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Chapter/Part 900

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NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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CHAPTER Tra 900 AIRCRAFT, COMMERCIAL AVIATION OPERATOR, AND AIRCRAFT DEALER  
REGISTRATION

Statutory Authority: RSA 422:40, VI

PART Tra 901 GENERAL ADMINISTRATION

Tra 901.01 Purpose. The purpose of Tra 900 is to set forth general administrative requirements common to selected aeronautical registrations issued by the bureau.

Source. #7997, eff 12-1-03; ss by #10034, ef 11-23-11

PART Tra 902 GENERAL ADMINISTRATION

Tra 902.01 Scope. This part shall apply to registrations of aircraft, aircraft dealers, and commercial aviation operators pursuant to RSA 422:21.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.02)

Tra 902.02 Definitions.

- (a) "Air commerce" means "air commerce" as defined in RSA 422:3, III.
- (b) "Aircraft" means "aircraft" as defined in RSA 422:3, VI.
- (c) "Aircraft dealer" means "aircraft dealer" as defined in RSA 422:3, VIII.
- (d) "Aircraft dealer aircraft inventory report form" means the registration certificate issued to each aircraft listed on an aircraft dealer's inventory.
- (e) "Aircraft operating fee" means the fee collected pursuant to RSA 422:31, III.
- (f) "Airman" means a civilian or military pilot, aviator, or aviation technician.
- (g) "Airport" means "airport" as defined in RSA 422:3, X.
- (h) "Applicant" means a person intending to fulfill statutory and administrative requirements for issuance of an aircraft, aircraft dealer, or commercial aviation operator registration.
- (i) "Based" means storing an aircraft at an airport, whether by parking, tying down, or placing the aircraft in a hangar or, if the context requires, the airport from which the majority of a specific aircraft's operations are initiated, conducted, or terminated.
- (j) "Bureau" means the bureau of aeronautics, division of aeronautics, rail, and transit of the New Hampshire department of transportation.
- (k) "Commercial aviation operator" means "commercial aviation operator" as defined in RSA 422:3, XVI.
- (l) "Commissioner" means the commissioner of the New Hampshire department of transportation.
- (m) "Dealer's aircraft registration" means the type of aircraft registration issued to an aircraft dealer that permits limited operation of the aircraft.
- (n) "Demonstration flight" means a flight conducted for the purpose of:
  - (1) Demonstrating the aircraft to a prospective buyer or buyers,

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(2) Testing the airworthiness and ensure the safe operation of an aircraft as required by the Federal Aviation Administration; or

(3) Completion of maintenance of an aircraft.

(o) "Department" means the New Hampshire department of transportation, its employees or authorized agents.

(p) "Director" means the director of the division of aeronautics, rail, and transit of the New Hampshire department of transportation.

(q) "Division" means the division of aeronautics, rail, and transit of the New Hampshire department of transportation.

(r) "Federal Aviation Administration (FAA)" means the national aviation regulatory authority of the United States.

(s) "Ferrying flight" means a flight:

(1) From an aircraft manufacturer's site or from the site of aircraft purchase to the airport of the dealer's place of business;

(2) To the delivery location after the sale of an aircraft; or

(3) To or from a place at which repairs or maintenance are performed.

(t) "N-number" means the United States identification number assigned to the aircraft by the Federal Aviation Administration aircraft registry pursuant to 14 C.F.R. Sec. 47.15.

(u) "Person" means "person" as defined by 422:3, XXIII.

(v) "Public aircraft" means "public aircraft" as defined in RSA 422:3, XXIV.

(w) "Registrant" means the person designated on a New Hampshire registration application or certificate.

(x) "Registration period" means that portion of time from the date of the transaction to the expiration date of the registration certificate.

(y) "Renewal registration" means registration of the same aircraft, aircraft dealer, or commercial aviation operator by the same person within 12 months subsequent to issuance of a registration.

(z) "Resident" means "resident" as defined in RSA 422:3, XXV.

(aa) "Unflyable aircraft" means an aircraft that has been rendered unflyable as a result of its physical condition and includes aircraft that cannot legally be flown in compliance with regulations of the Federal Aviation Administration.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.03)

Tra 902.03 Completing Forms.

(a) All applications for a registration certificate shall be made on a form supplied by the bureau for that purpose.

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(b) All applications for a registration certificate shall be accompanied by the prescribed fee, if any is required by law.

