

SUPPORTING STATEMENT

OMB-2120-0684

Fractional Aircraft Ownership Programs

- CHANGES SINCE LAST SUBMISSION
 - Number of Fractional Ownership Programs has increased from 8 to 10.
 - Wage-rate, overhead, and fringe-benefit costs have been updated to 2022 numbers.
 - The answers to questions 2 and 3 have been expanded to further explain the purpose of each collection within this request, and to explain the electronic means of compliance.
 - For a more straightforward calculation, the Information Collection (IC) for 14 CFR 91.1027 has been broken up into two ICs: one for pilots, and one for load manifests.

Justification

1. **Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

14 CFR part 91, Subpart K (91K) describes requirements for fractional ownership operations conducted under part 91 and related requirements for fractional ownership operators when operating under 14 CFR part 135.

Fractional ownership is a program that offers increased flexibility in aircraft ownership. Owners purchase shares (1/16 for airplanes, 1/32 for helicopters) of an aircraft and agree to share their aircraft with others having an ownership share in that same aircraft. A distinguishing characteristic of this type of program is that owners also agree to put their aircraft into a “pool” of other shared aircraft and allow their aircraft to be used by other aircraft owners in that pool (dry-lease exchange). The aircraft owners use a common management company to maintain and crew the aircraft and administer leasing of the aircraft among owners.

14 CFR part 91, Subpart K (the rule) defines fractional ownership programs and their various participants, more clearly allocates responsibility and authority for safety of flight operations for purposes of compliance with the regulations, and ensures that fractional ownership program aircraft operations maintain a high level of safety. Certain elements of the rule provides, a level of safety equivalent to that of corresponding provisions of 14 CFR part 135. Parallel changes to corresponding sections of part 135 have been made to permit eligible fractional operators an alternate means for conducting certain commercial operations (i.e. operate part 91K for one flight, but part 135 for the next).

Title 49 USC, Section 40101, empowers the FAA to establish minimum standards, rules, and national policy which provide adequately for safety in air commerce.

14 CFR part 91, subpart K established appropriate safety regulations for fractional ownership operations.

Title 49 USC, Section 44702, empowers the Secretary of Transportation to issue air carrier operating certificates and to establish minimum safety standards for the operation of the air carrier to whom such certificates are issued. Under the authority of Title 49 USC, Section 44701, Title 14 Code of Federal Regulations (14 CFR) part 135 prescribes the terms, conditions, and limitations as are necessary to ensure safety in air transportation.

This collection of information supports the Department of Transportation's strategic goal on safety.

2. Indicate how, by whom, and for what purpose the information is to be used.

Each fractional ownership program manager and each fractional owner is mandated to comply with the requirements of 14 CFR part 91, subpart K. This mandatory information collection is used to determine if these entities are operating in accordance with the minimum safety standards of these regulations.

The FAA will use the information it reviews and collects to evaluate the effectiveness of the program and make improvements as needed, and ensure compliance and adherence to regulations.

Section 61.57(b), Recent flight experience: Pilot in command. Night takeoff and landing experience. This section establishes an alternative method of meeting night currency requirements. The logging of flight time to meet this requirement is captured in the reporting requirements of §91.1027, Recordkeeping.

Section 91.1003, Management contract between owner and program manager. This section requires a contract between each owner and program manager specifying owner and program manager rights and responsibilities.

Section 91.1007, Flights conducted under part 121 or part 135 of this chapter. This section requires the fractional owner to be informed when a flight is being conducted as a program flight or is being conducted under part 121 or part 135 of this chapter.

Section 91.1013, Operational control briefing and acknowledgment. This section requires the program manager to brief each owner on the owner's operational control responsibilities upon the signing of an initial contract, or a renewal or extension of the contract. The owner will further review and sign an acknowledgement of his responsibilities.

Section 91.1015, Management specifications. This section requires the issuance of management specifications which outline the authorizations, limitations, and other information for the fractional ownership program. These specifications are issued using

the Web Based Operations Safety System (WebOPSS), which is an automated system using electronic signatures. The burdens associated with management specifications are covered under the IC for Section 91.1017.

Section 91.1017, Amending program manager's management specifications. This section provides procedures for amendment of management specifications. Revisions to management specifications are made to reflect changes in operations, owners, and aircraft. Management specifications are issued using WebOPSS.

Section 91.1021, Internal safety reporting and incident/accident response. This section requires each program manager to establish an internal safety reporting procedure and procedures to respond to an aviation incident/accident. Part of the requirements of this section are included in §91.1023, Program Operating Manual Requirements.

