



# NBAA Regulatory Forum

Friday, August 27, 2004

DoubleTree Hotel Seattle Airport  
Seattle, Washington

In conjunction with:

NBAA Maintenance Management Workshop

Wednesday, August 25, 2004

NBAA Business Aviation Regional Forum

Thursday, August 26, 2004



## AGENDA

### WEDNESDAY, AUGUST 25, 2004

#### Maintenance Management Workshop

The Maintenance Management Workshop on August 25, organized by the NBAA Maintenance Committee, will provide aviation maintenance managers an opportunity to learn the latest information on issues affecting the maintenance community. Topics to be addressed include Occupational Safety and Health Administration (OSHA) issues, environmental and aviation regulations, personnel and asset management, aircraft reliability and productivity measures. For more information visit the web at [www.nbaa.org/seminars](http://www.nbaa.org/seminars).

### THURSDAY, AUGUST 26, 2004

#### NBAA Business Aviation Regional Forum

The NBAA Business Aviation Regional Forum is a day-long learning and networking experience designed to meet the needs of the regional business aviation community and to provide an introduction to local business leaders interested in learning more about business aviation. The Seattle Forum will feature approximately 40 aircraft on static display, 60 indoor Exhibitors, and hundreds of Attendees. In addition to a static display of aircraft and dozens of exhibits, this event will feature a number of informational sessions and briefings for the business aviation community in Washington state. For more details, visit [www.nbaa.org/forums](http://www.nbaa.org/forums).

### FRIDAY, AUGUST 27, 2004

#### NBAA Regulatory Issues Forum

##### Who Should Attend

Flight department personnel, 135 operators, pilots, schedulers, dispatchers, lawyers, accountants, tax specialists, and other aviation professionals who have an interest in aviation regulatory, operational and tax issues. Both Members and Non-members of the NBAA are invited to attend. CPE and CLE credit may be available for qualified attendees.

##### Conference Description

Business aircraft operators face a series of regulatory challenges in their day-to-day operations. NBAA's regulatory seminar, organized by NBAA's Tax Committee, will focus on many of the hot issues operators are struggling with today. Topics will be addressed from a legal/regulatory perspective and also from an operational perspective. Challenges facing operators under FAR Part 91 as well as FAR Part 135 will be highlighted. Audience participation and interaction is strongly encouraged.

8:00 a.m. – 8:30 a.m. **Registration and Continental Breakfast**

8:30 a.m. – 9:15 a.m. **FAR Part 91 Operations and Limitations**

*Jeff Wicand, Esq., Boston Jet Search, Boston, MA*

What costs can FAR Part 91 corporate operators legally recover? Is your timeshare/interchange/joint ownership agreement valid? And can you operate your business aircraft in a company designed solely for that purpose? These questions, and others, will be answered during this presentation.

9:15 a.m. – 10:00 a.m. **FAR Part 135 Operations**

*Kent Jackson, Esq., Jackson & Wade, Overland Park, KS*

If your aircraft ownership and financial structures would be limited under FAR Part 91, should you consider getting a 135 certificate? This session will review key issues, including requirements for obtaining a 135 certificate, regulations and FAA oversight when operating under Part 135, operational limitations, and considerations when adding your aircraft to someone else's certificate.

10:00 a.m. – 10:15 a.m. **Break**

10:15 a.m. – 10:45 a.m. **Subpart K: Fractional Ownership and Operations**

*Cliff Maine, Esq., Miller, Johnson, Snell and Cummiskey, Grand Rapids, MI*

Much media attention has focused on fractional aircraft ownership. What are the key differences between FAR Part 91, Subpart K (the new fractional regulations), Part 91, and Part 135? This presentation will review important differences and look at fractional from an owner's perspective as well as a fractional program operator's perspective.

10:45 a.m. – 11:15 a.m. **Carriage of Elected Officials**

*Joanne Barbera, Esq., Cooling and Herbers, Kansas City, MO*

Not only is this an election year, but the FEC has released new rules that apply when elected officials travel on corporate and charter aircraft. Some "twists" on the rules might surprise you. This session will review the "who, what, when, where, and how" of carrying candidates and their guests on your airplane.

11:15 a.m. – 12:00 p.m. **International Issues**

*Alvaro Pascotto, Esq., Morrison & Foerster, LLP, Los Angeles, CA*

Whether planning your first flight to Asia or a regular hop across the border into Mexico, the rules and regulations change and there are numerous considerations you must be aware of. This session will explore current regulatory issues related to international operations, including Value Added Taxes (VAT), cabotage, selected differences between the FARs and ICAO rules, and various definitions of commercial versus private operations.

