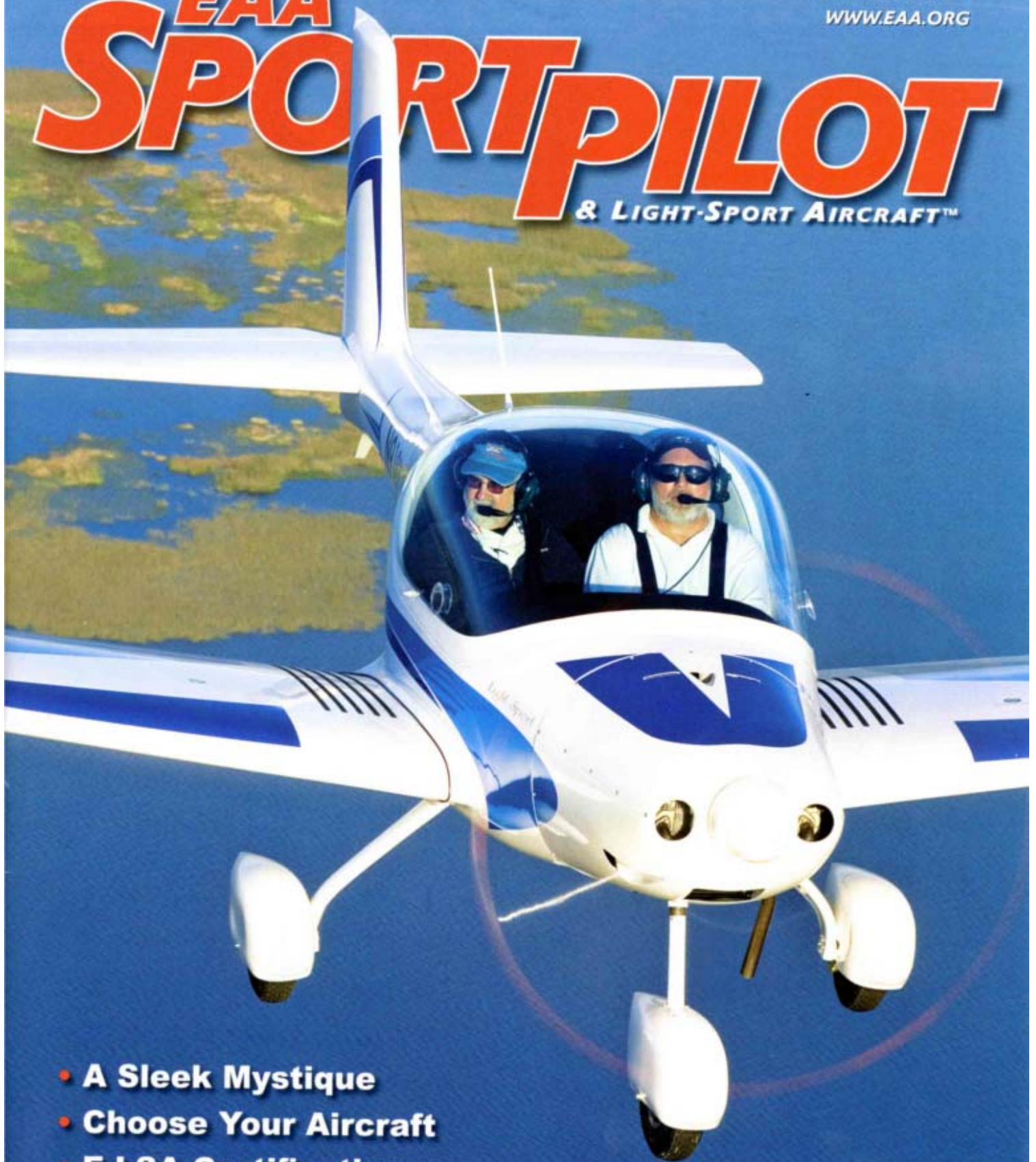


APRIL 2007

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# EAA SPORTPILOT

& LIGHT-SPORT AIRCRAFT™



- **A Sleek Mystique**
- **Choose Your Aircraft**
- **E-LSA Certification**



# Prepare for E-LSA Certification

The deadline is coming sooner than you think!

