SUMMARY: This notice requests comments on a petition by the Aircraft Owner and Pilots Association (AOPA) to revise certain policies concerning flying clubs in the Federal Aviation Administration (FAA) Order 5190.6B, FAA Airport Compliance Manual. As part of its effort to promote flying clubs, AOPA has requested certain revisions to FAA guidance intended to lower barriers for new flying clubs. These revisions allow flight instructors and mechanics who are club members to receive monetary compensation for services provided to club members.

On April 3, 2015, the AOPA Senior Vice President for Government Affairs & Advocacy, James W. Coon, wrote to Mr. Randall Fiertz, FAA’s Director of the Office of Airport Compliance and Management Analysis proposing revision to FAA guidance regarding compensation for flight instructors and persons maintaining aircraft within the context of flying club operations. AOPA seeks “to help current flying clubs and airport sponsors comply with the FAA guidance outlined in 5190.6B, and to provide future flying clubs the opportunity to strengthen and unify general aviation pilots.” AOPA states that its goal is “to provide guidance that is attainable and ensures educated compliance from all airport users,” and thus asks for “updated guidance regarding compensation for flight instructors and maintainers” because “flight instructors and aviation mechanics are valuable assets to the aviation industry, and should be granted the privilege of fair compensation for their efforts on a local level.”

DATES: Send your comments on or before August 14, 2015. The FAA will consider comments on the petition. Any revisions resulting from the original petition or comments received will be adopted as of the date of a subsequent publication in the Federal Register.

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Chapter I

[Docket No. FAA–2015–2022]

Petition of the Aircraft Owner and Pilots Association (AOPA) To Amend FAA Policy Concerning Flying Club Operations at Federally-Obligated Airports.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition; request for comments.

§ 278.6 [Amended]

8. In § 278.6:

a. Amend paragraph (e)(1)(iii)(A) by removing the words, “and (h)” and adding in their place the words, “(h)” and (i)”. b. Amend paragraph (l) by removing the references, “§ 278.1(j)” and “§ 278.1(k)” and adding in their place the references, “§ 278.1(l)” and “§ 278.1(k)”, wherever they occur, respectively.

c. Amend paragraph (m) by removing the references, “§ 278.1(k)” and “§ 278.1(l)” and adding in their place the references, “§ 278.1(l)” and “§ 278.1(k)”, respectively.

Dated: June 21, 2015.

Jeffrey J. Tribiano,
Acting Administrator, Food and Nutrition Service.

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enjoyment only.” The Order states that “the ownership of the club aircraft must be vested in the name of the flying club or owned by all its members. The property rights of the members of the club shall be equal; no part of the net earnings of the club will benefit any one individual in any form, including salaries, bonuses, etc. The flying club may not derive greater revenue from the use of its aircraft than the amount needed for the operation, maintenance and replacement of its aircraft.” The Order also notes that “flying clubs may not offer or conduct . . . aircraft rental operations. They may conduct aircraft flight instruction for regular members only, and only members of the flying club may operate the aircraft.” While members may not be monetarily compensated, existing policy allows flying clubs to allow compensation only in the form of credit against payment of dues or flight time.

In addition, the Order states that “no flying club shall permit its aircraft to be used for flight instruction for any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instruction. An exception applies when the instruction is given by a lessee based on the airport who provides flight training and the person receiving the training is a member of the flying club. Flight instructors who are also club members may not receive payment for instruction except that they may be compensated by credit against payment of dues or flight time” and that “any qualified mechanic who is a member and part owner of the aircraft owned and operated by a flying club may perform maintenance work on aircraft owned or exclusively used by the flying club. The flying club may not become obligated to pay for such maintenance work except that such mechanics may be compensated by credit against payment of dues or flight time.”

As part of its effort to promote flying clubs, AOPA has recommended revisions to FAA guidance. These recommendations, designed to promote flying clubs, include allowing flight instructors and mechanics who are club members to receive monetary compensation for services conducted for other club members or club aircraft. Specifically, AOPA proposes the following language for consideration in FAA flying club policies:

**AOPA Policy Proposal Item 1:**

“No flying club shall permit its aircraft to be used for flight instruction for any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instruction except in the following circumstances: (a) The flight instruction is provided to a club member by a flight instructor who is also a club member that is in good standing according to the club bylaws. In either case, the flight instructor may receive monetary compensation; however the flying club is prohibited from holding itself out to the public as a fixed based operator, a specialized aviation service operation, or a flight school. In the case of (b) above, the Airport Sponsor has the right to limit flight instruction for monetary compensation but must permit the club to compensate club instructors with credit against payment of dues or flight time.”

In brief, AOPA requests that flight instructors and mechanics who are club members be permitted to receive monetary compensation for services conducted within the club. AOPA’s request also emphasizes that airport sponsors must permit the club to compensate club instructors and mechanics with credit against payment of dues or flight time.

AOPA-recommended revisions are available for review on the FAA Airports Web site, as well as in the docket locations described under Availability of documents in this notice.

**Request for Comments:** The FAA requests comments on whether AOPA’s recommendations can be considered consistent with the FAA’s general policies regarding commercial aeronautical services and flying clubs on an airport, and if so, whether the stated agency policy on flying clubs should be revised to amend its definition of flying clubs. In particular, the FAA seeks comments from commercial service providers that engage in flight training and aircraft rental, from associations representing such service providers, and other interested parties.

Issued in Washington, DC, on July 9, 2015.

Randall S. Fiertz,
Director, Office of Airport Compliance and Management Analysis.

[FR Doc. 2015-17324 Filed 7-14-15; 8:45 am]

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