



Starting a Part 137 Operation

A Guide to Agricultural Aircraft Operator Certification

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Introduction

Those who seek to utilize an aircraft for dispensing any substance with the intent of affecting agriculture, horticulture or forest preservation are expected to operate to the highest level of safety. Operators must demonstrate this ability by complying with the regulations in [14 CFR Part 137](#), which applies to the certification of agricultural aircraft operators.

The process of applying for a Part 137 operating certificate can be daunting to those who have never been through it. This guide, *Starting a Part 137 Operation*, is intended to simplify the process and help prospective operators understand what will be required of them throughout it. While it provides an overview of the process, it is not intended to replace the specialized advice and expertise of an experienced professional.

As a first step, NAAA recommends setting up an initial meeting with the local FAA Flight Standards District Office (FSDO) that has jurisdiction in your region. Developing a strong relationship with the FSDO doesn't guarantee success, but it can often make the process smoother. By utilizing this guide, [Advisory Circular 137 - Certification Process for Agricultural Aircraft Operators](#) and professional expertise, applicants should be able to develop a complete application package.

Types of Part 137 Certificates

The vast majority of certificated Part 137 operators are **Commercial**, conducting operations for-hire on land not owned by the operator. In contrast, a certificated **Private** Part 137 operator may only conduct operations over property they own, lease or have ownership or other legal interest in the crops located on the property. The certification process is identical for both types, except that some requirements are not applicable for **Private** applicants. [AC 137](#) denotes these differences as required.

Knowledge & Skills

A pillar of operations under Part 137 is a demonstration of the requisite Knowledge & Skills set forth in [14 CFR §137.19\(e\)](#). Procedures and topics for the Knowledge & Skills Test are detailed in [8900.1, Volume 5, Chapter 11, Section 1](#) and [AC 137](#). NAAA encourages use of the [Agricultural Airman Guidelines \(AAG\)](#) — a comprehensive resource to assist operators, supervisors, pilots and FAA personnel when preparing for, or administering, this test.

[14 CFR §137.41](#) mandates that anyone operating under Part 137 have documentation of a passed Knowledge & Skills Test for the type of aircraft flown (fixed-wing, rotorcraft). There are two distinct levels for which a test may be given:

- **Chief Supervisor:** For a Chief Supervisor, a test can only be administered by the FAA, who will provide a logbook endorsement or signed letter of competency acknowledging the test and date passed. A Chief Supervisor can carry this endorsement (from FAA) throughout their career, working for other operators.
- **Pilot in Command (PIC):** For a PIC, a test can be administered by the FAA, a certificated operator or a Chief Supervisor, who will provide a logbook endorsement or signed letter of competency acknowledging the test and date passed. A PIC can carry this endorsement to another operator, however, that operator may optionally require the PIC to take another test. The operator is responsible for recording the date (for their own records) on which the PIC passed the test, regardless of whether it is by acceptance of a previous test or by administration of a new test.

Schedule of Events

The applicant and FAA must establish a Schedule of Events (SOE) for the certification process, agreeing on a timeline. If at any point the applicant fails to meet the agreed-upon timeframes contained in the SOE, the application may be withdrawn. The application may also be withdrawn if any of the below circumstances are identified by FAA at the time they are necessary for certification to continue:

- The applicant has not provided the personnel necessary to complete the certification process due to, for example, a delay in hiring personnel, a delay in assignment of personnel, or an inability to retain personnel.
- The applicant does not have the aircraft or equipment necessary.
- The applicant does not have the facilities necessary.

- The applicant fails to respond to requests within the timeframe communicated by the certification office, provides a late and/or inadequate response, or submits documentation that does not meet the applicable 14 CFR certification requirements.

The FAA will provide applicants 15 calendar days to respond to notices of corrective action needed. If no response is received within that timeframe, the application may be considered withdrawn. If an applicant has demonstrated that they are unable or unwilling to resolve or take appropriate courses of action on regulatory requirements, an application may be referred for formal denial. This can be appealed at the applicant's discretion.

Five-Phase Application Process

The certification process employs a sequential phase system that requires the completion of certain items before beginning the next step (phase). To expedite the certification process, applicants should review the following information, assemble the required documents and submit a complete and thorough package to their FSDO. The following sections serve as a checklist, with links in each to relevant reference documents, forms and samples.

Phase 1 - Preapplication

FAA guidance has established a simple [Applicant Readiness Checklist](#) to streamline Phase 1, Preapplication and Phase 2, Formal Application. All required items in the Applicant Readiness Checklist are required to be submitted to and accepted by the FSDO before an applicant is placed on the Certification Service Oversight Process (CSOP) National Applicant List where they will await initiation of the certification process.

Applicant Readiness Checklist

- ✓ **Letter of Intent (LOI):** An overall description of the applicant's proposed operation, including identification of the business, location, type(s) of aircraft and estimated date when operations will begin. A [Sample LOI](#) can be found in AC 137.
- ✓ **FAA Form 8710-3 Agricultural Aircraft Operator Certificate Application:** Includes identification of Chief Supervisor and agricultural aircraft to be operated. [Fillable copy of FAA Form 8710-3](#).
- ✓ **Proof of pilot availability:** The applicant must provide proof of availability of the services of at least one person who holds a current U.S. commercial or airline transport pilot certificate and who is properly rated for the aircraft to be used. The applicant themselves may be the person available.
- ✓ **Proof of aircraft availability:** The applicant must provide proof of availability of at least one aircraft properly certificated, airworthy and equipped for operation.
- ✓ **Proof of Recordkeeping System:** The applicant must demonstrate how they intend to keep application records for a minimum of 12 months in accordance with [14 CFR §137.71](#).
- ✓ **Proof of Knowledge and Skills:** The applicant may provide proof (Letter of Competency or logbook endorsement) of satisfactory demonstration of Chief Supervisor or PIC [Knowledge & Skills](#) for either the applicant or the Chief Supervisor. This can help streamline Phase 4.

