



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

NOTICE AMENDING CONDITONS IMPOSED ON CERTAIN SPECIAL AUTHORIZATIONS AND FOREIGN AIRCRAFT PERMITS GRANTED UNDER 14 CFR PART 375

Undocketed

Served: March 24, 2023

Summary

By this Notice, the U.S. Department of Transportation (DOT) amends the conditions imposed on all currently effective special authorizations and foreign aircraft permits that have been granted to foreign civil aircraft operators to authorize them to conduct occasional planeload charter operations under 14 CFR Part 375.

Specifically, effective immediately, the following additional conditions are imposed: (1) a condition requiring compliance with ICAO Annex 18, The Safe Transport of Dangerous Goods by Air, and (2) a Federal Aviation Administration (FAA) preflight reporting condition.¹ DOT will impose these conditions on all future grants of occasional planeload charter authority under 14 CFR Part 375.²

Amendment to Existing Conditions Imposed In Current Foreign Aircraft Permits and Special Authorizations

The foreign civil aircraft operators specified in the Appendix hold current special authorizations or foreign aircraft permits granted under 14 CFR §375.70 authorizing them to conduct certain occasional planeload charters.³ Each of these operators was granted authority

¹ See Appendix for a list of foreign civil aircraft operators currently holding Department authority under 14 CFR Part 375 to conduct occasional planeload charters over a 12-month or shorter duration, whether by foreign aircraft permit to conduct up to six flights pursuant 14 CFR Part 375.42, or by special authorization to conduct up to twelve flights pursuant to 14 CFR Part 375.70.

² This would include foreign aircraft permits issued pursuant to 14 CFR Part 375.42 and special authorizations issued pursuant to 14 CFR Part 375.70.

³ We note that some of these operators have subsequently attained exemptions/foreign air carrier permits and other USG regulatory approvals necessary for them to conduct operations in common carriage as foreign air carriers, or are in the process of doing so. In such cases, once granted and effective, the common carriage authority subsumes the Part 375 authority and renders the latter invalid. Such carriers can conduct without additional DOT approval the bilaterally-authorized services provided for in their DOT foreign air carrier exemptions or permits, but still must meet any FAA and TSA notification requirements. All carriers also require ad hoc prior DOT approval for extrabilateral charter operations under 14 CFR Part 212.

subject to specific conditions applicable to compliance with various USG (DOT, FAA, and Transportation Security Administration (TSA)) regulatory requirements, as deemed necessary by DOT in the public interest.

DOT/OST and FAA have collectively determined that additional conditions are required in order to facilitate enhanced safety oversight of these operations in the National Airspace System. Specifically, we have determined that the public interest also calls for (1) the addition of a condition requiring compliance by foreign civil aircraft operators with ICAO Annex 18, The Safe Transport of Dangerous Goods by Air, and (2) a FAA preflight reporting condition. Accordingly, pursuant to 14 CFR §§375.19 and 375.44, condition (4) of all special authorizations specified in the Appendix shall be amended (or, to the extent necessary, added) to now read in its entirety:

The operator must also comply with (1) all applicable requirements of 14 CFR Part 375; (2) all applicable requirements of the Federal Aviation Administration contained in the Federal Aviation Regulations and all applicable orders of the FAA; and (3) all applicable ICAO standards set forth in the following Annexes: Annex 1, Personnel Licensing; Annex 6 part 1, Operations of Aircraft; Annex 8, Airworthiness of Aircraft; and Annex 18, The Safe Transport of Dangerous Goods by Air. For further information on FAA requirements, the operator should contact the FAA's Flight Standards Service in Washington, D.C. at (202) 267-0962.

In addition, using electronic mail, the operator must provide FAA Flight Standards with a preflight notification as soon as possible prior to operation of the flight. The subject line of the notification email must include the name and State of the operator. The email must be sent to 9-AVS-AFS-375-Flight-Notifications@faa.gov and include the following information:

- Aircraft Registration, Make and Model.
- All arrival and departure airport(s) used within the United States.
- Estimated date/local time of arrival (ETA) and estimated date/local time of departure (ETD) at each U.S. airport. (As changes occur, send subsequent emails with updates – such as significant changes to ETA and ETD or aircraft information.)
- Purpose or description of flight, i.e., passengers, cargo, or both.
- Planned parking location (ramp, FBO, gate, etc.).
- If possible, a contact phone number within the United States. An example of this would be a Fixed-Based Operator (FBO) or other ground-handling company.

We note that the new FAA flight reporting requirement is in addition to the DOT/OST and TSA flight reporting requirements already imposed in the existing conditions. We also reiterate that, as noted above, upon the date of issuance of this Notice, those foreign civil aircraft operators identified in the Appendix must comply with the revised conditions specified herein. Such conditions will also be imposed on any new foreign aircraft permits and special authorizations issued by DOT for occasional planeload charter authority.