(c) Whenever a person is required to complete a form, the form shall be:

- (1) Filled out completely;
- (2) Completed in a legible manner; and
- (3) Filed with the bureau at the following address:

NHDOT Bureau of Aeronautics  
PO Box 483,  
John O. Morton Building, 7 Hazen Drive  
Concord, NH 03302-0483

(d) A form not in compliance with this section shall be processed in accordance with RSA 541-A:29.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.04)

Tra 902.04 Fees, Form of Payment.

(a) Whenever an applicant makes payment to the bureau, the following shall apply:

- (1) Payment shall be made in the form of cash, check, money order or other negotiable instrument payable on demand or other form of payment acceptable to both the treasurer and the department;
- (2) The negotiable instrument shall be made payable to the "Treasurer, State of New Hampshire"; and
- (3) Alternative terms, describing the payee, including but not limited to "State of New Hampshire – Transportation," "New Hampshire Department of Transportation," "Aeronautics – State of New Hampshire," "State of New Hampshire," "State of NH," "Bureau of Aeronautics," or "Director of Aeronautics, Rail, and Transit" shall not be cause for refusal of a negotiable instrument, provided it does not lend itself to endorsement by any party other than the State of New Hampshire.

(b) Unless otherwise provided in these rules, any fee prescribed by statute or rule shall be submitted at the same time as the application to which it applies.

(c) Any fee, fine, or other payment resulting from the renewal, transfer, suspension or revocation of a certificate shall be paid prior to issuance or reinstatement of the certificate.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.05)

Tra 902.05 Negotiable Instruments.

(a) No negotiable instrument shall be accepted which bears a date subsequent to the date of the transaction.

(b) No 2 party check shall be accepted unless:

- (1) One of the parties is the state of New Hampshire;

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- (2) The applicant is the other party; and
- (3) The applicant has restrictively endorsed the instrument to be payable to the order of the state of New Hampshire.

(c) In the event an unacceptable negotiable instrument is received, the application or request for reinstatement shall be processed in accordance with RSA 541-A:29.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.06)

Tra 902.06 Dishonored Negotiable Instruments.

(a) When any negotiable instrument presented for payment has been dishonored and returned to the bureau, it shall not be redeposited.

(b) The bureau shall notify the signatory that:

- (1) The negotiable instrument has been dishonored, and the reason; and
- (2) The check cannot be redeposited.

(c) A certificate issued based upon the receipt of a negotiable instrument that is subsequently dishonored shall be void as of the date of issuance and remains so until full restitution and statutory penalty fees have been received by the bureau.

(d) If an applicant fails, neglects or refuses to pay to the bureau the full amount of the dishonored instrument, plus any penalties that might be due, the person shall be:

- (1) Subject to penalties in accordance with RSA 422:29; and
- (2) Referred to the department of justice for additional action as permitted by law.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.07)

Tra 902.07 Account Adjustments.

(a) In the event a person underpays any registration, toll, penalty or other fee required, the payment shall be processed pursuant to RSA 6:11-a.

(b) Pursuant to RSA 422:31, IX, amounts of less than \$5 shall not be refunded if the cost to the state to refund the overpayment would exceed the amount involved.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(formerly Tra 901.08)

PART Tra 903 AIRCRAFT REGISTRATION

Tra 903.01 Registration Required.

(a) Pursuant to RSA 422:28, no person shall operate or authorize the operation of a civil aircraft in New Hampshire unless:

- (1) The aircraft possesses an N-number; and

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(2) One of the following applies:

- a. The aircraft has a currently effective state registration certificate;
- b. The aircraft is exempt from the state registration requirement pursuant to RSA 422:22, I-IV or RSA 422:32; or
- c. The state registration requirement has been waived by the department pursuant to RSA 422:22, V-VI and these rules.

(a) A resident of the state who owns an aircraft shall register the aircraft with the department.

(b) The resident shall commence the aircraft registration process or waiver process within 10 days of assuming ownership of any aircraft whether or not the aircraft:

(1) Is in a flyable condition; or

(2) Is based or physically located in the state of New Hampshire.

(d) Pursuant to RSA 422:22, IV, RSA 422:28, or both, a non-resident of New Hampshire shall commence the initial registration process in this state immediately:

(1) Upon engaging in air commerce in this state; or

(2) The aircraft has been located in the state for more than 90 days cumulatively during a registration year.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11 (from Tra 902.01)

Tra 903.02 Effective Dates, Out of Cycle Registration.