Phase 2 - Formal Application

This phase is completed when the FSDO concurs that all required documentation is present and the application is viable. The office manager then queues the application into the CSOP National Applicant List, where it will await the availability of inspector resources to begin Phase 3.

Phase 3 - Document Compliance

After being added to the CSOP National Applicant List, an application is queued for Phase 3, Document Compliance. Once initiated, an in-depth review of the submitted application and supporting documents will take place including verification of Chief Supervisor qualifications and aircraft airworthiness.

Phase 4 - Demonstration and Inspection

The Demonstration and Inspection Phase is an inspection of the applicant's facilities and aircraft. During this phase, applicants show that they can conduct operations under Part 137 to the highest degree of safety. Their home base of operations will be inspected for compliance with the applicable operating procedures. The size and complexity of the operation will determine the extent of the inspection required at the base.

- **Knowledge and Skills Test:** If the applicant or Chief Supervisor already has a Chief Supervisor letter of competency or logbook endorsement from the FAA, a [Knowledge & Skills](#) test *may* be conducted at the discretion of the certification team, otherwise the test *will* be conducted.
- **Records and Recordkeeping Inspection:** In accordance with [§137.71](#).
- **Aircraft Airworthiness Inspection:** Including installed shoulder harness in accordance with [§137.31](#).
- **Base Inspection:** Conducted solely to determine conformity with regulations prescribed in 14 CFR Part 137. Details can be found in [8900.1, Volume 6, Chapter 6, Section 1](#).
- **Personnel Duties and Responsibilities:** The applicant will be evaluated to determine whether their method for informing all personnel of their duties and responsibilities, in accordance with [§137.41\(a\)](#), is acceptable.

Phase 5 - Certification

Applicants will receive an Agricultural Aircraft Operator Certificate once all qualifications are met. The operator will be issued a Letter of Authorization (LOA) A001 (Issuance and Applicability), A002 (Definitions and Abbreviations), A003 (Airplane/Aircraft Authorization), A004 (Summary of Special Authorizations and Limitations), A005 (Exemptions and Deviations) and A447 (Emergency Airworthiness Directive Notification). These are considered Part 137 authorizations and are not OpSpecs.

Adding or Removing an Aircraft

Prior to using an aircraft for agricultural operations, the operator should provide copies of the current registration and Airworthiness Certificates to their FSDO and request the aircraft be added to their LOA A003. There is no regulatory requirement for an aircraft to be inspected prior to it being listed on LOA A003. Additionally, there is no requirement to show aircraft ownership interest. See [8900.1, Volume 3, Chapter 52, Section 1](#).

Uncrewed Aircraft Systems (UAS) - Special Procedures

Applicants seeking to use UAS in their operation will require an exemption. UAS weighing less than 55 pounds (including the weight of the substance being dispensed) may operate under 14 CFR Part 107 and require exemption from §107.36 Carriage of hazardous material as well as several Part 137 regulations. UAS weighing 55 pounds or more are operated under 14 CFR Part 91 and require exemption from several regulations in 14 CFR Parts 61, 91, and 137. [View Example Exemptions](#).

There is an entirely separate certification process in place for UAS-only Part 137 operations. This topic will be addressed separately in a future guide.

FSIMS Resources

The [Flight Standards Informational Management System \(FSIMS\)](#) was created by FAA Order 8900.1. This electronic documentation system was adopted by FAA to replace the legacy "inspector's handbook" and comprises of approximately 8,000 pages of non-regulatory guidance and policy essential to the Aviation Safety Inspector (ASI). The information therein is extremely valuable to the applicant in the certification process, as it lays out in great detail what the ASIs will be looking for. Some of the relevant titles within are listed here for reference. Direct Links are not provided as they are subject to frequent change, however, **the FSIMS link above will display a table of contents allowing navigation to the below titles.**

- Volume 2 - Air Operator Application and Certification Process
 - Chapter 8 - Certification of a Part 137 Operator
 - * Section 1 - The Certification Process of a Part 137 Operator
 - * Section 2 - Introduction to Airworthiness Issues for Part 137
 - * Section 3 - Evaluate Airworthiness Issues for Part 137
 - * Section 4 - Restricted Category Agricultural Airplanes
- Volume 3 - General Technical Administration
 - Chapter 52 - Part 137 Agricultural operations
 - * Section 1 - Introduction to Part 137 Related Tasks
 - * Section 2 - Evaluate a Part 137 Congested Area Operations Plan
- Volume 5 - Airman Certification
 - Chapter 11 - Administer a Knowledge and Skills Test to an Agricultural pilot
 - * Section 1 - Qualify a Pilot in Command
- Volume 6 - Surveillance
 - Chapter 6 - Part 137 Inspections
 - * Section 1 - Conduct a Part 137 Base Inspection
 - * Section 2 - Surveillance of a Part 137 Dispensing Operation/Satellite Site/Facility
 - * Section 3 - Reserved
 - * Section 4 - Monitor a Part 137 Congested Area Operation
 - * Section 5 - Inspect Part 137 Maintenance Records