Section 91.1023, Program operating manual requirements. This section requires each program manager to prepare and keep current a manual for the use of flight, ground, and maintenance personnel. The manual or appropriate portions of the manual, (and changes and additions) shall be made available to maintenance, ground personnel, flight crewmembers, and representatives of the Administrator. Employees are required to keep his/her manual up-to-date with changes furnished to them. Program managers of a limited size operation may be authorized deviations from all or part of the manual. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

Section 91.1025, Program operating manual contents. This section contains guidance as to the content of the manual. Numerous procedures are listed that require inclusion in the manual. Manual guidance is required appropriate to the size and authorizations applicable to an individual program. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

Section 91.1027, Recordkeeping. This section provides the record keeping requirements applicable to each program manager. Note that if a program manager is also certificated to operate under part 135, they may satisfy the recordkeeping requirements of this section and §91.113 with equivalent obligations under the applicable 135 parts. In that case, the record keeping requirements would be covered by the appropriate air carrier rule. These options eliminate duplicative recordkeeping requirements. This section will only levy a burden on operators that solely operate under part 91K. Each program manager shall keep the following records:

Management specifications. Addressed in §91.1015.

List of aircraft. Addressed in §91.1015.

Pilots. Requires individual records of each pilot be maintained.

Flight attendants. Requires individual records of each flight attendant be maintained.

Load manifest. Requires the preparation of a load manifest for each program flight.

Section 91.1029, Flight scheduling and locating requirements. This section requires each program manager to establish and use a system to schedule and release program aircraft and must have procedures for locating each flight for which a flight plan is not filed. This procedure is part of the manual requirement of §91.1025. Flight plans are cleared by OMB 2120-0026, Domestic and International Flight Plans. The flight locating information shall be prepared for each flight that is not on a FAA flight plan, and shall be retained until completion of the flight. Almost all flights in turbojet airplanes are conducted on a flight plan. The burden to develop the flight locating procedure is contained in §91.1023, Program operating manual requirements. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements.

Section 91.1031, Pilot in command, or second in command: Designation required. The paperwork requirements of this section are contained in §91.1027, Recordkeeping.

Section 91.1033, Operating information required. This section requires each program manager to provide cockpit checklists. Most companies will use checklists provided by the aircraft manufacturer. Some will develop their own checklists based on manufacturer's procedures. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

Section 91.1035, Passenger awareness. This section requires an oral safety briefing supplemented by a printed briefing card. Many companies will use briefing cards provided by the aircraft manufacturer. Others will develop their own customized briefing cards. Cards must be available at each aircraft seat and an oral briefing must be given for each flight, unless the passengers have been previously briefed on another leg. Parts 91 (and parts 135/121) currently require oral briefings and/or briefing cards. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

Section 91.1037, Large transport category airplanes: Turbine engine powered: Limitations: Destination and alternate airports. This section requires the program manager or other persons to calculate the performance requirements for each takeoff. This is a current requirement under part 91 to ensure that the aircraft can be landed safely within the available runway. No additional costs result from the rule change.

Section 91.1041, Aircraft proving and validation tests. This section requires a program manager to prepare a proving or validation test program or request a deviation from the proving or validation test requirement. A one-time proving or validation test is required for a program manager using turbojets or an aircraft requiring two pilots under visual flight rules. If an operator is also certificated in part 135 they are required to meet the same or more stringent requirements. This section will only levy a burden on operators that solely operate under part 91K. Additionally proving or validation tests are only required for a new operator or a new aircraft type.

Section 91.1047, Drug and alcohol misuse education program. This section requires each program manager provide drug and alcohol misuse education and to disclose to owners the existence or absence of a drug and alcohol misuse education program or testing program. This will require an initial disclosure to each owner. Educational materials are available (including on the web) and the costs are negligible. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

Section 91.1049, Personnel. This section requires each program manager to publish pilot and flight attendant duty schedules. It is estimated that each program manager will publish a schedule each month. Costs to develop or formulate the schedule are not included in this area. Figures reflect the costs of publication only.

Section 91.1051, Pilot safety background check. This section requires the program manager to request personnel information on each pilot. If an operator is also certificated in part 135 they are required to meet the same requirements. Currently only one operator, with three aircraft and three pilots, operates solely under part 91K. This requirement is satisfied by 14 CFR part 111, which became effective August 9, 2021. OMB-2120-0607 addresses the data collection under 14 CFR part 111. All requests for records to comply with this section must be requested electronically through the Pilot Records Database (PRD).

Section 91.1053, Crewmember experience. This section permits a program manager to request a deviation from certain crewmember experience requirements based on the size and scope of the operation. It is estimated that two operators will request the deviation.

Section 91.1055, Pilot operating limitations and pairing requirement. This section permits the program manager to request a deviation from certain crew pairing requirements under specified circumstances. The logging requirements of this section are incorporated in §91.1027, Recordkeeping.

Sections 91.1063 through 91.1107 require a training and testing program, specify crewmember qualifications and frequency of training and checks, and detail program approval processes. The recordkeeping provisions of these sections are contained in §91.1027, Recordkeeping. All of the existing fractional ownership programs have some type of training program. These programs would require revision to meet the new rule requirements. However, the revisions would not impose any additional data collection burden that is not addressed in the new rule.