12:00 p.m. – 12:30 p.m. **Regulatory Requirements for Operations to/from Canada**

*Bill Clark, Esq., Clark & Company, Toronto, Ontario Canada*

This session will provide an overview of regulatory requirements for U.S. carriers when flying into Canada. Topics to be addressed are operating authorities required from Canada, operational fees and charges, and cabotage issues arising from operations within Canada, from both a FAR 91 and FAR 135 operator's perspective.

12:30 p.m. – 1:30 p.m. **Lunch**

1:30 p.m. – 2:00 p.m. **Registration Issues**

*Frank Polk, Esq., McAfee & Taft, PC, Oklahoma City, OK*

Aircraft registration with the FAA is an important component of lawful operations. We will examine some of the basic but often misunderstood regulations regarding aircraft registration, including US citizenship issues. In addition, owners and operators will soon need to know how to deal with an international treaty (The Cape Town Convention on International Interests in Mobile Equipment) that will establish an International Registry for aircraft and aircraft engines, as well as new laws to supercede current Federal and state law relating to the ownership, financing and leasing of aircraft and engines. This session will cover the basics of understanding and complying with the Cape Town Treaty.

2:00 p.m. – 2:30 p.m. **Personal Use of the Corporate Aircraft**

*Craig Weller, Esq., Galland, Kharasch, Greenberg, Fellman & Swirsky, PC, Washington, DC*

Executives and key employees sometimes use the corporate aircraft for non-business purposes, especially if they might need to return to the office at a moment's notice. Can the employee pay for the use of the aircraft? Or is this a benefit of employment that should be taxed and reported on their W-2? What rates are appropriate? What happens if a spouse or friend travels along on a business trip? These points, among other personal use considerations, will be discussed from the vantage points of the FAA and IRS.

2:30 p.m. – 2:45 p.m. **Break**

2:45 p.m. – 3:45 p.m. **An Overview of Flight Department Tax Issues**

*Nel Sanders-Stubbs, Conklin & deDecker, Scottsdale, AZ*

Thus far, this seminar has focused on regulations required by FAA, DOT, FEC and various international governments. However, another important regulator - the Internal Revenue Service - substantially impacts business aviation structures and operations. We will spot various federal tax issues affecting topics addressed during this session, as well as introduce state tax considerations related to aircraft ownership and operations.

3:45 p.m. – 5:15 p.m. **Panel Discussion: Recent Regulatory Developments**

*Panel Moderator: Gary Garofalo, Esq., Garofalo Goerlich Hainbach, PC, Washington, DC*

Numerous changes affecting corporate and charter aircraft operations have been adopted - or are in the works - with FAA and DOT. Aviation attorneys, 91 and 135 operators and NBAA staff will present timely and hot topics including:

- Foreign Ownership/Leadership - the Part 375 Initiative
- Eligible On-Demand Operations
- Piggybacking on a 135 Certificate
- Electronic OpSpecs
- Status report on the 135/125 FAA Aviation Rulemaking Committee
- Helpful Hints for New Regulations, such as obtaining DRVSM LOAs

5:15 p.m. – 5:30 p.m. **Question & Answer Session and Closing Remarks**

Registration includes admission to the NBAA Business Aviation Regional Forum on August 26.

#### CPE CREDIT

Attending this NBAA Tax and Regulatory Forum provides a maximum of 9.5 hours of recommended continuing education (CPE) credits. In accordance with the standards of the National Registry of CPE Sponsors, CPE credits have been granted based on a 50-minute hour.

NBAA is registered with the National Association of State Boards of Accountancy (NASBA), as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417, (615) 880-4200, [www.nasba.org](http://www.nasba.org).

Prerequisite: None

Preparation: None

Delivery Method: Group

Level of Knowledge: Overview

Fields of Study: Taxation and Management



#### CLE CREDIT

Upon written request, the NBAA will provide individual attorneys with documentation to support their application for CLE credit in their respective states. Based on a 50-minute hour, the NBAA Tax and Regulatory Forum may be eligible for a maximum of 9.5 CLE credits for the full seminar.

# NBAA Regulatory Forum • August 27, 2004

## REGISTRATION FORM

DoubleTree Hotel Seattle Airport • 18740 Pacific Highway South • Seattle, Washington 98188 • Phone: (206) 246-8600 Fax: (206) 431-8687

**Registration Instructions:** Mail, fax or overnight the completed registration form by Wednesday, August 18, 2004, with payment to: Attn: Acct. Dept./Lydia Sampson, National Business Aviation Association, 1200 Eighteenth Street, NW, Suite 400, Washington, DC 20036-2527. Fax (202) 478-6885 (one per registrant). If faxed, please do not mail original. For further information, visit [www.nbaa.org/seminars](http://www.nbaa.org/seminars) or contact Lydia Sampson at (202) 783-9369.