Would you like a big weathervane for the roof of your house or hangar? How about a unique propeller-driven go-cart? Perhaps you have always wanted to be a seller of used airplane parts . . .

By G. Michael "Mike" Huffman

Well, if you miss the deadline for certifying your fat or two-place fixed-wing ultralight, powered parachute, trike, or gyroplane, you'll likely get your chance.

FAR 21.191(i)(1) of the sport pilot/light-sport aircraft (SP/LSA) regulation specifies that all existing previously uncertificated "ultralight-like vehicles" that do not meet the definition of an FAR 103 ultralight must be issued an experimental light-sport air-

craft (E-LSA) airworthiness certificate prior to January 31, 2008, or they will permanently lose the opportunity.

That means if you don't convert your aircraft by that date, you will have an expensive lawn ornament or a pile of parts on your hands. In most cases, it will not be possible to certificate the machine in any other category.

"No problem," you say, "I'm way ahead of you. My plan is to wait un-

til this flying season is over and then convert my machine next winter, when I can't fly anyway. I'll slip in right under the deadline!"

Well, my friend, the purpose of this article is to inject a healthy dose of reality into your plans and build a fire under you so you'll get started much earlier—even right now! The fact is, if you wait until even late summer, factors beyond your control may cause it to be already too late.

The purpose of this article is to inject a healthy dose of reality into your plans and build a fire under you so you'll get started much earlier — even right now!

So you'll understand these factors, let's take a step back and review what's required to get your aircraft certificated.

The first requirement, per FAR 47.3 and 91.203, is that you must register your aircraft with the FAA. To do so, you'll fill out a couple of forms and send them to the FAA Aircraft Registry in Oklahoma City. In essence, you are telling them your aircraft exists. Once registered, it changes from being a "vehicle" (in FAR 103 parlance) to an "aircraft," subject to all the applicable FAA rules for aircraft. After the registration process is complete, your aircraft will show up on the FAA website with an "assigned" registration, and you will receive in the mail a registration certificate that identifies your aircraft by manufacturer, model, serial number, and N number.

The second requirement, also per FAR 91.203, is that your aircraft must be issued an airworthiness certificate by an FAA inspector or a designated airworthiness representative (DAR). You'll start by inspecting your aircraft, correcting defects, applying placards and markings, installing a dataplate, applying N numbers, performing a weight and balance (or weight and loading for PPCs and weight-shift aircraft), establishing maintenance

records, and, in the case of two-place, fixed-wing airplanes, installing an emergency locator transmitter. As you complete those tasks, you'll schedule an inspection visit with the inspector/DAR and fill out a couple more FAA forms. The inspector/DAR is required to assure that your aircraft is properly registered before performing the inspection. When the inspection is complete, if no major problems are found, the inspector/DAR will issue the airworthiness certificate and operating limitations on the spot.

Both these steps must be completed by January 31, 2008.

#### Why Start Early?

"So why should I start early?" you ask. The answer, in short, is if you wait to submit your registration paperwork beyond late summer 2007, backlogs in both the registration and certification steps may become large enough to jeopardize getting the airworthiness certificate before the January 31, 2008, deadline.

The real magnitude of those backlogs will be unknown until they actually occur, but they will be determined by how many applicants request E-LSA certification, when those requests are received, and the FAA's ability to handle the additional workload.

No good statistics exist regarding the likely number of E-LSA applicants; some estimates suggest as high as 15,000 former ultralights may transition, but more realistic numbers are perhaps 5,000 to 8,000. If even those more realistic numbers hold true, sig-

nificant additional workload will occur in both the registration and certification steps.