Section 91.1109, Aircraft maintenance: Inspection program. This section requires each program manager to establish an approved aircraft inspection program. The program must be derived from a currently recommended manufacturer program or approved program. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on

operators that solely operate under part 91K. The inspection program must be contained in the manual required by §91.1025. Costs are contained in that section and pose no additional burden.

Section 91.1111, Maintenance training. This section requires development of a training program for maintenance personnel. If an operator is also certificated in part 135 they are required to meet the same or more stringent training program requirements. This section will only levy a burden on operators that solely operate under part 91K. Additionally, maintenance training is currently required by §65.81, *General privileges and limitations*. The maintenance training program required by this section may be contained in the manual required by §91.1025. Costs are contained in that section and pose no additional burden.

Section 91.1113, Maintenance recordkeeping. Maintenance recordkeeping is a currently required item by existing §91.417. This section mandates the procedure be contained in the manual required by §91.1025. Costs are contained in that section.

Section 91.1115, Inoperable instruments and equipment. This section provides information on operation with certain instruments and equipment inoperative using an approved minimum equipment list (MEL). In addition, it is anticipated that there will be one revision to each MEL per year. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

The burden associated with 14 CFR part 91, subpart K is associated with reporting and recordkeeping. The FAA uses an automated Web Based Operations Safety System (WebOPSS) to issue management specifications to fractional ownership program managers. This system allows management companies to electronically generate and electronically sign the management specifications. It contains standard template paragraphs. Use of this automated system is required for the fractional ownership programs. One hundred percent of the management specifications are generated and approved by electronic means.

Issuance and approval of management specifications is 100% electronic and fully compliant with the Government Paperwork Elimination Act.

In addition, the maintenance and inspection programs required for fractional ownership programs provides for the manuals to be kept and maintained electronically. Certain relief is provided from carrying maintenance manuals onboard the aircraft.

Most recordkeeping provisions and approval processes outlined in this rule for both fractional ownership programs and operations conducted under 14 CFR part 135 may be

accomplished electronically; however, legal contractual documents and certain documents such as passenger briefing cards and flight and operational manuals must be available in paper form for legal or safety reasons.

The FAA continues to work with fractional program managers to develop procedures to allow expedited changes to management and operations specifications, such as adding aircraft that are substantially similar to aircraft currently approved for operation.

Section 61.57(b), Recent flight experience: Pilot in command. Night takeoff and landing experience. The logging of flight time to meet this requirement is captured in the reporting requirements of §91.1027, Recordkeeping. These records may be maintained in an electronic recordkeeping system.

Section 91.1003, Management contract between owner and program manager. Legal requirements for contractual documents may necessitate paper copies and manual signatures, however, the FAA does not require paper copies of these contracts and electronic signatures are acceptable.

Section 91.1007, Flights conducted under part 121 or part 135 of this chapter. The notification required under this section may be electronic.

Section 91.1013, Operational control briefing and acknowledgment. The owner's acknowledgement of their responsibilities under this section may be accomplished electronically.

Section 91.1015, Management specifications. The management specifications are issued using the Web Based Operations Safety System (WebOPSS), which is an automated electronic system using electronic signatures.

Section 91.1017, Amending program manager's management specifications. Amendments and revisions to management specifications are issued using WebOPSS.

Section 91.1021, Internal safety reporting and incident/accident response. Part of the requirements of this section are included in §91.1023, Program Operating Manual Requirements. This system may be electronic.

Section 91.1023, Program operating manual requirements. The program manager may be authorized to use an electronic manual system to satisfy this requirement.

Section 91.1025, Program operating manual contents. The program manager may be authorized to use an electronic manual system to satisfy this requirement.

Section 91.1027, Recordkeeping. The program manager may be authorized to use an electronic recordkeeping system to satisfy this requirement. Each program manager shall keep the following records:

Management specifications. Addressed in §91.1015.

List of aircraft. Addressed in §91.1015.

Pilots: These records may be completed and maintained electronically.

Flight attendants. These records may be completed and maintained electronically.

Load manifest: The load manifest may be prepared and maintained electronically.

Section 91.1029, Flight scheduling and locating requirements. This section requires each program manager to establish and use a system to schedule and release program aircraft and must have procedures for locating each flight for which a flight plan is not filed. This procedure is part of the manual requirement of §91.1025. Flight plans are cleared by OMB 2120-0026, *Domestic and International Flight Plans*. The requirements of this section may be satisfied using an electronic system.

Section 91.1031, Pilot in command, or second in command: Designation required.

The paperwork requirements of this section are contained in §91.1027, Recordkeeping.

The program manager may be authorized to use an electronic recordkeeping system to satisfy this requirement.

Section 91.1033, Operating information required. The program manager may be authorized to use an electronic manual system to satisfy this requirement.

Section 91.1035, Passenger awareness. Because this section specifically requires printed briefing cards, there is no electronic alternative to satisfy the requirement. However, an operator may petition for an exemption if they have an alternative means of compliance that provides an equivalent level of safety.