(a) Pursuant to RSA 422:21, effective dates for state aircraft registration certificates shall be based upon the first numeral of the N-number, as follows:

Table 902-1 Aircraft Registration Effective Dates

"N" Number	Registration Effective Dates
1	January 1 to December 31
2	February 1 to January 31
3	March 1 to February 28
4	April 1 to March 31
5	May 1 to April 30
6	June 1 to May 31
7	July 1 to June 30
8	August 1 to July 31
9	September 1 to August 31

(b) An original aircraft registration shall be issued outside of the month shown in the above table as an out-of-cycle registration in accordance with RSA 422:21, V.

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(c) The fee for an out-of-cycle registration shall be computed in accordance with RSA 422:21, V.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(from Tra 902.02)

Tra 903.03 Registration of Aircraft.

(a) An applicant shall commence the original registration process by contacting the bureau for assistance, or submitting a "Pre-Application for Aircraft Registration" form containing the following information:

- (1) The N-number of the aircraft;
- (2) The name of the airport where the aircraft is based, or if for a non-resident registration of an aircraft, the name of the New Hampshire airport where the aircraft is based, or from which commercial operations are conducted;
- (3) The name of the manufacturer of the aircraft;
- (4) The manufacturer's model of the aircraft;
- (5) The manufacturer's serial number of the aircraft;
- (6) The color of the aircraft;
- (7) The model year of the aircraft;
- (8) The year of manufacture of the aircraft;
- (9) If a fixed wing aircraft, the following information:
  - a. Whether the aircraft is classed as:
    1. Land based;
    2. Seaplane; or
    3. Glider;
  - b. Engine type, whether:
    1. Piston;
    2. Turbopropeller; or
    3. Turbojet; and
  - c. Number of engines;
- (10) If a rotary wing aircraft, the following information:
  - a. Whether the aircraft is classed as:
    1. Gyroplane; or
    2. Helicopter; and
  - b. Engine type, whether:

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1. Piston; or
2. Turbine;

- (11) A legible copy of a dated bill of sale for the aircraft;
- (12) A statement as to whether the applicant requests a waiver of registration pursuant to these rules;
- (13) The name(s) of all owner(s) or registrant(s) acting as authorized agents of all owner(s) of the aircraft;
- (14) An address to which notices from the bureau shall be sent; and
- (15) If desired, one or more of the following alternate means of contact for a person able to respond to questions from the bureau:
  - a. Home telephone;
  - b. Work telephone;
  - c. Mobile telephone; and
  - d. Electronic mail address.

(b) Upon receipt of either a request for assistance or a "Pre-Application for Aircraft Registration" form, the bureau shall:

- (1) Process the request in accordance with RSA 541-A:29;
- (2) Determine if the applicant is eligible for a waiver of registration or operating fee, and provide a form to the applicant to request such a waiver; or
- (3) Compute the fee for registration pursuant to RSA 422:31, and request payment thereof from the applicant, utilizing an "Application for Aircraft Registration" form.

(c) The commissioner or designee shall make the final determination of the manufacturer's list price pursuant to RSA 422:31, III(b) utilizing information received from:

- (1) The applicant;
- (2) The manufacturer of the aircraft; or
- (3) Any other source of sales or price information in use by buyers or sellers for the transfer of aircraft in the open marketplace.

(d) Upon receipt of the "Application for Aircraft Registration" form from the bureau, the applicant shall:

- (1) Sign and date the application, and return it to the bureau with payment of the applicable fee; or
- (2) Complete and submit the appropriate waiver application forms.

(e) Upon receipt of the signed and dated application and the required fee from an applicant, the bureau shall issue a certificate of registration and registration decal.

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(f) The state registration certificate shall be carried at all times in the aircraft.

(g) The state registration decal shall be affixed to the right side of the fuselage of the aircraft ahead of the right rear control surfaces.

Source. #6015, eff 3-29-95; amd by #6244, eff 5-8-96; ss by #7997, eff 12-1-03; ss by #10034, eff 11-23-11 (from Tra 902.03)

Tra 903.04 Aircraft Registration and Operating Fee Waivers.

(a) A New Hampshire resident seeking a waiver of registration for an aircraft based in another state in accordance with RSA 422:22, V shall submit an "Aircraft Resident Waiver Application" form together with the following information to the bureau:

- (1) The N number of the aircraft;
- (2) A copy of a certificate of aircraft registration issued by another state; or
- (3) A statement, affidavit or other signed writing from another state's aircraft registry or other agency charged with regulating the privilege of ownership or operation of aircraft, stating that the applicant:
  - a. Is in compliance with all laws regarding aircraft registration, ownership or operation in effect in the issuing state; or
  - b. Has paid all state and local taxes or fees or both which would have been assessed upon the aircraft if applicant had claimed residency in such state; and
- (4) The signature of the applicant.