The FAA Aircraft Registry normally processes an average of about 230 registration packages per business day; if 8,000 new applications were received between April 1 and, say, August 15, that would result in about a 40-percent increase in its workload.

In a similar analysis of the certification step, there are currently about 100 DARs qualified to inspect E-LSA; if 8,000 applications were received between April 1 and, say, January 1, 2008, each DAR would have to certify an average of about three aircraft per day between now and then. It is safe to say that these averages are currently not being met.

Note that these are level-loaded averages—the longer people delay in getting their applications submitted, the greater the workloads will become.

#### The FAA Steps Up to the Plate

In January 2007, during a summit meeting held at EAA headquarters, concerns were expressed to the FAA about the likelihood of long backlogs developing. As a result, in early February, the FAA drafted a notice that it is sending with each E-LSA registration certificate. (See E-LSA Alert.)

That notice lists the deadlines for achieving various steps in the process toward E-LSA certification. Those deadlines are:

- August 15, 2007—submit your aircraft registration (N-number) request.



*Inspect your machine as a part of your preparations. Even if you complete the registration and all paperwork in time, if the machine fails the DAR inspection and there's not enough time for a second inspection before the deadline, you may be out of luck.*

All "fat" single-seat or two-place ultralight-type vehicles—no matter whether a fixed-wing airplane, powered parachute, or weight-shift trike—must transition to E-LSA status no later than January 31, 2008, or essentially become an expensive lawn ornament.

- October 1, 2007—call your local E-LSA DAR to schedule your E-LSA airworthiness inspection.

- November 30, 2007—submit your aircraft airworthiness certification request packet.

Now, the stakes are in the ground. However, even if you meet the dates in the notice, the FAA is not guaranteeing that the certification process will be completed before the deadline, only that the registration package will be reviewed and that your aircraft will be inspected. If you make mistakes on the paperwork in your registration package, it will be returned to you for correction, resulting in additional delay. Similarly, if the DAR finds defects or deficiencies in your aircraft that would require

a return inspection visit, additional delays could occur, which may push you past the deadline.

#### What If You Miss the Deadline?

We often hear the question, "Will the deadline be extended?" The FAA continues to emphatically say no.

As explained above, if you miss the deadline, it is likely you will not be able to certificate your machine in any other category. There will be a few lucky individuals who have actually built their aircraft from an FAA-listed 51-percent kit and documented the building process, in which case they will be able to legally register and certificate it as an experimental amateur-built (E-AB) aircraft.

However, many ultralights were purchased ready to fly. From time to time, we hear those owners say, "Well, I'll just disassemble my machine—so it is just a pile of parts—then reassemble it, take a few photos of the process, and certificate it as an E-AB." The problem is that the FAA's rules for E-AB aircraft say that at least 51 percent of the aircraft must have been built by an individual or group of in-

dividuals for education or recreation. Because of differences in interpretation by some DARs or FAA inspectors, some reassembled ultralights may get certificated as E-ABs. However, EAA's position is that if the machine was not built from scratch or from an FAA-listed 51-percent kit, attempting to certificate the machine as a homebuilt is not legal and undermines the 50-plus-year foundation of the amateur-built movement. Mere reassembly of the major components won't be enough to convince an inspector/DAR you built more than half of the aircraft. Plus, you have to attest to the fact that you built your aircraft as an amateur-built aircraft. Falsification of that statement makes you subject to a fine of up \$10,000 or five years of imprisonment. -

#### So, What Should You Do?

Here are some recommendations, to be accomplished as soon as possible.

Purchase EAA's E-LSA Conversion Kit, which contains all the necessary forms, dataplate, and placards, along with step-by-step instructions for registering and certificating the aircraft.

