



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2026-11796; Project Identifier MCAI-2025-01206-T]

RIN 2120-AA64

Airworthiness Directives; Embraer S.A. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2024-05-13, which applied to all Embraer S.A. Model EMB-545 and EMB-550 airplanes. AD 2024-05-13 requires revising the Limitations and Normal Procedures sections of the existing airplane flight manual (AFM) to incorporate new operational airspeed limitations, and flight control limitations and approach procedures when angle of attack (AOA) limiter protection is engaged. AD 2024-05-13 also requires inspecting records for instances of AOA limiter engagement during a certain phase of flight and reporting findings to the FAA. Since the FAA issued AD 2024-05-13, the manufacturer developed a modification to the flight control computer (FCC) software and related AFM revisions. This proposed AD would continue to require certain actions in AD 2024-05-13. This proposed AD would also require updating the FCC software and incorporating a new revision of the existing AFM, which would terminate the operational airspeed limitations, and flight control limitations and approach procedures when AOA limiter protection is engaged. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to regulations.gov. Follow the instructions for submitting comments.

- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2026-11796; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Agência Nacional de Aviação Civil (ANAC) material identified in this proposed AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230 – Centro Empresarial Aquarius – Torre B – Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190 – São José dos Campos – SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br. You may find this material on the ANAC website at sistemas.anac.gov.br/certificacao/DA/DAE.asp. It is also available at regulations.gov under Docket No. FAA-2026-11796.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

FOR FURTHER INFORMATION CONTACT: Deondre Harris, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404-474-5586; email: deondre.d.harris@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the ADDRESSES section. Include “Docket No. FAA-2026-11796; Project Identifier MCAI-2025-01206-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to regulations.gov, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public

docket of this NPRM. Submissions containing CBI should be sent to Deondre Harris, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404-474-5586; email: deondre.d.harris@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2024-05-13, Amendment 39-22705 (89 FR 20846, March 26, 2024) (AD 2024-05-13), for all Embraer S.A. Model EMB-545 and EMB-550 airplanes. AD 2024-05-13 was prompted by an MCAI originated by ANAC, which is the aviation authority for Brazil. ANAC issued ANAC AD 2024-02-02, effective February 26, 2024 (ANAC AD 2024-02-02), to correct an unsafe condition.

AD 2024-05-13 requires revising the Limitations and Normal Procedures sections of the existing AFM to incorporate new operational airspeed limitations, and flight control limitations and approach procedures when AOA limiter protection is engaged. AD 2024-05-13 also requires inspecting records for instances of AOA limiter engagement during a certain phase of flight and reporting findings to the FAA. The FAA issued AD 2024-05-13 to address AOA limiter engagement during the final approach phase when the landing flare is commanded, which could reduce pitch response during a critical phase of flight near the ground. In unstable air conditions, this condition, if not addressed, could result in a high-rate-of-descent landing and consequent catastrophic structural damage to the airplane on landing.

Actions Since AD 2024-05-13 Was Issued

Since the FAA issued AD 2024-05-13, ANAC superseded ANAC AD 2024-02-02 and issued ANAC AD 2024-02-02R1, effective July 14, 2025 (ANAC AD 2024-02-02R1) (also referred to as the MCAI), to correct an unsafe condition for all Embraer S.A. Model EMB-545 and EMB-550 airplanes. The MCAI states that a hard landing event

with substantial damage to the airplane was reported, in which the AOA limiter was engaged during the final approach phase in unstable air conditions and remained engaged until the airplane touched down on the runway.

The preamble to AD 2024-05-13 specifies that the FAA considers that AD an interim action and that the FAA might consider further rulemaking if a final action is developed. The manufacturer has since developed a modification to the FCC software and related AFM revisions to address the unsafe condition. The FAA has determined that modification should be required; this proposed AD follows from that determination.

The FAA is proposing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2026-11796.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2024-05-13, this proposed AD would retain all of the requirements of AD 2024-05-13, except the records inspections and reporting requirement. The retained requirements are referenced in ANAC AD 2024-02-02R1, which, in turn, is referenced in paragraph (g) of this proposed AD.