(b) A New Hampshire resident seeking a waiver of registration for an unflyable aircraft in accordance with RSA 422:22, VI shall submit an "Unflyable Aircraft Waiver Application", together with the following information to the bureau:

- (1) The N number of the aircraft;
- (2) The date of the last annual inspection of the aircraft;
- (3) The tachometer hours as shown in the aircraft's logbook;
- (4) A written statement or photographs which indicate that at least one of the following situations rendering the aircraft unflyable is present:
  - a. The aircraft is fully or partially dismantled or disassembled, by means of:
    1. The removal of one or more engines;
    2. The removal of one or more wings;
    3. The removal of the main rotor assembly, if for a rotary-wing aircraft;
    4. The removal of 20 percent or more of the aircraft fuselage or main structure; or
    5. The removal of 20 percent or more of the external covering or skin of the aircraft;

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- b. The removal of 50 percent or more of the flight control mechanisms and/or surfaces, including:
  - 1. Elevators, stabilators, or other surfaces used to control pitch attitude;
  - 2. Rudders or other surfaces used to control yaw attitude;
  - 3. Ailerons or other surfaces used to control roll attitude;
  - 4. Flaps or other surfaces used to modify the lift characteristics of the aircraft;
  - 5. Linkages, rods, or cables or any supporting structures for connections between the flight control surfaces and the pilot's station in the aircraft; or
  - 6. The controls at the pilot's station which activate the flight surfaces;
- c. The aircraft is under construction and is incomplete;
- d. The aircraft has substantial damage due to an accident or some other cause, and cannot be flown until repairs are made;
- e. The aircraft is unairworthy, meaning:
  - 1. It has not been certified as airworthy by a qualified mechanic within the past 12 months; or
  - 2. Physical defects are present in the aircraft's structural components necessary for normal flight, rather than administrative defects in the aircraft's documentation or ownership; and

(5) The signature of the applicant.

(c) A non-resident seeking a waiver from the registration and operating fees for commercial use aircraft operated within the state pursuant to RSA 422:32, I, shall submit a letter including the following information to the bureau:

- (1) The N number of the aircraft;
- (2) The dates for which the waiver is requested;
- (3) The location of the commercial operation being proposed;
- (4) The nature of the commercial operation;
- (5) A statement that the commercial operation will be completed within a 2 day period as justification for granting the request; and
- (6) The signature of the applicant.

(d) A waiver granted pursuant to RSA 422:32, I shall not exceed 2 days duration.

(e) Any waiver granted pursuant to RSA 422:22, V or VI shall be valid until:

- (1) The holder of a waiver granted under this section informs the department of any change in the information submitted on the application for such waiver; or

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(2) Inspection of the aircraft, or documentation regarding the ownership, maintenance, location, registration, or operation of the aircraft reveals facts suggesting that the holder no longer qualifies for the waiver.

(f) Pursuant to RSA 422:23, waivers shall be non-transferable, and automatically expire upon a change in:

- (1) The ownership of the aircraft;
- (2) The state of residence of the holder, if the change involves a move into or out of the state of New Hampshire;
- (3) The de-registration of the aircraft by the Federal Aviation Administration; or
- (4) The return of an unflyable aircraft to a condition that no longer supports the grant of a waiver pursuant to (d) above.

Source. #7997, eff 12-1-03 ss by #10034, eff 11-23-11  
(from Tra 902.04)

Tra 903.05 Renewal of Aircraft Registration.

(a) The owner of a registered aircraft, or his agent, shall:

- (1) Inform the bureau of changes in name or address of any owner or registrant of the aircraft; and
- (2) Inform the bureau of changes in the use or condition of the aircraft which might change its registration status or qualification for a waiver.

(b) An applicant seeking annual renewal of the certificate of registration shall submit an "Aircraft Registration Renewal Notification" form to the bureau prior to the expiration of the aircraft registration, and provide the following information:

- (1) Any change in ownership of the aircraft;
- (2) A description of damage or change to the condition of the aircraft that renders it unflyable;
- (3) Any change in the location where the aircraft is based;
- (4) Any change in the information originally supplied pursuant to Tra 902.03 on the "Preapplication for Aircraft Registration" form; and
- (5) If any changes described in (1)-(4) above are reported, the signature of applicant, including capacity and authority if signing as an agent or for a trust, partnership, corporation, or limited liability company.