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Locate and begin coordinating with a DAR, even before you send in the application for registration—there are some “gotchas” in that process the DAR can help you avoid. You will generally receive a much more prompt response from a DAR than from an FAA inspector. To locate a DAR in your area, visit [www.sportpilot.org/resources/dar.html](http://www.sportpilot.org/resources/dar.html).

Send in the registration paperwork as soon as possible—well before the suggested August 15 date. Yes, it is true that once the aircraft is registered, it cannot legally be flown until it is certificated, and as a result, you may lose a few weeks of flying. How-

ever, do you want to risk missing the deadline by delaying?

Immediately begin working on your machine to correct defects and get it ready for the DAR inspection. Make arrangements to send paperwork copies and digital photos to the DAR so there won't be any surprises or additional delays during the certification visit.

As soon as your registration shows up on the FAA website as “assigned,” get your certification paperwork in to the DAR or FAA office and make an inspection appointment. Make sure that happens well before the October 1 cutoff date.

EAA chapters and ultralight clubs in areas with no local DARs may consider scheduling chapterwide “certification weekends,” inviting a DAR to

travel to their location and certificate several aircraft at one time. That allows travel expenses and time to be amortized over several aircraft. Obviously, additional coordination is required, but that's what chapters are good at.

The sport pilot/light-sport aircraft regulation, the most revolutionary change in the way aircraft and pilots are certificated since the 1920s, has gotten off to a great start. I urge you join in and get your existing ultralight certificated as soon as possible.

Questions or comments? Contact EAA Aviation Services; call 888-322-4636 or e-mail [info@eaa.org](mailto:info@eaa.org), or G. Michael Huffman, DARF-830207CE, at 816-838-6235, [sportaviation@kc.rr.com](mailto:sportaviation@kc.rr.com), or [www.SportAviationSpecialties.com](http://www.SportAviationSpecialties.com). 

## FAA'S E-LSA Alert

“The FAA's Aircraft Registration office and the Light-Sport Aviation Branch would like to remind all individuals converting aircraft into an Experimental Light-Sport Aircraft (E-LSA) per FAR 21.191(i)(1) that there is a January 31, 2008, deadline to complete the E-LSA aircraft registration, the E-LSA airworthiness inspection, and the E-LSA certification process.

“The FAA will guarantee that your registration and certification packet will be reviewed and your E-LSA aircraft inspected in sufficient time to meet the January 31, 2008, deadline if:

“1. By August 15, 2007, you submit your aircraft registration (N-number) request to the Aircraft Registration office; and (28 business days error/re-mail/start over)

“2. By October 1, 2007, you call your local E-LSA DAR to schedule your E-LSA airworthiness inspection; and

“3. By November 30, 2007, you submit your aircraft airworthiness certification request packet to either an FAA Flight Standards District Office (FSDO), an FAA Manufacturing Inspection District Office (MIDO), or your local E-LSA DAR. Ask your local E-LSA DAR which office should receive this packet.

“If you fail to complete the above steps, the FAA cannot guarantee they'll be able to complete your E-LSA registration and certification inspection process prior to the January 31, 2008, deadline.

“If you need assistance in determining the exact requirements for converting your ultralight into an E-LSA, there are two industry sources available to answer any of your E-LSA aircraft registration and/or certification packet requirement questions: EAA (877-359-1232) and Rainbow Aviation (530-824-0644).

“We also encourage you to contact your affiliated ultralight association: EAA (877-359-1232), USUA (717-339-0200), ASC (269-781-4021), or USHPA (800-616-6888) with any questions you may have regarding the ultralight to E-LSA conversion process. The FAA Light-Sport Aviation Branch (405-954-3668) is also available to answer your E-LSA certification conversion questions and to help you locate the closest E-LSA DAR qualified to inspect your aircraft. **“DON'T DELAY—ACT TODAY!”**



EAA's comprehensive E-LSA Conversion kit includes a 15-page instruction booklet along with the required EXPERIMENTAL sticker and data plate. Cost for EAA members is \$12.99 (\$19.99 non-members).