### REGISTRATION FEES:

**August 27, 2004**

**Regulatory Forum**

NBAA Member: \$500

Non-Member: \$625

One-Day Workshop includes admission to the NBAA Forum

August 26

Will be attending the NBAA Forum

yes  no

**August 25, 2004**

**Maintenance Management Workshop**

NBAA Member: \$350

Non-Member: \$475

**TOTAL  
REGISTRATION FEES: \$ \_\_\_\_\_**

LAST NAME	FIRST NAME	NBAA MEMBER NUMBER (if known)

NICKNAME (Name on Badge)

COMPANY

ADDRESS

ADDRESS

CITY	STATE	ZIP/POSTAL CODE
	(IF U.S. ADDRESS)	

COUNTRY

PHONE	FAX	

E-MAIL

- |                                 |                          |                          |                             |
|---------------------------------|--------------------------|--------------------------|-----------------------------|
| <b>Title/Job Function Code:</b> | E Chief of Maintenance   | J Flight Attendant       | O Student                   |
| A Chief Executive Officer       | F Maintenance Technician | K Chief Flight Attendant | P Consultant                |
| B Chief Operating Officer       | G Chief Pilot            | L Marketing or Sales     | Q Military                  |
| C Chief Financial Officer       | H Pilot                  | M Purchasing             | R Attorney                  |
| D Flight Department Manager     | I Scheduler/Dispatcher   | N Safety Officer         | S Accountant                |
|                                 |                          |                          | T Other Financial Personnel |

**Payment Information:**

Check Number \_\_\_\_\_ (payable in U.S. dollars to NBAA) is enclosed. Please write registrant's name on check.

Credit card number	Exp. date	Credit card signature

**Note:**

- ◆ The difference between Member and Non-Member fees may be applied to NBAA Membership.
- ◆ Fees include all materials, breakfasts, lunches, and breaks.
- ◆ Confirmation will be sent via e-mail to acknowledge receipt of your registration, please allow 7-10 days for confirmation.
- ◆ Suggested attire is business casual.

Any person who attends an NBAA Convention, Conference, Seminar, or other program grants permission to NBAA to use and publish his or her image or likeness collected in connection with the program for any usual and customary purpose of the NBAA, including advertisements for NBAA and its programs.

**For more information, visit the web at [www.nbaa.org/seminars](http://www.nbaa.org/seminars)**

## GENERAL INFORMATION

### Hotel Information

#### DoubleTree Hotel Seattle Airport

18740 Pacific Highway South  
Seattle, Washington 98188  
Phone: 206-246-8600  
Fax: 206-431-8687

Please make hotel reservations directly with the DoubleTree referencing the NBAA events. The room rate is \$94 for a single/double room. Reservations must be made by **Monday, August 9, 2004**, to take advantage of the discounted room rates and availability. The DoubleTree offers complimentary transportation to and from the Seattle Airport.

### Airline Reservations

United Airlines is the official airline of NBAA. U.S. Attendees who call United's toll-free (1-800-521-4041) to book reservations and refer to Meeting ID number 517SG will receive a 5 percent discount off the lowest applicable discount fare, including first class, or a 10 percent discount off mid-week coach fares, purchased 7 days in advance. An additional 5 percent discount will apply when tickets are purchased at least 30 days in advance of travel date. Or you may choose area pricing, set airfare prices based upon geographical locations. Discounts apply to all United, United Express, and UA code share flights operated by US Airways, US Airways Express and Air Canada.

International Attendees will receive a 10 percent discount off the lowest applicable fare (including business class), or a 15 percent discount off the fully refundable, unrestricted coach fare when they call their local United Airlines reservation number and refer to Meeting ID Number 517SG. An additional 5 percent discount will apply when tickets are purchased at least 60 days in advance of travel dates. Discounts apply to United and Lufthansa flights.

### Registration Instructions

Please complete the attached registration form and return it to NBAA by **Wednesday, August 18, 2004** in order to receive a written confirmation. Registration form and payment may be submitted via mail or fax. Please follow the instructions provided on the registration form.

### Substitutions/Cancellations

A full refund less 10 percent processing fee will be made for cancellations received in writing prior to **Wednesday, August 18, 2004**. NBAA understands the last minute nature of corporate aviation and has allowed as much flexibility as possible. However, there will be **NO REFUNDS AFTER Wednesday, August 18, 2004**. All requests must be received in writing or by fax to (202) 478-6885. Postmark or fax transmission date will determine date of cancellation. If you are unable to attend and wish to send another representative from your company, simply fax the name of your replacement.

### Conference Attire

The dress code for all events is business casual (slacks, skirts, blouses, sweaters and blazers for women, and slacks, polo shirts, button-down shirts, blazers or sweaters for men). Since meeting rooms have a tendency to be cool, please dress appropriately.

### For More Information

For information about this and other NBAA Seminars, visit [www.nbaa.org/seminars](http://www.nbaa.org/seminars), or contact NBAA at (202) 783-9283 or [seminars@nbaa.org](mailto:seminars@nbaa.org).



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