as an owner)

If the above information is submitted correctly, your FSDO should issue your LODA to you in several business days. The LODA should be good for 4 years (48 months).



Does the owner/operator, the CFI, or both need the LODA?

Only one person in the cockpit needs to have the LODA. If you are a CFI and your student holds a LODA for their aircraft, you are covered.

What if I instruct for free?

You should consider that the FAA's definition of "compensation" is far broader than simply money. In a 2013 FAA legal interpretation, the FAA stated that: "The FAA has previously found that reimbursement of expenses (fuel, oil, transportation, lodging, meals, etc.), accumulation of flight time, and goodwill in the form of expected future economic benefit could be considered compensation."

Can I still instruct with a 3rd Class Medical or BasicMed, or operate as a Sport Pilot CFI?

Yes, you can still instruct as normal. While we are concerned that the fallout of this interpretation may spread to these areas, so far the FAA has repeatedly stated that they do not view these rules as being impacted by the ruling.

Does "Primary Category" mean that this new policy applies to factory-built primary trainers, like Cessna 150s?

No. Primary Category is actually a little-known and even less-used certification category for aircraft, separate from any other category (i.e. Standard, Experimental, etc...). In a way, it was a precursor to Light-Sport in that it allows alternative certification standards to Part 23 for light aircraft. It remains a valid pathway for certification and has recently been used for the certification of gyroplanes. This ruling does not apply to training in Standard Category aircraft.

I have (or instruct in) a Limited or Primary Category aircraft. Should I apply for a LODA?

No. These categories do not have a mechanism to grant LODAs. You will need an exemption. The FAA has stated an intent to begin issuing streamlined exemptions for these aircraft similar to the experimental LODAs. There should be more information soon on this process.

Please visit www.EAA.org/LODAFAQs for more information.



Do you need flight instruction in your own experimental aircraft? You need a LODA! Apply Today!

CFIs Scan Here



Step 1. Scan the QR code

Step 2. Complete the prepopulated email with your information.

Step 3. Send the email.

Please anticipate a response by July 31, 2021.

Aircraft Owners Scan Here

