



*** * * REGULATORY ALERT - FAA AIRCRAFT REGISTRATION * * ***



On July 20, 2010, the FAA amended the regulations governing aircraft registrations. The principle purpose of the amendments is to provide for the expiration and renewal of aircraft registration certificates. Historically, aircraft registration certificates were issued without expiration dates, and were effective until the aircraft was sold or deregistered. Under the amended rules, all aircraft registration certificates issued on or after October 1, 2010, will expire on the last day of the month that is three years after the issue date of the certificate. Aircraft owners will therefore need to renew their registrations approximately every three years.

The amended rules also provide that all aircraft registration certificates issued prior to October 1, 2010 (i.e., certificates issued without expiration dates) will expire on a date determined according to the schedule below. Owners of aircraft registered prior to October 1, 2010, will need to re-register their aircraft during the period specified in the schedule in order to receive priority processing of new registration certificates. Note that the expiration date and re-registration periods for aircraft registered prior to October 1, 2010, are determined by the month in which the existing certificate was issued, but without regard to the year in which such certificate was issued.

Month Existing Certificate was Issued:	Date Existing Certificate Expires	Must Apply for Re-Registration Between the Following Dates
March	March 31, 2011	November 1, 2010 and January 31, 2011
April	June 30, 2011	February 1, 2011 and April 30, 2011
May	September 30, 2011	May 1, 2011 and July 31, 2011
June	December 31, 2011	August 1, 2011 and October 31, 2011
July	March 31, 2012	November 1, 2011 and January 31, 2012
August	June 30, 2012	February 1, 2012 and April 30, 2012
September	September 30, 2012	May 1, 2012 and July 31, 2012
October	December 31, 2012	August 1, 2012 and October 31, 2012
November	March 31, 2013	November 1, 2012 and January 31, 2013
December	June 30, 2013	February 1, 2013 and April 30, 2013
January	September 30, 2013	May 1, 2013 and July 31, 2013
February	December 31, 2013	August 1, 2013 and October 31, 2013

The FAA should provide a written notice that your existing registration is scheduled to expire approximately 180 days prior to the scheduled expiration date. The notice will be sent to the address on file with the FAA for the aircraft owner. This address is typically the address listed on your current aircraft registration certificate, unless you have previously notified the FAA of a change of address.

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Re-registrations will be accomplished using a new FAA form, designated AC Form 8050-1A, *Application for Aircraft Re-Registration*. After the initial re-registration, subsequent renewals will be accomplished using another new FAA form, AC Form 8050-1A, *Application for Aircraft Registration Renewal*. The registration form with which we are already familiar, AC Form 8050-1, *Application for Aircraft Registration*, will continue to be used, but only for initial registrations, not re-registrations or renewals.

The amended rules provide that re-registrations and renewals may be accomplished online, so long as no changes to the information in the prior registration application have occurred. (The FAA's website has not yet been updated to facilitate this function). If changes to the information in the prior registration application have occurred, online renewal will not be permitted and hard-copies of re-registration and renewal paperwork will be required.

Timely submission of applications for re-registration and/or renewal is critical; if a new aircraft registration certificate is not received before the expiration date of the existing certificate, the aircraft must be grounded until the new registration certificate is received. In addition, any gap in time between the expiration of the existing certificate and the issuance/receipt of a new certificate could cause a variety of other problems, including a breach or default under applicable aircraft lease or financing arrangements, violation of insurance covenants, and/or loss of N-number.

It appears that there will be no "pink" carbon copies associated with the new re-registration and renewal forms that can be used pending receipt of a new registration certificate. Further, it is unclear whether a procedure will be available in the re-registration and renewal processes to obtain a "fly-wire" to facilitate international operations.

Note, however, that applying for a new registration during the period specified in the table above ensures only that you will receive priority processing; it does not ensure that you will actually receive your new registration prior to the expiration of your old registration. Further, there does not appear to be any provision in the rules for extensions of existing registrations if a new registration certificate is not received prior to the expiration of the existing certificate, regardless of whether an application for a new registration is timely-filed. Consequently, it is *highly* recommended that owners avoid waiting until the last minute to submit their applications for new registrations.

If you have any questions concerning the new aircraft registration rules, please contact one of the following members of GKG Law's Business Aviation Practice Group:

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