



## General Aviation Community Praises FAA Part 23 Rulemaking and Urges Rule Completion in 2016

Washington, DC—On the eve of an FAA public hearing in College Park, Georgia on the Part 23 Notice of Proposed Rulemaking (NPRM), a coalition of general aviation leaders today applauded the FAA’s efforts to improve safety and make it easier to bring new products to market for the light general aviation sector, while strongly encouraging the agency to finish its work on the issue by the end of 2016. The groups included the General Aviation Manufacturers Association (GAMA), the Aircraft Electronics Association (AEA), the Aircraft Owners and Pilots Association (AOPA), the Experimental Aircraft Association (EAA), the Helicopter Association International (HAI), the International Council of Air Shows (ICAS), the National Association of State Aviation Officials (NASAO), the National Air Transportation Association (NATA), and the National Business Aviation Association (NBAA). The NPRM is a result of the Small Airplane Revitalization Act (SARA) that was signed into law on November 27, 2013.

In March of this year, the FAA issued the proposed rule, which removes current overly prescriptive design requirements and replaces them with performance-based airworthiness standards. The NPRM also recognizes the use of consensus-based standards to establish acceptable methods of compliance for specific designs and technologies. This will facilitate the installation and retrofit of safety-enhancing technologies, bolster the light end of the general aviation market, remove barriers to certification for emerging technologies such as electric and hybrid propulsion, and foster greater harmonization between the FAA and other regulatory authorities worldwide.

“The shift to proportional and objective-based rules within the Part 23 framework will provide general aviation with the ability to more effectively design, certify, produce, operate, and maintain the airplanes of today, and it will assure the future of general aviation will only be limited by human imagination,” the associations noted in their written comments submitted to the U.S. Department of Transportation. This proposed rule takes into account the needs of the entire general aviation community and assures safety improvements will no longer be held captive to outdated and inflexible regulations that don’t keep pace with technological change.

The groups recognized the FAA for its leadership, calling the Part 23 effort “a poster child for good rulemaking.” They added, “We applaud these efforts to fully understand the range of issues involved when making changes of this magnitude.” The groups also praised Congress for its leadership in passing SARA unanimously in November of 2013.

The proposed rule is the result of nearly a decade of work, which included the Part 23 Reorganization Aviation Rulemaking Committee and the parallel European Aviation Safety Agency (EASA) CS-23 rulemaking effort. The changes will allow for the “safe adoption of current and future technologies in an

extremely efficient manner” and are a lifeline to assuring that today’s general aviation community can deploy rapidly evolving new technologies, which is today stymied by the nature of current regulations.

“Given the overwhelming support for this proposed rule, and the tremendous benefits it would offer to all facets of the general aviation community for years to come, we hope the current administration will put this well-crafted rule in place as soon as possible to allow our industry to innovate freely without being shackled by outdated restrictions,” GAMA President and CEO Pete Bunce said. “The increased harmonization between the FAA and other agencies worldwide will ensure the success of this effort and allow our industry to grow in ways we can’t even think of yet. It’s time for the FAA to finish this rule.”

“The Aircraft Electronics Association urges the FAA to complete its work on the Part 23 rulemaking effort by the end of this year,” said AEA President Paula Derks. “General aviation safety can be improved by modernizing and revamping the regulations to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies. The AEA has been actively involved in the effort to streamline burdensome regulations for several years, and we look forward to final rule completion by the FAA in the near future.”

“Part 23 reform is a critical issue to AOPA and our members, and we’ve taken an active role in every step of the process,” AOPA President Mark Baker remarked. “We’ll continue to work with FAA and other aviation organizations to move away from prescriptive design requirements and toward performance based standards. This is an important step in a process that we hope will ultimately increase safety and lower costs for pilots and aircraft manufacturers alike.”

“Completion of the Part 23 rule would be a tremendous step forward in opening the door for innovation in general aviation and continuing the legacy of American leadership in the world of flight,” noted Jack J. Pelton, CEO/Chairman of EAA. “This rule would not only bring new products to the market for today’s aircraft, it would help preserve thousands of vintage aircraft that are now part of the general aviation community.”

“HAI fully supports the FAA’s Part 23 reform initiative, which will enhance safety, move us toward performance-based standards, provide incentive for innovative applications, and enhance economic performance,” said HAI President and CEO Matt Zuccaro. “I look forward to continuing this collaborative stakeholder effort with regards to the reformation of FAR Parts 27 and 29 as they relate to helicopter certification.”

“Safety is priority one without question,” ICAS President John Cudahy said. “Part 23’s framework will enable our members to effectively keep their equipment in safe, up-to-date working order with fewer hurdles to compliance. That’s a win for safety, for our industry, and for general aviation.”

NASAO President Greg Principato added, “Our members across the country see this as a much-needed way to improve safety, promote general aviation, and increase jobs in the states by tapping into new technologies and ideas.”

“The FAA’s proposed rule recognizes that we live in an era of extraordinary innovation; its emphasis on performance-based standards will accelerate the availability of exciting new safety enhancing products to the aviation community,” stated NATA President and CEO Thomas L. Hendricks. “Just as important, performance-based standards will enhance regulatory clarity, assisting in efforts to increase regulatory consistency across the agency’s regions and offices.”