Material Incorporated by Reference Under 1 CFR Part 51

ANAC AD 2024-02-02R1 specifies procedures for revising the Limitations and Normal Procedures sections of the existing AFM to incorporate operational airspeed limitations, and flight control limitations and approach procedures when AOA limiter protection is engaged. ANAC AD 2024-02-02R1 also specifies procedures for updating the FCC software to part number 494910-1011 and incorporating a new revision of the existing AFM, which would terminate the operational airspeed limitations, and flight control limitations and approach procedures when AOA limiter protection is engaged. The FCC software update includes reidentifying FCC 1 and FCC 2.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would retain certain requirements of AD 2024-05-13. This proposed AD would require accomplishing the actions specified in ANAC AD 2024-02-02R1 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Compliance With AFM Revisions

FAA regulations require that operators furnish to pilots any changes to the AFM (for example, 14 CFR 121.137), and to ensure the pilots are familiar with the AFM (for example, 14 CFR 91.505). As with any other flightcrew training requirement, training on the updated AFM content is tracked by the operators and recorded in each pilot's training record, which is available for the FAA to review. FAA regulations also require pilots to follow the procedures in the existing AFM including all updates. Section 91.9 requires that any person operating a civil aircraft must comply with the operating limitations specified in the AFM.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate ANAC AD 2024-02-02R1 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with ANAC AD 2024-02-02R1 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by ANAC AD 2024-02-02R1 for compliance will be available at regulations.gov by searching for and locating Docket No. FAA-2026-11796 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD affects 340 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

Estimated costs for required actions

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2024-05-13	1 work-hours X \$85 per hour = \$85	\$0	\$85	\$28,900
New actions	Up to 4 work-hours X \$85 per hour = \$340	\$0	Up to \$340	Up to \$115,600

According to the manufacturer, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators. The FAA does not control warranty coverage for affected operators. As a result, the FAA has included all known costs in the cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator.

Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39 - AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by:

a. Removing Airworthiness Directive (AD) 2024-05-13, Amendment 39-22705 (89 FR 20846, March 26, 2024); and

b. Adding the following new AD:

Embraer S.A.: Docket No. FAA-2026-11796; Project Identifier MCAI-2025-01206-T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

This AD replaces AD 2024-05-13, Amendment 39-22705 (89 FR 20846, March 26, 2024) (AD 2024-05-13).

(c) Applicability

This AD applies to all Embraer S.A. Model EMB-545 and EMB-550 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 22, Auto Flight.

(e) Unsafe Condition

This AD was prompted by a report of a hard landing event with substantial damage to the airplane, in which the angle of attack (AOA) limiter was engaged during the final approach phase in unstable air conditions and remained engaged until the airplane touched down on the runway. The FAA is issuing this AD to address AOA

limiter engagement during the final approach phase when the landing flare is commanded, which could reduce pitch response during a critical phase of flight near the ground. In unstable air conditions, this condition, if not addressed, could result in a high rate-of-descent landing and consequent catastrophic structural damage to the airplane on landing.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Agência Nacional de Aviação Civil (ANAC) AD 2024-02-02R1, effective July 14, 2025 (ANAC AD 2024-02-02R1).

Note 1 to paragraph (g): Embraer EMB-545/EMB-550 Stall Protection, General Publication GP-8073, Revision 1, dated February 16, 2024, provides additional guidance regarding the actions required by this AD.

(h) Exceptions to ANAC AD 2024-02-02R1

(1) Where ANAC AD 2024-02-02R1 refers to February 26, 2024 (the effective date of ANAC AD 2024-02-02), this AD requires using April 10, 2024 (the effective date of AD 2024-05-13).

(2) Where ANAC AD 2024-02-02R1 refers to its effective date, this AD requires using the effective date of this AD.

(3) This AD does not adopt paragraph (e) of ANAC AD 2024-02-02R1.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send

your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or ANAC; or ANAC's authorized Designee. If approved by the ANAC Designee, the approval must include the Designee's authorized signature.

(j) Additional Information

(1) For more information about this AD, contact Deondre Harris, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404-474-5586; email: deondre.d.harris@faa.gov.

(2) For Embraer S.A. material identified in this AD that is not incorporated by reference, contact Embraer S.A., Technical Publications Section (PC 560), Rodovia Presidente Dutra, km 134, 12247-004 Distrito Eugênio de Melo – São José dos Campos – SP – Brazil; telephone +55 12 3927-0386; email distrib@embraer.com.br; website mytechcare.embraer.com.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Agência Nacional de Aviação Civil (ANAC) AD 2024-02-02R1, effective July 14, 2025.

(ii) [Reserved]

(3) For ANAC material identified in this AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230 - Centro Empresarial Aquarius – Torre B – Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190 – São José dos Campos – SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br. You may find this material on the ANAC website at sistemas.anac.gov.br/certificacao/DA/DAE.asp.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on September 28, 2026.

Steven W. Thompson,
Acting Deputy Director, Compliance & Airworthiness Division,
Aircraft Certification Service.
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