We will serve this Notice on the foreign civil aircraft operators specified in the Appendix.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

An electronic version of this document is available on the World Wide Web at:

<http://www.regulations.gov>

Appendix

SA #	Applicant ¹	Expiration Date	Homeland
2022-768	Air Independence GmbH	3/31/2023	Germany
2022-852	UniWorld Air Cargo Corp.	4/21/2023	Panama
2022-984	Fig Air Inc.	4/21/2023	Canada
2022-985	Jet Pool Network Luftverkehrs GmbH	4/21/2023	Austria
2022-684	Maximus Airlines L.L.C.	5/4/2023	Ukraine
2022-1179	DC Al Futtaim LLC	5/5/2023	UAE
2022-699	Tyrol Air Ambulance GmbH	6/6/2023	Austria
2022-1581	Air Caledonie International S.A. d/b/a Aircalin	6/9/2023	France
2022-1364	Scanwings Oy	6/10/2023	Finland
2022-1493	Boutique Aviation AG	6/10/2023	Switzerland
2022-1557	Emperor Aviation Ltd	6/10/2023	Malta
2022-1558	Aerolinea del Caribe-Peru S.A.C.	6/10/2023	Peru
2022-1592	UG Air, s.r.o	6/10/2023	Czech Republic
2022-1627	ExecuJet Australia Pty Ltd.	6/15/2023	Australia
2022-1247	CMA CGM Air Cargo	6/21/2023	France
2022-1497	Brenzil PTY LTD	6/21/2023	Australia
2022-1644	Premium Jet GmbH	6/21/2023	Austria
2022-1626	Aegean Airlines S.A.	6/23/2023	Greece
2022-1496	AMC Aviation Sp. z.o.o.	6/24/2023	Poland
2022-1690	Crown Melbourne Limited	6/24/2023	Australia
2022-1738	ICON G Taxi Aereo Ltda	6/24/2023	Brazil
2022-1689	Executive Aviation Taiwan Corporation	7/1/2023	Taiwan
2022-1615	DC Aviation Ltd.	7/2/2023	Malta
2022-1943	Nauru Air Corporation t/a Nauru Airlines	7/8/2023	Nauru
2022-1649	NDK Air Ltd	7/11/2023	Canada
2022-1769	Haute Aviation AG	7/11/2023	Switzerland
2022-1835	SAS Astonjet	7/11/2023	France
2022-1871	TAG Aviation (Cayman) SEZC	7/11/2023	Caymans/UK
2022-1760	Centreline AV Limited	7/15/2023	United Kingdom
2022-2011	Prince Aviation	8/5/2023	Serbia
2022-2096	Olympus Airways S.A.	8/5/2023	Greece
2022-2113	Freedom II Bermuda Limited	8/5/2023	Bermuda/UK

¹ Of these operators, we note that we currently have renewal applications pending from Air Independence GmbH and Maximus Airlines L.L.C. We also have a pending special authorization application from Volare Aviation GSY Ltd., a foreign civil aircraft operator of the Bailiwick of Guernsey, a Crown Dependency of the United Kingdom and Great Britain.

2022-2164	Air Service Liege N.V.	8/16/2023	Belgium
2022-2183	Thalair	8/18/2023	France
2022-2182	Blue Sky Airways JSC	8/26/2023	Vietnam
2022-2205	LID Brokerage Reality CO (1977) d/b/a Concord Executive Air	9/2/2023	Canada
2022-2269	Gandel Investments Pty Ltd.	9/13/2023	Australia
2022-2613	Marathon Airlines, S.A.	10/7/2023	Greece
2022-2572	RP Aircraft Management GmbH	10/10/2023	Austria
2022-2849	Little Aviation Pty Limited	11/4/2023	Australia
2022-2850	Sparfell Malta Ltd	11/4/2023	Malta
2022-2861	Universal Air Charter & Management Ltd	11/22/2023	Malta
2022-2776	Hai Au Aviation JSC	11/23/2023	Vietnam
2022-2902	Éclair Aviation s.r.o.	12/3/2023	Czech Republic
2022-2929	Lions Air Skymedia AG d/b/a Lions Air	12/5/2023	Switzerland
2022-3106	Global Jet Aruba V.B.A. d/b/a Global Jet Aruba	12/7/2023	Aruba
2022-3166	Sun Air Limited Liability Company	12/7/2023	Vietnam
2022-3141	Setair Hava Tamacl Ve Hizmetleri A.S.	12/14/2023	Turkey
2022-3265	Gainjet Ireland	12/16/2023	Ireland
2022-2867	IXAIR	12/17/2023	France
2022-3309	Helistar Taxi Aereo, Escola de Pilotagem e Assessoria Aeronautica S/A	1/10/2024	Brazil
2022-3330	Zafer Havacilik a.s	1/10/2024	Turkey
2023-0330	Skyvision Aviation Corp.	2/27/2024	Taiwan
2023-0346	Pen-Avia Limited	2/27/2024	United Kingdom
2023-0430	Blackbird Air A/S	2/27/2024	Denmark
2023-0347	Jetflite Oy	3/3/2024	Finland
2023-0346	Internacional Ejecutiva de Aviacion S.A.S.	3/8/2024	Colombia
2023-0109	Alba Servizi Aeroporti S.p.A.	3/15/2024	Italy
2023-0668	Jet Aviation Business Jets Deutschland GmbH	3/23/2024	Germany