Section 91.1037, Large transport category airplanes: Turbine engine powered:

Limitations: Destination and alternate airports. The aircraft performance calculations required by this section may be accomplished electronically.

Section 91.1041, Aircraft proving and validation tests. The proving or validation test program required by this section may be prepared and submitted to the FAA electronically.

Section 91.1047, Drug and alcohol misuse education program. The disclosure to owners and the education training program required by this section may be accomplished electronically.

Section 91.1049, Personnel. Development and dissemination of the schedule required by this section may be accomplished electronically.

Section 91.1051, Pilot safety background check. All requests for records to comply with this section must be requested electronically through the Pilot Records Database (PRD).

Section 91.1053, Crewmember experience. The request for deviation permitted under this section may be submitted to the FAA electronically.

Section 91.1055, Pilot operating limitations and pairing requirement. The request for deviation permitted under this section may be submitted to the FAA electronically.

Sections 91.1063 through 91.1107 require a training and testing program, specify crewmember qualifications and frequency of training and checks, and detail program approval processes. The recordkeeping provisions of these sections are contained in §91.1027, Recordkeeping. The program manager may be authorized to use an electronic manual and recordkeeping system to satisfy the manual and recordkeeping requirements of this section.

Section 91.1109, Aircraft maintenance: Inspection program. The program manager may be authorized to use an electronic manual and recordkeeping system to satisfy the requirements of this section.

Section 91.1111, Maintenance training. The program manager may be authorized to maintain the training program in an electronic system.

Section 91.1113, Maintenance recordkeeping. The program manager may be authorized to use an electronic recordkeeping system to satisfy the requirements of this section.

Section 91.1115, Inoperable instruments and equipment. The program manager may be authorized to use an electronic manual system to satisfy the requirements of this section.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in 2 above.

There is no other agency collecting information from fractional ownership programs. This information, required by 14 CFR parts 91, subpart K, is to ensure safety in air commerce.

Information collected is only available from the fractional ownership program manager or operator. The program manager/operator must prescribe his/her own data based on the proposed operation. The information is not available from any other source.

However, the rule authorizes program managers that also hold a certificate to operate under part 135 or part 121 to use the same system or records they maintain under that part to satisfy the equivalent requirements and recordkeeping provisions of a fractional ownership program. Thus, program managers that hold an air carrier certificate or operating certificate would not be required to keep separate records for equivalent regulatory requirements to satisfy the independent obligations imposed by subpart 91K and part 135. These include flight and rest programs and recordkeeping, crew qualification, testing and training, and certain maintenance or inspection programs.

There are currently ten management specification holders operating under 91K. Nine of these ten, also operate under part 135. These nine operators may choose to meet the 91K requirements by complying with part 135. Therefore, only one of the ten operators must comply with all of the recordkeeping or manual requirements under 91K.

5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (item 5 of OMB Form 83-1), describe the methods used to minimize burden.

Applicants for fractional ownership operations are guided through the administrative requirements of the respective regulations by the assigned Flight Standards District Office. Management specifications are issued using the Web Based Operations Safety System (WebOPSS), which is an automated system using electronic signatures. Management specifications are the authorizations and limitations specific to an operator's operation. For other reporting or recordkeeping burdens listed, the smaller operators have burdens in proportion to the size of their operation. The number of records and required reports are proportional to the number of pilots and aircraft used by the operator. The program manager may be authorized to use an electronic manual and recordkeeping system to satisfy the manual and recordkeeping requirements of 91K.

The FAA continues to work with fractional program managers to develop procedures to allow expedited changes to management specifications, such as adding aircraft that are substantially similar to aircraft currently approved for operation.

Section 91.1003 designates the fractional program manager as the owner's agent and authorizes the FAA to send any notices pertaining to the program solely to the program manager in its capacity as the agent, and not to all individual fractional shareowners.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

The frequency of information collection is dependent on the applicant's business plan and application for new kinds of operation or types of aircraft. The frequency of information collection, for the most part, is determined by the business activity of the operator. There are safety implications for some forms of information. Failure to collect this information would undermine the FAA's ability to ensure these operations are conducted while providing at least the prescribed level of safety. Failure to collect this information may compromise the safety of the flying public.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d)(2)(i)-(viii).

This collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5 (d) (2) (i)-(viii), with the exception that some records are maintained longer than three years. Qualification records for crewmembers are maintained for as long as the person is employed by the program manager or operator. There are certain

aircraft maintenance records that stay with the aircraft for the life of the aircraft and are transferred from owner to owner. This record retention requirement is not unique to part 91K operations. An identical requirement has existed for decades for operations conducted under parts 121, 125, 129, and 135.

8. **Provide a citation of the FEDERAL REGISTER document soliciting comments on the conduct of the collection of information, a summary of all public comments responding to the notice, and a description of the agency's actions in response to the comments. Describe efforts to consult with persons outside the agency to obtain their views.**

A 60-Day notice for public comments was published in the Federal Register on September 21, 2021, 86 FR 52544. One individual submitted a comment in support of the collection.