(c) An applicant seeking annual renewal of the certificate of registration shall submit the fee required by RSA 422:31.

(d) Upon receipt by the bureau of the completed application for renewal and the required fee, the information supplied shall be reviewed, and a certificate of registration issued unless information contained on the application, or obtained from a field inspection of the aircraft indicates a lack of compliance with these rules.

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(e) Upon renewal, all aircraft registrations shall be placed in the annual renewal cycle specified in Tra 903.02.

(f) If renewal of a certificate of registration is denied, a written notice shall be provided explaining why the application could not be approved, and how the applicant may request a hearing to review the decision.

Source. #10034, eff 11-23-11 (from Tra 902.05)

Tra 903.06 Registration of Public Aircraft.

(a) A federal agency may voluntarily register the aircraft owned or operated by the agency by contacting the bureau.

(b) A state or local agency shall register the aircraft owned or operated by the agency by contacting the bureau.

(c) No fee shall be charged for the registration of public aircraft.

Source. #10034, eff 11-23-11 (from Tra 902.06)

Tra 903.07 Transfer of Aircraft Registration and Aircraft Operating Fee.

(a) Pursuant to RSA 422:23, upon the transfer of ownership of any aircraft, its registration shall expire.

(b) The person in whose name such aircraft is registered shall return the certificate of registration to the bureau, with a written notice containing the date of the transfer of ownership and the name, and address of the new owner.

(c) A person who transfers ownership of any registered aircraft and purchases a replacement aircraft in the same name within the same registration year may transfer any unused registration and aircraft operating fees to the original registration of the replacement aircraft as follows:

(1) Fees shall be transferred within the same registration year and only from the date of purchase of the replacement aircraft;

(2) If the transfer extends the expiration of the replacement aircraft's registration, pro-rated fees shall be charged for the additional months in the new registration year; and

(3) If the transfer shortens the expiration of the replacement aircraft's registration, no refund shall be issued.

(d) Any person who obtains an aircraft registration transfer pursuant to this paragraph shall be charged the registration transfer fee pursuant to RSA 422:31, IV.

Source. #10034, eff 11-23-11 (from Tra 902.07)

Tra 903.08 Lost Registration Decal or Certificate.

(a) A registrant shall notify the bureau immediately upon discovery that a registration certificate or decal has been lost or mutilated.

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(b) Upon receipt of the fee set forth in RSA 422:31, VIII, the bureau shall issue a certified replacement certificate, decal, or both, reflecting the same expiration date as the lost or mutilated item(s).

Source. #10034, eff 11-23-11 (from Tra 902.08)

Tra 903.09 Revocation of Aircraft Registration Certificate.

(a) In accordance with RSA 541-A:30 and RSA 422:25, after notice and an opportunity for hearing is provided to the holder, the division shall revoke a state aircraft registration certificate if it is shown that the holder made any material false statement in the application for the certificate.

(b) Within 20 days of receipt of notice from the bureau of the proposed revocation of a state aircraft registration certificate, the holder shall:

- (1) Surrender the same to the bureau for cancellation; or
- (2) Request a hearing to contest the proposed action.

(c) Failure to contact the bureau within 20 days of receipt of notice of a proposed revocation of a state aircraft registration certificate or waiver shall result in the proposed action being taken.

(d) A revoked certificate shall have no further force or effect.

(e) No refund of fees paid shall be made in the case of the revocation of a state aircraft registration certificate.

(f) A certificate revoked for non-payment of a fee may be restored upon payment of the fee, and any penalties imposed pursuant to RSA 6:11-a.

(g) A certificate issued based upon the receipt of a negotiable instrument that is subsequently dishonored shall be considered to have never been issued unless full restitution and statutory penalty fees are received.

Source. #10034, eff 11-23-11 (from Tra 902.09)

PART Tra 904 COMMERCIAL AVIATION OPERATOR REGISTRATION

Tra 904.01 Registration of Commercial Aviation Operators Required.

(a) Pursuant to RSA 422:21, each commercial aviation operator shall register with the department.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(from Tra 903.01)

Tra 904.02 Registration Application.

