



U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

July 13, 2011

Exemption No. 6175H
Regulatory Docket No. FAA-2001-9195

Mr. Matthew Zuccaro
President
Helicopter Association International
1635 Prince Street
Alexandria, VA 22314

Dear Mr. Zuccaro:

This letter is to inform you that we have granted your petition to extend Exemption No. 6175, as amended. It explains the basis for our decision and describes its effect.

The Basis for Our Decision

By letter dated May 25, 2011, you petitioned the Federal Aviation Administration (FAA) on behalf of Helicopter Association International (HAI), and the Association of Air Medical Services (AAMS), for an extension of Exemption No. 6175, as amended. That exemption from § 135.213(a) of Title 14, Code of Federal Regulations (14 CFR) permits part 135 certificate holders that conduct helicopter emergency medical service (EMS) operations, and are members of both the HAI and AAMS, to conduct EMS departures under instrument flight rules (IFR). These departures occur in weather that is at or above visual flight rules (VFR) minimums, from airports or heliports at which a weather report is not available from the U.S. National Weather Service (NWS), a source approved by the NWS, or a source approved by the Administrator.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to HAI.

AFS-11-326-E

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 6175, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant your petition, subject to the conditions and limitations listed below.

Conditions and Limitations

1. Only departures are authorized under this exemption. Instrument approach procedures (IAP) are not authorized under this exemption.
2. Use of this exemption is authorized only at airports or heliports at which a weather report is not available from the NWS, a source approved by the NWS, or a source approved by the Administrator. IFR departures at such airports or heliports are authorized only after the pilot in command (PIC) of the affected flight determines that the weather conditions at the departure airport or heliport are at or above VFR minimums. This may be determined by the PIC's own observation or that of another person competent to supply appropriate observations.

At any airport or heliport at which there is a weather report from the NWS, a source approved by the NWS, or a source approved by the Administrator, that weather report will be the controlling weather report. Thus, this exemption does not give the PIC, or anyone else, the authority to substitute his or her opinion as to the weather conditions if the airport or heliport has a weather report from the NWS, a source approved by the NWS, or a source approved by the Administrator.

3. Departures under this exemption are authorized only for flights on which there is a patient who has a medical condition that requires, and is appropriate for, transportation by EMS helicopter. This medical determination will be made by the medical provider who has evaluated the patient and must be made known to the pilot prior to departure. Departures are not authorized under this exemption for the transport of patients who do not require transportation by EMS helicopter, for the routine transport of patients, or for any other type of transportation or operation.
4. Each pilot who conducts operations under this exemption must be:
 - a. certificated to conduct the IFR operations permitted;
 - b. trained in accordance with the certificate holder's approved training program;
 - c. qualified in accordance with qualification requirements of part 135; and
 - d. current in all requirements to perform operations under IFR in the model of helicopter that is being utilized.

5. Each helicopter operated under this exemption must be fully equipped and certified to conduct IFR operations under part 135. Each helicopter operated under this exemption must be equipped with an approved and operable radar altimeter and either an approved and operable weather radar or approved and operable lightning detection equipment.
6. Before conducting any operation under this exemption, each certificate holder must submit to, and have approved by the FAA principal operations inspector assigned to the certificate holder, an amendment to the certificate holder's approved training program. The amendment must include the ground school course curriculum proposed by HAI and AAMS in the original exemption. Authorization is limited to pilots who annually complete an approved course on weather observation and instrument operating procedures for locations without weather reporting. The ground school course curriculum must include, as a minimum, the following:
 - a. 14 CFR Review—review of parts 1, 61, 91, and 135 as they apply to flight under IFR(1.5 hours);
 - b. Airmen Information Manual (AIM) Review—a review of AIM with special emphasis placed on IFR operations as covered in chapter 5 of the AIM Glossary (1 hour);
 - c. Interpreting Weather and Weather Reports/Forecasts—review of weather phenomenon and systems, as well as weather services available to the pilot such as sequence reports, area and terminal forecasts, pilot reports, and in-flight advisories (2.0 hours);
 - d. Instrument Chart Review—covers instrument flight planning, instrument procedures at both controlled and uncontrolled airports, and a review of instrument charts (2.0 hours);
 - e. Cockpit Resource Management (CRM)—review of key CRM concepts such as decision-making and judgment, situational awareness, and management of flight resources (1.5 hours); and
 - f. Methods for Determining Weather Observations by the Pilot—covers methods for determining present visibility (measured or estimated), methods for determining estimated ceilings, and the methods for weather observation used by the NWS (2.0 hours).

The Effect of Our Decision

Our decision extends the termination date of Exemption No. 6175, as amended, to

September 30, 2013, unless sooner superseded or rescinded.

Sincerely,

/s/

David C. Gillion

Acting Deputy Director, Flight Standards
Service