9. **Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

There are no monetary considerations for this collection of information.

10. **Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Respondents have been given no assurance of confidentiality.

11. **Provide additional justification for any questions of a sensitive nature such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

12. **Provide estimates of the hour burden for the collection of information.**

The specific 14 CFR part 91 and 135 reporting requirements are prescribed by the following regulatory sections. When appropriate, this estimate will be based on an analysis performed in January 2022 of 91K operators, of which there were 10 operators with an estimated 5570 fractional owners and 774 aircraft. The hourly Nonscheduled Air Transportation Wage of \$57.67/yr from the U.S. Bureau of Labor Statistics¹ was used to calculate employee labor burden. The fully weighted hourly costs, including fringe benefits and overhead, are \$75.50 (hourly wage * 1.309).² The number of fractional

¹ [Nonscheduled Air Transportation - May 2020 OEWS Industry-Specific Occupational Employment and Wage Estimates \(bls.gov\)](https://www.bls.gov/news.release/archives/oea20220107.pdf)

² [Employer Costs for Employee Compensation Summary - 2021 Q03 Results \(bls.gov\)](https://www.bls.gov/news.release/archives/oc20210301.pdf)

owners is an FAA estimate based on industry trends over the past six years, while the number of aircraft was taken from the FAA Web Based Operations Safety System (WebOPSS) database. Further, this update will take into account, where appropriate, the fact that nine of the ten operators are also certificated under part 135 and as such, many of the items imposed by part 91K are of no additional burden because the items may be already required by part 135. The non-part 135 operator operates three aircraft.

Section 61.57(b), Recent flight experience: Pilot in command. Night takeoff and landing experience. This section establishes an alternative method of meeting night currency requirements. The logging of flight time to meet this requirement is captured in the reporting requirements of §91.1027, Recordkeeping.

Section 91.1003, Management contract between owner and program manager. This section requires a contract between each owner and program manager specifying owner and program manager rights and responsibilities.

Estimated number of new fractional owners per year	200
New contracts per year	200
Estimated time per contract	1.5 hrs
Total estimated time burden (1.5 hrs x 200 contracts)	300 hrs
Estimated number of revisions per year (25% of owners)	1400
Estimated time per revision	1 hr
Total estimated time burden (1 hr x 1400)	1400 hrs
Total burden for this section:	1700 hours
Labor burden (75.50 per hour x 1700 hours)	\$128,350

Section 91.1007, Flights conducted under part 121 or part 135 of this chapter. This section requires the fractional owner to be informed when a flight is being conducted as a program flight or is being conducted under part 121 or part 135 of this chapter. It is estimated that one-half of the owners will use substitute service (charter) once each year.

Estimated number of notifications (50% of owners)	2785
Estimated time per notification	0.9 hrs
Total estimated time burden (0.9 hrs x 2850)	2,506.5 hrs
Total burden for this section:	2507 hours
Labor burden (75.50 per hour x 2507 hours)	\$189,279

Section 91.1013, Operational control briefing and acknowledgment. This section requires the program manager to brief each owner on the owner’s operational control responsibilities upon the signing of an initial contract, or a renewal or extension of the contract. The owner will further review and sign an acknowledgement of his responsibilities. Fractional ownership programs require a multi-year contract, generally for 5 years. It is estimated that each owner would be briefed and would sign an acknowledgement once each 5 years. The estimated burden is based on an estimated number of 200 new owners each year.

Estimated number of new owners per year	200
Estimated time per briefing	1 hr
Total estimated time (1 hr x 200)	200 hrs
Estimated number of renewal/extensions per year (20% of owners)	1114
Total estimated time (1 hr x 1114)	1114 hrs
Total burden for this section:	1314 hours
Labor burden (75.50 per hour x 1314 hours)	\$99,207

Section 91.1015, Management specifications. This section requires the issuance of management specifications which outline the authorizations, limitations, and other information for the fractional ownership program. These specifications are issued using the Web Based Operations Safety System (WebOPSS), which is an automated system using electronic signature vs. the previous manual system. WebOPSS estimates the paperwork portion only and not the additional implementation costs of training and system installation and maintenance. Each program manager is issued the set of management specifications. Specifications would be revised to reflect new aircraft, owner names, or changes in authorizations. The collection burdens described in Section 91.1015 are contained in Section 91.1017 below.

Section 91.1017, Amending program manager’s management specifications. This section provides procedures for amendment of these specifications. As of January 2022, there were 10 fractional ownership programs active in WebOPSS. Ownership has increased slightly since last report and is expected to be stable. Revisions to management specifications are made to reflect changes in operations, owners, and aircraft.