(a) Applicants for registration as a commercial aviation operator shall submit the following information to the bureau on a form provided for that purpose:

- (1) Name of operator;
- (2) Business address;
- (3) Business telephone number;
- (4) Physical address;

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- (5) Alternate telephone number;
- (6) Whether the organization is legally structured as a:
  - a. Sole proprietorship;
  - b. Partnership;
  - c. Corporation;
  - d. Trust;
  - e. Limited liability company; or
  - f. Limited liability partnership;
- (7) A certificate of authority from the New Hampshire secretary of state to do business within the state, if such registration is required by law;
- (8) Names and addresses of the person or persons authorized to act on behalf of the organization;
- (9) A list of New Hampshire airports at which the applicant will offer commercial aviation services or supplies;
- (10) The New Hampshire airport of primary operation, if the applicant proposes to conduct any of the following operations for compensation or hire:
  - a. Any flight operation, including:
    1. Flight training;
    2. Air taxi;
    3. Rental of aircraft;
    4. Scenic rides;
    5. Aerial photography;
    6. Aerial advertising, such as banner towing or airborne lighted displays; or
    7. Other flight operations that require an airport for operation;
  - b. Aviation fuel sales; or
  - c. Aircraft maintenance;
- (11) Type of aviation service(s) to be provided;
- (12) A copy of any FAA certificates held, if applicable;
- (13) A list of aircraft used in the business, by N number;
- (14) A list of airmen used in the business that otherwise would be required to register as commercial aviation operators themselves;
- (15) Date and signature of the owner or officer affirming that the information provided in the application is correct; and

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(16) The fee required by RSA 422:31, VII, which shall not be prorated for a partial year registration.

(c) Any changes in the information provided to the bureau shall be reported no later than 10 days after such change has occurred.

(d) Upon receipt of the completed and signed application and the required fee, the bureau shall issue a certificate of registration.

(e) Registration certificates issued by the bureau shall not constitute:

(1) Permission to operate on any specific airport in the state;

(2) A certification as to the qualifications of the commercial aviation operator to perform work; or

(3) A certification or representation that the commercial aviation operator has been inspected, reviewed, or evaluated in any manner as to the quality or sufficiency of any work performed in the past.

(f) Registration certificates for commercial aviation operators shall expire annually on December 31 of the year for which they were issued.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(from Tra 903.02)

Tra 904.03 Notice of Insurance Coverage for Flight Training.

(a) Any person who, in the ordinary course of business, conducts flight training in an aircraft for hire shall deliver a written notice to the person receiving such training which states whether or not insurance coverage is in effect for the training flights, and if so, the terms and limitations of the insurance coverage as provided on the declarations page of the insurance policy.

(b) The notice required pursuant to (a) above shall:

(1) Contain the name of the instructor giving notice;

(2) State the amount of liability coverage in effect for each training flight if any; and

(3) State the name of the insured party.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(from Tra 903.03)

Tra 904.04 Revocation of Commercial Aviation Operator Registration Certificate.

(a) In accordance with RSA 541-A:30 and RSA 422:25, after notice and an opportunity for hearing is provided to the holder, the bureau shall revoke a commercial aviation operator registration certificate if it is shown that the holder made any material false statement in the application for the certificate.

(b) Within 20 days of receipt of notice from the bureau of the proposed revocation of a commercial aviation operator registration certificate, the holder shall:

(1) Surrender the same to the bureau for cancellation; or

(2) Request a hearing to contest the proposed action.

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(c) Failure to contact the bureau within 20 days of receipt of notice of a proposed revocation of a commercial aviation operator registration certificate shall result in the proposed action being taken.

(d) A revoked certificate shall have no further force or effect.

(e) No refund of fees paid shall be made in the case of the revocation of a commercial aviation operator registration certificate.

(f) A certificate revoked for non-payment of a fee shall be restored upon payment of the fee.

(g) A certificate issued based upon the receipt of a negotiable instrument that is subsequently dishonored shall be considered to have never been issued unless full restitution and statutory penalty fees are received.

Source. #7997, eff 12-1-03; ss by #10034, eff 11-23-11  
(from Tra 903.04)

PART Tra 905 AIRCRAFT DEALER REGISTRATION

Tra 905.01 Registration Requirements.

(a) In order to register aircraft held for the purpose of sale under the provisions of this section, an aircraft dealer shall:

- (1) Possess a currently effective state registration as a commercial aviation operator; and
- (2) Own or lease sufficient space to park or hangar at least 2 aircraft at a registered commercial-use airport within the state.

Source. #10034, eff 11-23-11 (from Tra 904.01)

Tra 905.02 Registration of Aircraft Dealers.

