



U.S. Department
of Transportation

**Federal Aviation
Administration**

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

January 17, 2007

Exemption No. 8823
Regulatory Docket No. FAA-2006-25187

Mr. Donald Langford
LSA Aero
P.O. Box 112
Tanner, AL 35671

Dear Mr. Langford:

This letter is to inform you that we have granted your request for exemption for § 21.190 of Title 14, Code of Federal Regulations (14 CFR). It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

The Basis for Our Decision

By letter dated June 20, 2006, and supplemental information you provided on December 12, 2006, LSA AERO, Inc., (LSA AERO) petitioned the Federal Aviation Administration (FAA) on behalf of COLYAER, S.L. (COLYAER) for an exemption from § 21.190(c)(2) of Title 14, Code of Federal Regulations (14 CFR). This exemption, if granted, would permit LSA AERO to certify the Freedom S100 Amphibian aircraft to be eligible for the issuance of a special airworthiness certificate in the light-sport category, even though the aircraft is equipped with retractable landing gear.

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

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 8707 (copy enclosed), the FAA found that Czech Aircraft Works, S.R.O., requested airworthiness certification in the special light sport aircraft (SLSA) category for its CZAW Mermaid amphibious aircraft. This aircraft has repositionable landing gear that can be retracted or extended using controls in the aircraft

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cockpit. The FAA notes the description and function of the landing gear to be similar to the Freedom S100 Amphibian.

Having reviewed your reasons for requesting an exemption, I find that—

- they don't differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

Our Decision

Under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant LSA AERO, Inc. an exemption from 14 CFR § 21.190(c)(2) to the extent necessary to allow the COLYAER Freedom S100 Amphibian, with a retractable landing gear system, to be eligible for issuance of a special airworthiness certificate in the light sport category, subject to the conditions and limits described below.

Conditions and Limitations

1. This grant of exemption applies only to the COLYAER Freedom S100 Amphibian aircraft.
2. LSA AERO, Inc., must supply each purchaser of a Freedom S100 Amphibian with a copy of this exemption. A copy of the exemption must be carried on board each Freedom S100 Amphibian aircraft certificated under the provisions of this exemption.
3. Each Freedom S100 aircraft certificated under the provisions of this exemption must be equipped with a placard stating "LOGBOOK ENDORSEMENT REQUIRED FOR OPERATION BY PERSONS EXERCISING SPORT PILOT PRIVILEGES."
4. Each person exercising sport-pilot privileges while operating the Freedom S100 aircraft must receive ground and flight training from an authorized flight instructor on the following requirements for operation of the Freedom S100 aircraft:
 - (a) Ground training on the function, operation, and preflight inspection of the landing gear system.
 - (b) Ground and flight training on normal and emergency procedures of the landing gear system, including:
 - (i) Six (6) takeoffs and landings, including three (3) takeoffs and landings using each (water and land) mode of the landing gear.

- (ii) Three (3) transitions of the landing gear from one mode to the other while in flight.
 - (c) Ground and flight training on the landing gear system emergency procedures.
 - (d) A logbook endorsement from an authorized flight instructor certifying the applicant has received the additional training required under this exemption and is proficient to operate the Freedom S100 Amphibian aircraft.
5. LSA AERO, Inc. must maintain a record of all owners of the COLYAER Freedom S100 Amphibian aircraft certificated under the provisions of this exemption.

This exemption terminates on January 31, 2011, unless sooner superseded or rescinded.

Sincerely,

/s/ John J. Hickey
Director, Aircraft Certification Service

Enclosure: Exemption No. 8707