Total estimated number of revisions	200
Estimated time burden per revision	6 hrs
Total estimated time (6 hrs x 200)	1200 hrs
Total burden for this section:	1200 hours
Labor burden (75.50 per hour x 1200 hours)	\$90,600

Section 91.1021, Internal safety reporting and incident/accident response. This section requires each program manager to establish an internal safety reporting procedure and procedures to respond to an aviation incident/accident. Part of the requirements of this section are included in §91.1023, Program Operating Manual Requirements.

Number of fractional ownership program managers	10
Estimated hours per owner	40
Total estimated hours (40 hrs x 10)	400 hrs
Total burden for this section:	400 hours
Labor burden (75.50 per hour x 400 hours)	\$30,200

Section 91.1023, Program operating manual requirements. This section requires each program manager to prepare and keep current a manual for the use of flight, ground, and

maintenance personnel. The manual or appropriate portions of the manual, (and changes and additions) shall be made available to maintenance, ground personnel, flight crewmembers, and representatives of the Administrator. Employees are required to keep his/her manual up-to-date with changes furnished to them. Program managers of a limited size operation may be authorized deviations from all or part of the manual. Additionally, **§91.1025, Program operating manual contents**, contains guidance as to the content of the manual. Numerous procedures are listed that require inclusion in the manual. Manual guidance is required appropriate to the size and authorizations applicable to an individual program. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft and three pilots, operates solely under part 91K.

Number of solely 91K program managers required to have a manual	1
Number of manual copies	7
Estimated time burden per revision per manual	1.5 hrs
Total estimated time burden (1.5 hrs x 7 man x 3 rev)	32 hrs
Total burden for this section:	31.5 hours
Labor burden (75.50 per hour x 32 hours)	\$2,416

Section 91.1027, Recordkeeping. This section provides the record keeping requirements applicable to each program manager. Note that if a program manager is also certificated to operate under part 135, they may satisfy the recordkeeping requirements of this section and 91.113 with equivalent obligations under the applicable 135 parts. In that case, the record keeping requirements would be covered by the appropriate air carrier rule. These options eliminate duplicative recordkeeping requirements. At the current time, all fractional ownership programs, except one, hold or are associated with an air carrier certificate. Therefore, the recordkeeping figures reflect the one part 91K operator with three aircraft, three pilots, and no flight attendants. Each program manager shall keep the following records:

Management specifications. Addressed in §91.1015.

List of aircraft. Addressed in §91.1015.

Pilots: Requires individual records of each pilot be maintained. This includes information on certificates, ratings, experience, duties, medical information, results of tests, flight time, training, and action concerning release from employment. This includes the logging of flight time to meet the night currency requirements of §61.57 (e). However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three pilots, operates solely under part 91K.

Number of pilots	3
Average number of entries annually per pilot (other than flight and duty)	25

Total estimated number of entries	75
Estimated time burden per entry	0.4 hrs
Total estimated time burden (.4 hrs x 25 x 3)	30 hrs
Total burden for pilot records:	30 hours

Load manifest: Requires the preparation of a load manifest for each program flight. Manifests are not required for repositioning, ferry flights, or training flights. These estimates reflect only program flight hours. Approximately three aircraft (part 91K only) fly an average of 800 program hours per year with an average stage length of 1.5 hours. This results in approximately 533 annual takeoffs per aircraft.

Estimated number of annual takeoffs per aircraft	533
Estimated number of aircraft	3
Estimated time burden per takeoff	0.2 hrs
Total estimated time burden (533 x 3 x 0.2 hrs)	320 hrs
Total burden for manifests:	320 hours
Total burden for pilot records:	30 hours
Labor cost for pilot records:	\$2,265
Labor cost for load manifests:	\$24,160

Total burden for this section: **350 hours**

Labor burden (75.50 per hour x 350 hours) **\$26,425**

Section 91.1029, Flight scheduling and locating requirements. This section requires each program manager to establish and use a system to schedule and release program aircraft and must have procedures for locating each flight for which a flight plan is not filed. This procedure is part of the manual requirement of §91.1025. Flight plans are cleared by OMB 2120-0026, Domestic and International Flight Plans. The flight locating information shall be prepared for each flight that is not on a FAA flight plan, and shall be retained until completion of the flight. Almost all flights in turbojet airplanes are conducted on a flight plan. The burden to develop the flight locating procedure is contained in §91.1023, Program operating manual requirements. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operates solely under part 91K.

Estimated flights (533 flights x 3 aircraft)	1599
Estimated time burden per release	0.5 hrs
Total estimated time burden (0.5 hrs x 1599)	783 hrs
Total burden for flight release procedure:	783 hours

Estimated flights on separate flight locating procedure (533 flights x 3 aircraft x 10%)	160
Estimated time burden per release	0.5 hrs
Total estimated time burden (0.5 hrs x 160 x 3)	240 hrs
Total burden for flight locating procedure:	240 hours

Total burden for this section:	1023 hours
Labor burden (75.50 per hour x 1023 hours)	\$77,237

Section 91.1031, Pilot in command, or second in command: Designation required.
 The paperwork requirements of this section are contained in §91.1027, Recordkeeping.