(a) An applicant for registration as an aircraft dealer shall provide the bureau with the following information on a form provided for that purpose:

- (1) Name of the registered commercial aviation operator;
- (2) Mailing address;
- (3) One or more telephone numbers where the applicant can be reached during normal business hours;
- (4) Physical address, if different than the mailing address;
- (5) Whether the aircraft dealer is legally structured, as a:
  - a. Sole proprietorship;
  - b. Partnership;
  - c. Corporation;
  - d. Trust;
  - e. Limited liability company; or

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- f. Limited liability partnership;
- (6) A certificate of authority from the New Hampshire secretary of state to do business within the state, if such registration is required by law;
- (7) Names and addresses of the person or persons authorized to act on behalf of the aircraft dealer;
- (8) A list of aircraft currently in inventory for which an aircraft dealer registration certificate will be issued, with the following items listed for each aircraft:
- a. The N-number of the aircraft;
  - b. The name of the manufacturer of the aircraft;
  - c. The manufacturer's model of the aircraft;
  - d. The manufacturer's serial number of the aircraft;
  - e. The color of the aircraft;
  - f. The model year of the aircraft;
  - g. The year of manufacture of the aircraft;
  - h. If a fixed wing aircraft, whether the aircraft is classed as:
    - 1. Land based;
    - 2. Seaplane; or
    - 3. Glider;
  - i. Engine type, and number of engines, whether:
    - 1. Piston,
    - 2. Turbopropeller; or
    - 3. Turbojet; and
  - j. If a rotary wing aircraft, whether the aircraft is:
    - 1. Classed as a gyroplane or helicopter; and
    - 2. Propelled by a piston or turbine engine;
- (9) The number of aircraft expected to be added to and maintained in inventory for the registration year;
- (10) The fee required by RSA 422:31, VI; and
- (11) One or more of the following documents, to evidence the applicant's authority to register the aircraft under the aircraft dealer certificate:
- a. A copy of a bill of sale to the applicant;

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- b. A copy of the currently effective FAA registration certificate showing the applicant as the FAA registrant;
  - c. A copy of an agreement or contract which specifically grants authority to the aircraft dealer to act as agent for the owner in matters relating to the sale of the aircraft; or
  - d. Any other items which shows ownership or control of the aircraft.
- (b) The bureau shall issue an aircraft dealer registration to the applicant if:
- (1) The applicant meets the definition of an aircraft dealer;
  - (2) The applicant aircraft dealer:
    - a. Owns or appears to own the aircraft listed upon the application; or
    - b. Is acting as agent for the owner of the aircraft, in accordance with an agreement or contract; and
    - c. Other aircraft owned by the applicant, if any, are not unregistered or the subject of a suspension or revocation of certificate action by the bureau.
- (c) The bureau shall, without charge, provide sufficient aircraft inventory report forms to the dealer to meet the anticipated inventory needs for the registration year.

Source. #10034, eff 11-23-11 (from Tra 904.02)

Tra 905.03 Additions to Dealer Inventory.

- (a) An aircraft dealer adding an aircraft to its inventory of aircraft available for sale throughout the registration year shall:
- (1) Complete an aircraft dealer inventory report form as provided by the bureau, supplying the following information:
    - a. The N-number of the aircraft;
    - b. The name of the manufacturer of the aircraft;
    - c. The manufacturer's model of the aircraft;
    - d. The manufacturer's serial number of the aircraft;
    - e. The color of the aircraft;
    - f. The model year of the aircraft;
    - g. The year of manufacture of the aircraft;
    - h. If a fixed wing aircraft, whether the aircraft is classed as:
      - 1. Land based;
      - 2. Seaplane; or
      - 3. Glider;

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- i. Engine type and number of engines, whether
    1. Piston;
    2. Turbopropeller; or
    3. Turbojet; and
  - j. If a rotary wing aircraft, whether the aircraft is:
    1. Classed as a gyroplane or helicopter; and
    2. Engine type, whether piston or turbine; and
- (2) Provide a copy of the completed aircraft dealer inventory report form to the bureau, by either telefax or mail, within 10 days of assuming either ownership or control of the aircraft.

Source. #10034, eff 11-23-11 (from Tra 904.03)

Tra 905.04 Sale of Aircraft.

(a) The aircraft dealer shall surrender the aircraft dealer inventory report form to the bureau within 10 days of the sale or transfer of an aircraft registered to the aircraft dealer.

