The FAA Joins the Global Air Taxi Race: New Rules for eVTOLs and Supersonic Flight by 2027

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At the Farnborough Airshow on 21 July 2026, the FAA announced that it would move to certify electric air taxis, civil supersonic aircraft, expanded drone operations, and commercial space launches, and that it would avoid being “too prescriptive” and let industry drive innovation.

Since 1973, 14 CFR § 91.817 has prohibited operating a civil aircraft over the United States above true Mach 1 speed. The only exception is a Special Flight Authorization for research and testing in isolated areas. The rule sits on the FAA’s noise authority at 49 U.S.C. § 44715 and safety authority at § 44701. The FAA adopted it because the sonic boom measurement and mitigation technology of the era could not control overpressure at the source, so the FAA instead banned the speed outright.

Concorde is the most infamous example which absorbed the cost as the Anglo-French airliner entered service in 1976 and cruised at Mach 2, but § 91.817 forced it subsonic over US land. That confined the Concorde to transatlantic routes, and only London to New York turned a consistent profit. Fuel burn, the fatal 2000 Air France crash, and collapsing demand after 2001 resulted in the fleet’s retirement in 2003. No civil supersonic aircraft has carried a paying passenger since.

The reversal began in June 2025 with Executive Order 14304, titled “Leading the World in Supersonic Flight,” directing the

FAA to repeal the overland prohibition within 180 days, set an interim noise-based certification standard, and revise § 91.818. The FAA issued the notice of proposed rulemaking "Enabling Supersonic Overland Flight" (Docket FAA-2026-6935) in the Federal Register on 2 July 2026, replacing the Mach-based ban with a performance standard. The FAA targets final rules, including a companion takeoff and landing noise rule, by mid-2027.

Under the Administrative Procedure Act, the FAA may repeal its own rule through notices and comment provided it gives a reasoned explanation for abandoning the premises that justified it. The record does that, citing advancements in boom-shaping and acoustic modeling since 1973. The House passed the Supersonic Aviation Modernization Act (H.R. 3410) in March 2026; Senate passage would codify the standard and remove the deference exposure left by Loper Bright.

Air taxis follow the same method. Electric vertical takeoff and landing aircraft ("eVTOLs"), functioning as a quiet, green hybrid between a helicopter and a small plane, are certified as a special class; the FAA's integration pilot programme, launched in March 2026, now covers eight companies across 26 states and is generating the data certification and community acceptance required for nationwide eVTOLS. The commercial value for these aircraft is the routes that they make possible: short intra-city flights for the air taxis, and long city-to-city routes for the supersonic jets. The most illustrative example is New York to Los Angeles; overland supersonic flights could cover the route in under two and a half hours, whereas Concorde never could because of the 1973 ban.

The air taxi and supersonic rules are not separate developments. Taken together, they show the FAA building a single framework for point-to-point travel via short vertical flights within cities, supersonic flights between them, and eventually suborbital launches between distant points, which

the FAA’s Office of Commercial Space Transportation already licenses under 51 U.S.C. chapter 509. All three rely on the same shift. Instead of banning the category of flight outright, the FAA sets a measurable limit on noise, safety, and sonic boom overpressure and clears any operator who meets it. If the FAA keeps that approach in its 2027 final rules, it becomes the certification model for point-to-point transportation for the next decade.

The race is already global and running rapidly. China’s EHang holds the world’s first eVTOL type certificate and has carried paying passengers on its autonomous EH216-S in Guangzhou and Hefei, adding a Shenzhen to Hong Kong route in January 2026. The UAE granted Joby Aviation a six-year exclusive with Dubai’s Road and Transport Authority and Archer have a parallel Abu Dhabi program, both targeting commercial service in late 2026 or early 2027. The UK is slower but deliberate with the Civil Aviation Authority targeting initial commercial passenger eVTOL flights by end-2028 or early 2029. For operators and investors, the optimal route is pursuing certification in the jurisdiction offering the most expeditious pathway, accumulating a demonstrable operational record, and leveraging that record within the US framework as the FAA finalizes its rules by mid-2027. The variable to watch is which standard each regulator adopts and whether there is reciprocal recognition of another authority’s approvals.

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