Section 91.1033, Operating information required. This section requires each program manager to provide cockpit checklists. Most companies will use checklists provided by the aircraft manufacturer. Some will develop their own checklists based on manufacturer's procedures. However, if an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operates solely under part 91K.

Number of fractional part 91K A/C req checklists (2/aircraft)	6
Estimated time burden per checklist	6.5 hrs
Total estimated time burden (6.5 hrs x 6)	39 hrs

Total burden for this section:	39 hours
Labor burden (75.50 per hour x 39 hours)	\$2,945

Section 91.1035, Passenger awareness. This section requires an oral safety briefing supplemented by a printed briefing card. Many companies will use briefing cards provided by the aircraft manufacturer. Others will develop their own customized briefing cards. Cards must be available at each aircraft seat and an oral briefing must be given for each flight, unless the passengers have been previously briefed on another leg. Parts 91 (and parts 135/121) currently require oral briefings and/or briefing cards. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operates solely under part 91K.

Total estimated number of seats (3 aircraft x 6 seats per)	18
Estimated number of flights, adjusted for passengers previously briefed	500
Number of aircraft	3
Estimated briefing time	2 min
Total estimated time burden (2 min x 1500)	50 hrs

Total burden for this section:	50 hours
Labor burden (75.50 per hour x 50 hours)	\$3,775

Section 91.1037, Large transport category airplanes: Turbine engine powered: Limitations: Destination and alternate airports. This section requires the program manager or other persons to calculate the performance requirements for each takeoff. This is a current requirement under part 91 to ensure that the aircraft can be landed safely within the available runway. This results in no additional time burdens or costs.

Section 91.1041, Aircraft proving and validation tests. This section requires a program manager to prepare a proving or validation test program or request a deviation

from the proving or validation test requirement. A one-time proving or validation test is required for a program manager using turbojets or an aircraft requiring two pilots under visual flight rules. If an operator is also certificated in part 135 they are required to meet the same or more stringent requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operates solely under part 91K. Additionally proving or validation tests are only required for a new operator or a new aircraft type.

Estimated number of applicable fractional ownership operations	1 turbojet operator
Estimated time burden	25 hrs

Total burden for this section:	25 hours
Labor burden (75.50 per hour x 25 hours)	\$1,888

Section 91.1047, Drug and alcohol misuse education program. This section requires each program manager provide drug and alcohol misuse education and to disclose to owners the existence or absence of a drug and alcohol misuse education program or testing program. This will require an initial disclosure to each owner. Educational materials are available (including on the web) and the costs are negligible. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operates solely under part 91K. The total cost of this disclosure is minimal.

Section 91.1049, Personnel. This section requires each program manager to publish pilot and flight attendant duty schedules. It is estimated that each program manager will publish a schedule each month, plus the occasional schedule revision. Costs to develop or formulate the schedule are not included in this area. Figures reflect the costs of publication only.

Number of fractional ownership companies	10
Average number of schedules published per company	20
Estimated time burden per schedule	1 hr
Total estimated time burden (1 hr x 10 x 20)	200 hrs

Total estimated burden for this section:	200 hours
Labor burden (75.50 per hour x 200 hours)	\$15,100

Section 91.1051, Pilot safety background check. This section requires the program manager to request personnel information on each pilot. If an operator is also certificated in part 135 they are required to meet the same requirements. This requirement is satisfied by 14 CFR part 111, which became effective August 9, 2021. OMB-2120-0607 addresses the data collection burden 14 CFR part 111. All requests for records to comply with this section must be requested electronically through the Pilot Records Database (PRD). This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft and three pilots, operates solely under part 91K.

Number of new pilots needing background checks	1
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Estimated time burden per request	1 hr
Total time estimated burden (2 hrs x 1 new pilot)	2 hrs
Total estimated burden for this section:	2 hours
Labor burden (75.50 per hour x 2 hours)	\$151

Section 91.1053, Crewmember experience. This section permits a program manager to request a deviation from certain crewmember experience requirements based on the size and scope of the operation. It is estimated that two operators will request the deviation.

Number of fractional ownership companies	2
Estimated time burden per deviation request	2 hrs
Total estimated time burden (2 hrs x 2)	4 hrs
Total burden this section:	4 hours
Labor burden (75.50 per hour x 4 hours)	\$302

Section 91.1055, Pilot operating limitations and pairing requirement. This section permits the program manager to request a deviation from certain crew pairing requirements under specified circumstances. It is estimated that two operators will request the deviation. The logging requirements of this section are incorporated in §91.1027, Recordkeeping.