(b) The aircraft dealer shall note in the space provided on the reverse of the aircraft dealer aircraft inventory report form:

- (1) The date of sale or transfer of the aircraft;
- (2) The name(s) of the new owner(s) of the aircraft; and
- (3) The address of the new owner(s).

Source. #10034, eff 11-23-11 (from Tra 904.04)

Tra 905.05 Renewal of Aircraft Dealer Registration.

(a) A registered aircraft dealer shall:

- (1) Inform the bureau of changes in:
  - a. The name or address of the dealer; and
  - b. The airport used as a primary base of operation; and
- (2) Seek annual renewal of the certificate of registration by filing an application therefor and paying the required fee.

(b) The applicant shall file the form entitled, "Application for Renewal of Aircraft Dealer Registration" with the bureau, prior to the expiration of the current aircraft dealer registration certificate, together with the fee required by RSA 422:31, and the following information:

- (1) Signature of applicant, including capacity and authority if signing for a trust, partnership, corporation, or limited liability company;
- (2) Date of application; and

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(3) All other items described in Tra 905.02(a).

(c) An aircraft dealer registration shall be renewed unless the information provided shows that the applicant no longer qualifies as an aircraft dealer, or the applicant is the subject of a suspension or revocation proceeding under these rules.

Source. #10034, eff 11-23-11 (from Tra 904.05)

Tra 905.06 Conditions and Restrictions.

(a) The aircraft dealer inventory report form shall be carried at all times in the aircraft.

(b) Aircraft dealer registrations shall be valid from January 1 through December 31 of each year.

(c) Dealer aircraft inventory report forms for aircraft added to inventory during the registration year shall be effective from date of acquisition through December 31 of that year.

(d) An unflyable aircraft may be registered under a dealer aircraft registration, if the unflyable aircraft is listed for sale with the dealer.

(e) No person shall register an aircraft offered for sale under a dealer aircraft registration unless physical possession of the aircraft has been relinquished to the control of the dealer; and

(f) No aircraft dealer shall use an aircraft registered under a dealer aircraft registration for other than a ferrying flight or a demonstration flight.

Source. #10034, eff 11-23-11 (from Tra 904.06)

Tra 905.07 Revocation of Aircraft Dealer Registration Certificate.

(a) In accordance with RSA 541-A:30 and RSA 422:25, after notice and an opportunity for hearing is provided to the holder, the bureau shall revoke an aircraft dealer registration if it is shown that the holder made any material false statement in the application for the certificate.

(b) Within 20 days of receipt of notice from the bureau of the proposed revocation of a state aircraft dealer registration certificate, the holder shall:

(1) Surrender the same to the bureau for cancellation; or

(2) Request a hearing to contest the proposed action.

(c) Failure to contact the bureau within 20 days of receipt of notice of a proposed revocation of a state aircraft dealer registration certificate shall result in the proposed action being taken.

(d) A revoked certificate shall have no further force or effect.

(e) No refund of fees paid shall be made in the case of the revocation of a state aircraft dealer registration certificate.

(f) A certificate revoked for non-payment of a fee may be restored upon payment of the fee.

(g) A certificate issued based upon the receipt of a negotiable instrument that is subsequently dishonored shall be considered to have never been issued unless full restitution and fees are received.

Source. #10034, eff 11-23-11 (from Tra 904.07)

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APPENDIX

Rule	Statute
Tra 901.01	RSA 422:2
Tra 902.01	RSA 422:21
Tra 902.02	RSA 422:3
Tra 902.03	RSA 422:40, VI
Tra 902.04	RSA 422:31
Tra 902.05	RSA 422:31, RSA 6:11-a
Tra 902.06	RSA 422:31, RSA 6:11-a
Tra 903.01	RSA 422:21
Tra 903.02	RSA 422:21
Tra 903.03	RSA 422:21
Tra 903.04	RSA 422:22, IV, V, VI
Tra 903.05	RSA 422:21
Tra 903.06	RSA 422:21, RSA 422:32 V
Tra 903.07	RSA 422:23, 24
Tra 903.08	RSA 422:31, IV
Tra 903.09	RSA 422:25
Tra 904.01	RSA 422:21
Tra 904.02	RSA 422:21
Tra 904.03	RSA 422:21 I
Tra 904.04	RSA 422:25
Tra 905.01	RSA 422:21
Tra 905.02	RSA 422:21
Tra 905.03	RSA 422:21
Tra 905.04	RSA 422:21
Tra 905.05	RSA 422:21, 31
Tra 905.06	RSA 422:21
Tra 905.07	RSA 422:25