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InFO

Information for Operators

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http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info

An InFO contains valuable information for operators that should help them meet certain administrative, regulatory, or operational requirements with relatively low urgency or impact on safety.

Subject: Exemption 12555 Process

Purpose: This InFO explains the process for operating under Exemption 12555 and summarizes the associated conditions and limitations.

Background: In 2010, the Federal Aviation Administration (FAA) published the Automatic Dependent Surveillance-Broadcast (ADS-B)-Out rule. This rule created Title 14 of the Code of Federal Regulations (14 CFR) part 91, §§ 91.225 and 91.227, and requires specific aircraft equipment performance in applicable airspace after January 1, 2020.

In April 2015, Airlines for America (A4A) petitioned the FAA, on behalf of A4A members, for an exemption from the Navigation Accuracy Category for position (NACp) and Navigation Integrity Category (NIC) requirements of the rule (§ 91.227(c)(1)(i) and (iii)).

In August 2015, the Administrator issued a time-limited grant of exemption from § 91.227(c)(1)(i) and (iii). Exemption No. 12555, effective from January 1, 2020 through December 31, 2024, permits operations during periods when the Global Positioning System (GPS) position provided to the installed ADS-B Out equipment does not achieve the required position accuracy or integrity performance, provided certain conditions and limitations are met. Although the Petitioner was A4A, Exemption No. 12555 is available to any qualifying aircraft operator.

Discussion: Advisory Circular (AC) 90-114A CHG 1, *Automatic Dependent Surveillance – Broadcast (ADS-B) Operations*, describes the characteristics of various GPS receivers and their impact on ADS-B performance. In summary, it explains that properly installed rule-compliant ADS-B installations may produce periods of NACp and NIC below the values required by § 91.227. This is particularly true during periods of reduced GPS satellite availability and is due to certain characteristics of the installed GPS receiver. Exemption 12555 is an authorization to operate during the exemption period, in U.S. airspace where ADS-B is required when NACp and NIC values drop below the rule required values. Only ADS-B systems with GPS receivers (position sources) compliant with the current edition of AC 20-165, *Airworthiness Approval of Automatic Dependent Surveillance-Broadcast Out Systems, Appendix B, Identifying and Quantifying ADS-B Position Sources*, qualify for Exemption 12555. Installations which employ the Wide Area Augmentation System (WAAS) do not qualify.

Note: It must be emphasized that the equipment performance requirements of §§ 91.225 and 91.227 still apply. Operators intending to use airspace covered by the rule after January 1, 2020,

must still be ADS-B Out equipped and all other ADS-B performance requirements must still be met.

Exemption Conditions and Limitations: Exemption 12555 lists the conditions and limitations with which an operator must comply. Included in the conditions are the requirements for the operator to notify the FAA and provide an equipment upgrade plan to the Director of Flight Standards Service (AFS-1). The process is as follows:

1. The certificate holder/program manager/operator (hereafter known as the operator) notifies the FAA of the intent to comply with the limitations and conditions of Exemption 12555.
 - a. The operator notifies the FAA by attaching a letter of notification to the Regulatory Docket No. FAA-2015-0971 (refer to the Regulation.gov link below). In the Docket Folder:
 - i. Select the “Comment Now!” button next to “Petition for Exemption; Summaries”
 - ii. Include the operator’s name in the Comment block
 - iii. Use the “Choose Files” button to upload the signed letter of notification
 - iv. Follow the remaining website instructions to conclude the submission.
 - b. The operator also sends a copy of the letter of notification to their CHDO/CMO or brings a copy to their FSDO.
2. The inspector issues or amends the operator’s Operations Specifications (OpSpec)/Management Specifications (MSpec)/Letter of Authorization (LOA) A005, Exemptions and Deviations, in WebOPSS to include Exemption 12555.
3. The operator submits an initial upgrade plan, no later than August 1, 2018, and subsequent revisions to AFS-400 as described in the exemption by electronic mail at the intervals described in the exemption to: 9-AWA-Equip.2020@faa.gov.
4. AFS-400 maintains the update plans required by the exemption and monitors the operator’s compliance with the conditions and limitations.
5. The operator will be expected to comply with the preflight availability prediction procedures as described in AC 90-114A CHG 1.
6. Upon expiration of the exemption period, AFS-1 issues a notice of cancellation of the exemption directing responsible inspectors to remove the exemption from the OpSpec/MSpec/LOA A005.

Recommended Action: Directors of operations, chief pilots, fractional ownership program managers, and individual operators interested in operating under Exemption 12555 should become familiar with the information found in this InFO, AC 90-114A CHG 1 and the details of Exemption 12555. Refer to Exemption 12555 in Regulatory Docket No. FAA-2015-0971 at <http://www.regulations.gov/#!docketDetail;D=FAA-2015-0971>. Refer to the Exemption 12555 Fact Sheet and Update Plan Submissions Instructions, and obtain the Exemption 12555 Letter of Notification Template and Upgrade Plan Template from <http://www.faa.gov/nextgen/equipadsb/>.

Contact: Questions or comments regarding this InFO should be directed to the Future Flight Technology Branch (AFS-430) at (202) 267-8970.