Number of fractional ownership companies	2
Estimated time burden per deviation request	2 hrs
Total estimated time burden (2 hrs x 2)	4 hrs
Total burden this section:	4 hours
Labor burden (75.50 per hour x 4 hours)	\$302

The following regulations encompass the crewmember training and testing provisions: **Sections 91.1063 through 91.1107** require a training and testing program, specify crewmember qualifications and frequency of training and checks, and detail program approval processes. The recordkeeping provisions of these sections are contained in §91.1027, Recordkeeping. All of the existing fractional ownership programs have some type of training program. These programs would require revision to meet the new rule requirements. However, the revisions would not impose any additional data collection burden that is not addressed in the new rule.

Section 91.1109, Aircraft maintenance: Inspection program. This section requires each program manager to establish an approved aircraft inspection program. The program must be derived from a currently recommended manufacturer program or approved program. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. The inspection program must be contained in the manual required by §91.1025. Costs are contained in that section and pose no additional burden.

Section 91.1111, Maintenance training. This section requires development of a training program for maintenance personnel. If an operator is also certificated in part 135 they are required to meet the same or more stringent training program requirements. This section will only levy a burden on operators that solely operate under part 91K. Additionally, maintenance training is currently required by §65.81, *General privileges and limitations*. The maintenance training program required by this section may be contained in the manual required by §91.1025. Costs are contained in that section and pose no additional burden.

Section 91.1113, Maintenance recordkeeping. Maintenance recordkeeping is a currently required item by existing §91.417. This section mandates the procedure be contained in the manual required by §91.1025. Costs are contained in that section.

Section 91.1115, Inoperable instruments and equipment. This section provides information on operation with certain instruments and equipment inoperative using an approved minimum equipment list (MEL). In addition, it is anticipated that there will be one revision to each MEL per year. If an operator is also certificated in part 135 they are required to meet the same or more stringent manual requirements. This section will only levy a burden on operators that solely operate under part 91K. Currently only one operator, with three aircraft, operate solely under part 91K.

Number of different aircraft models operated	2
Estimated number of MEL revisions per aircraft model	1
Total number of MELs (one per aircraft)	3
Estimated time burden per revision	10 hrs
Total estimated time burden (10 hrs x 2 aircraft models)	20 hrs
Total burden this section:	20 hours
Labor burden (75.50 per hour x 20 hours)	\$1,510

FAR Section	NUMBER OF RESPONSES	HOURS	LABOR*
61.57	0	0	\$0
91.1003	1,600	1,700	\$128,350
91.1007	2,785	2,507	\$189,279
91.1013	1314	1314	\$99,207
91.1017	200	1,200	\$90,600
91.1021	10	400	\$30,200
91.1023	21	32	\$2,416
91.1027 (pilots)	75	30	\$2,265
91.1027 (load manifest)	1599	320	\$24,160
91.1029	1759	1023	\$77,237
91.1031	0	0	\$0
91.1033	6	39	\$2,945
91.1035	18	50	\$3,775
91.1037	0	0	\$0
91.1041	1	25	\$1,888
91.1047	0	0	\$0
91.1049	160	200	\$15,100
91.1051	1	2	\$151
91.1053	2	4	\$302
91.1055	2	4	\$302
91.1063-1107	0	0	\$0
91.1109	0	0	\$0
91.1111	0	0	\$0
91.1113	0	0	\$0
91.1115	2	20	\$1,510
TOTAL	9,555	8,870 hours	\$669,687

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no additional costs.

14. Provide estimates of annualized cost to the Federal Government.

The paperwork generated by the requirements in section 12 is for the most part not subject to systematic FAA review and thus does not correspond to a quantifiable statement of FAA review hours. However, based on data from Labor Distribution Reporting, the FAA estimates that the total estimated annual cost to the Federal Government is \$153,920. This cost is based on the time of existing FAA staff spent

reviewing and processing program information such as Minimum Equipment Lists and LOAs, and issuing approvals and authorizations submitted to the FAA as identified in this document. We have used the average hourly salary of a GS-11 step 6, “Rest of U.S.” locality (2022), at \$77,247 per year. At 2,080 hours per year, this corresponds to an hourly wage of \$37.00. The fully loaded hourly wage is \$74.00.³ Assuming the FAA workload amounts to one full year of work (2,080 hours shared among more than one employee), the annual FAA cost is **\$153,920**.

15. Explain the reasons for any program changes of adjustments reported in items 13 or 14 of the OMB Form 83-I.

Although there has been a slight increase in the number of fractional owners, as well as increased labor costs, this update reflects a decrease in time and cost burden. This update recognizes that the requirements of §§ 91.1027 and 91.1051 are satisfied through compliance with part 135. There is no additional burden in these sections for 91K operators who are also certificated under part 135. This new analysis accounts for a reduction in more than 6,500 hours of burden. The total cost burden is decreased accordingly.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This collection of information will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are not seeking approval to not display an expiration date OMB approval of this information.

18. Explain each exception to the certification statement identified in item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

There are no exceptions in Item 19 OMB Form 83-I.

³ <https://www.regulations.gov/document/EPA-HQ-OPPT-2014-0650-0005>