

State, Local, Tribal, Territorial Public Aircraft Training Issue Resolved

On Nov. 12, the FAA Office of the Chief Counsel (AGC) reconsidered its previous legal interpretation of 49 USC 40125 to include limited training as qualified public aircraft operation by nonfederal entities. According to this new interpretation, qualified nonfederal entities can engage in limited training under their certificate of authorization (COA) as a public aircraft operation (PAO). Training is limited to their own aircraft, crews, and mission training for missions that meet the government function requirement. Government functions may include national defense, intelligence missions, firefighting, search and rescue, and law enforcement operations, among others.

The ability to train with specific government agency aircraft that will be used operationally for events such as wildfires is essential for safe operations in the National Airspace System. Legal interpretation from the AGC previously stated that training wasn't allowed by state, local, tribal, and territorial (SLTT) governments as part of PAO. Agencies were prohibited from training with aircraft that were public aircraft and lacked a civil airworthiness certificate.

A copy of the [revised legal interpretation](#) is available on the FAA's website.