“We have long understood that streamlining the certification process for general aviation manufacturers, while preserving important safety requirements, will lead to swifter adoption of new aircraft designs and vital safety equipment, benefiting everyone from pilots and their passengers to manufacturers,” said NBAA President and CEO Ed Bolen. “We thank the FAA for holding this important hearing, and we will continue working with the agency on these long-sought reforms.”

The full comments are attached.



2 May 2016

Docket Operations, M-30  
U.S. Department of Transportation (DOT)  
1200 New Jersey Ave, SE Room W12-140  
West Building Ground Floor  
Washington, DC 20590-0001  
Docket FAA-2015-1621

Dear FAA Representative:

The FAA's complete review and evolution of 14CFR§23 is critical to assuring the safety and vitality of general aviation in the United States and around the world. The importance of this effort cannot be understated and the signed aviation associations representing all aspects of general aviation are extremely supportive of the FAA's efforts to assure a brighter future for the general aviation community. With the comments of the aviation community in mind, the FAA must work swiftly to implement the changes being proposed in as short a timeframe as possible. With proper execution and prioritization, the FAA and U.S. Government can achieve a final rule that amends part 23 in the manner described before the end of 2016. This must be an absolute priority for the FAA and with the expected timeline pressures that the Presidential election will bring, business as usual will not be sufficient to achieve the goal of a final rule by the end of 2016.

On behalf of the aviation community, the aviation community would like to extend appreciation to the staff at the FAA who have understood to the concerns of the general aviation industry, who have worked so hard to implement the critical change being proposed. The process of creating this proposal was over 9-years in the making and it is clear the work that has been put into the proposal was worthwhile. To assure this critical goal is realized, GAMA has coordinated additional technical review with key stakeholders around the world. GAMA will provide detailed comments and suggested rule changes by the 13<sup>th</sup> of May. The signed aviation associations offer the following key comments.

**General Comments:**

The shift to a proportional and objective based rules within the part 23 framework will provide general aviation with the ability to more efficiently design, certify, produce, operate and maintain the airplanes of today and it will assure the future of general aviation will only be limited by human imagination. Working with key states of design to assure close harmonization of these new regulations is as important to the success of this process and the associations appreciate the FAA's leadership in this area. The FAA must make it a top priority to closely coordinate with aviation regulators at key states of design to assure that the general aviation industry can reach its full potential.

When one looks at the slow decline in general aviation activity, active pilots and the continual aging of the general aviation fleet, it is clear that the proposed changes are necessary to reverse these trends. While traditional rulemaking efforts have focused on specific technical regulations through myopic lenses, this proposed rule takes account of the entire general aviation ecosystem; it assures real world improvements can occur as opposed to other rulemaking activities which merely produce more documentation and administrative work. This revision of 14CFR§23 effort is a posterchild for good rulemaking and we applaud these efforts to fully understand the range of issues involved when making changes of this magnitude.

The proposals contained in NPRM 16-01 will allow for new products and retrofits to existing airplanes so that innovation which has previously been prevented by the nature of the existing rules can be made available. The NPRM has been crafted in a manner so as to allow the safe adoption of current and future technologies in an extremely efficient manner while assuring the highest levels of safety are maintained. The proposed changes to part 21 and 43 within the proposal are a lifeline to assuring that today's GA community can begin to implement the kinds of technologies and capabilities that should be reasonable to install, but for the outdated nature of the regulations. This update is no small feat and the general aviation community appreciates the work of the FAA in assuring an appropriate final rule by the end of 2016.

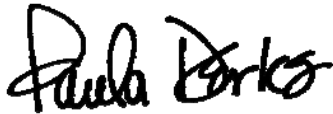
The aviation associations and their members have been heavily engaged in the development of globally valid design practices through ASTM F44, General Aviation Aircraft. It is of paramount importance that the objective level rules which have been developed are clearly implemented through detailed means of compliance which remain contemporary. The model of following industry based consensus standards affords the possibility of solving what has been a very daunting problem in the past. Trying to contain high levels of detail in regulation is beneficial at a snapshot in time but practically the day those detailed rules are printed, they will no longer meet all the needs of a dynamic industry. The approach of objective based rules implemented through detained consensus standards, which are also globally harmonized, is the key to assuring the success of general aviation.

In order to assure that the proposed process is as successful as possible, the FAA must dedicate time and effort to working with the FAA's internal team to assure the application of these new rules and the detailed methods of compliance that are accepted provide the efficiencies for both the FAA and

the aviation community. With good faith execution of the proposed changes the aviation community can begin to realise new modifications and new aircraft that will grow safety and draw people into general aviation.

As mentioned, GAMA will provide detailed technical comments to this proposed change by the 13<sup>th</sup> of May. Properly addressing these comments will be critical to the assuring the success of this effort and we look forward to providing this information shortly.

Respectfully,



Paula Derks  
President  
Aircraft Electronics Association (AEA)



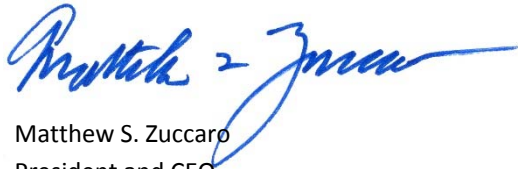
Mark Baker  
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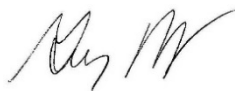
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