

Aircraft registration numbers: Selecting a new registration number and waiting!



AMANDA APPLGATE, PARTNER, AERLEX LAW GROUP

First-time aircraft buyers looking at a potential acquisition may not realize that the registration number painted on the fuselage or vertical stabilizer of the aircraft can be changed and personalized by the new owner. “Tail numbers” – the name often used when referring to aircraft registration numbers – can be chosen by an owner in much the same way as a “vanity” license plate for an automobile. When selecting a registration number for a U. S. registered aircraft, the following rules apply:

AN N-NUMBER CAN BE IN ANY OF THESE FORMATS:

- One to five numbers (N12345)
- One to four numbers followed by one letter (N1234Z)
- One to three numbers followed by two letters (N123AZ)

N-Numbers do not have:

- A zero as the first number
- The letters “I” or “O”

In order to check the availability of a registration number, the following website can be used: <https://registry.faa.gov/AircraftInquiry/Search/NNumberAvailabilityInquiry>. However, it is worth noting that reserving a registration number can be done online, in person at the Federal Aviation Administration (“FAA”) registry filing window or through the mail. Therefore, sometimes a registration number may appear available online when it is not actually available.

If the registration number is available, it can be reserved for a fee of \$10.00. It is important to reserve the registration number under the name of the new owner

or a relinquishment and reservation in the new name will have to take place later.

Once the registration number has been reserved, the FAA will send a written notice of confirmation of the reservation. If this confirmation has been received but the assignment has not yet been approved by the FAA, owners oftentimes will paint the new number on the aircraft but cover it with a decal reflecting the present registration number until such time as the change has been approved by the FAA.

Once the registration number is reserved, it must be assigned to the aircraft. If the change is being done at the time the aircraft is being purchased, it is best to submit the request for the registration number change with the documents filed for closing with the FAA civil aircraft registry. The letter requesting the registration number change should include the name of the aircraft manufacturer, model designation, serial number, and the current registration number.

When the FAA approves the registration number change, the agency will mail an AC Form 8050-64 to the owner. **This is currently taking 6 to 8 weeks from the time the request is made.** This is the Assignment of Special Registration Number and authorizes the placement of the new registration number on the aircraft. Once the owner places the new registration number on the aircraft, the owner must do four things:

1. *Within five days after the number is placed on the aircraft, the owner must complete and return the 8050-64 form showing the date the registration number was placed on the aircraft.*
2. *Within 10 days, the owner must take a copy of the 8050-64 form and the existing airworthiness certificate to a FAA Flight Standards District office (FSDO) to obtain a revised airworthiness certificate.*
3. *The owner must carry a copy of the AC Form 8050-64 with the current Certificate of Aircraft Registration, AC Form 8050-3. These documents provide temporary authority to operate the aircraft under the new N number*

until the replacement Certificate of Aircraft Registration is received.

4. *The owner must notify the aircraft insurance provider of the registration change.*

A seller who wishes to keep the registration number currently assigned to an aircraft that is being sold should make retention of that N number one of the terms of sale.

If the seller is going to retain the current registration number, then the parties need to determine, as part of their negotiations, which party will pay for the cost associated with the change. Additionally, some sellers may wish to establish a deadline on when the registration number will be assigned back to them. However, it is important to note that neither party controls how fast the FAA issues the 8050-64 form and, therefore, language should not obligate the parties to a timeline they cannot control. If a registration number change is being done in conjunction with a sale, it is best to file the request for the registration number change at the same time the closing transaction documents are filed with the FAA registry. Due to the current backlog of processing documents filed with the FAA, the parties must understand that there will be a delay in getting this done of two to three months.

Creating a unique and special registration number for your aircraft can add a bit of fun to the ownership experience. However, the cost of the personalization must be properly allocated to the responsible party. Additionally, the timing of the change should be considered in order to avoid causing unnecessary complications in the closing of an aircraft acquisition ■

AERLEX
LAW GROUP

11900 West Olympic Boulevard, Suite 450
Los Angeles, CA 90064-1171
310-392-5200 • Fax: 310-392-5255
applegate@aerlex.com • www.aerlex.com