

# PROFESSIONAL BUILDERS

The use of a professional builder for the construction of an experimental/amateur built airplane is, strictly speaking, not allowed. However, there are some gray areas. For example it is perfectly legal to hire someone to help you build your airplane, and to rent space in his shop to do so in. As long as you fully participate in the building process you will be in accordance with the section of the FAR's that allow the construction of experimental airplanes for the recreation and education that the building process provides.

Experimental Aviation, Inc. is not in the business of building airplanes, and we do not recommend that you hire someone to build in your place. We do recognize that such arrangements exist. We will, for that reason, pass on the following information from a professional builder we happened to talk to in regards to this issue.

There are several scenarios by which a professional builder may be used:

1. The owner is the legal builder and manufacturer.
  - a. Be sure that your name is on all certificate
  - b. Understand the builder is only your hands, and works at your direction.
  - c. The builder's name will not appear on anything
  - d. This is the *most* illegal of the options
  - e. If discovered, the FAA may deny certification in the Amateur built category.
2. Form a partnership in which the two of you are builders and owners. At the end of the project, buy out the other half of the airplane.

This may be the best scenario for liability purposes
3. The professional builder builds the plane, registers it, then sells it to a subsequent owner
  - a. The builder takes all the liability risk
  - b. The subsequent owner cannot get a certificate to let him do the annual inspection on the airplane himself. However, since he didn't build it, he won't know the machine intimately, and it would be better to have an A&P do the inspection.
  - c. Generally, this only occurs where the builder and owner know each other well
4. Form a new corporation, which builds the plane and is at risk
  - a. Very expensive
  - b. Time consuming
  - c. High overhead
  - d. Depending on the local FSDO or inspector, may not be allowed under the regs.
  - e. The very best for liability
5. Form a limited liability partnership or company
  - a. A new kind of firm, one that an inspector may allow
  - b. Uncertain future status
6. Check with a practical attorney.

You should consult with one regardless of which scenario you choose

Professional Builders will generally cost between \$40,000 - \$50,000 for a completed airplane, depending on the extent of the custom work done. The price can be much higher if extensive customization is desired.

If you wish to get in touch with a professional builder please contact EAI for a referral.

We hope this information is helpful.