The View from Washington

BY RIC PERI
VICE PRESIDENT, AEA GOVERNMENT & INDUSTRY AFFAIRS

2006 Annual AEA International Convention Wraps Up

Where were you on April 19, 2006? If you saw me standing around in deep thought, it may have been because I was celebrating my fifth anniversary with AEA and am still in awe of the membership, the leadership and the industry.

And I am in awe of the relationship we have with the FAA, TCCA, EASA, CASA, NZ CAA and other regulatory authorities; the number of National Aviation Authority personnel attending this year's convention; the number of FAA inspectors who attended at their own expense; and the number of AEA members who traveled from distant lands to attend this show. It is an international convention of the best of the best. Thank you for letting me share it with you.

Yes, you should have been at your Association's 49th annual International Convention & Trade Show in Palm Springs, Calif., along with more than 1,660 of your fellow members. You should have been there not because of the beautiful California weather, or the great social events taking place, or the misconception you're away from work for a week — because you're not — but because the annual convention offered more than 75 hours of FAA-approved training. The convention also included face-to-face discussions with FAA leadership. It was a history lesson in the growth of avionics from a stand-alone unit to integrated avionics to today's technically advanced aircraft in which the avionics are integrated into the entire aircraft. It offered a radar picture of what avionics will be on the horizon. It also featured three hours of new product introductions.

The convention and trade show were…well, work! It was work in a great location, in a great venue and with great people — but still, it was definitely work.

Technical sessions, various OEM training and component training were a huge part of the convention, but I'd like to focus on regulatory affairs and those sessions every quality manager should have attended — quality managers from repair stations, manufacturers and distributors.

On Wednesday, April 19, before the official start of the convention, the fifth Repair Station Training Program seminar was offered to attendees. With the submission date of April 28 for the first group of repair stations, this was the last seminar the AEA presented before that first due date. If you still have not attended an RSTP seminar, you will have three more opportunities later this year. The full seminar will be presented on the Thursday prior to each AEA U.S. regional meeting. For more information, visit AEA's website at www.aea.net.

Wednesday's schedule also included several other Fast Trak sessions, as well as two additional seminars for quality managers: one on human factors and one on indoctrination training.

Dr. Bill Johnson, the FAA's chief scientific and technical advisor for human factors in aircraft maintenance systems, taught the human factors course. His course, "Communicating Human Factors Information in a Clear and Useable Manner," was given at the request of the AEA because all too often the concepts associated with the term "human factors" are not communicated clearly. The result is, the industry finds itself searching for reasonable, effective and affordable ways to meet emerging regulatory requirements. And Johnson cleared the air. This program helped identify six key components that help comprise a human factors program for maintenance organizations. Johnson gave the audience the tools necessary to build a size-appropriate and cost-effective human factors program for their businesses.

Jason Dickstein, AEA's general counsel, taught the indoctrination course on HAZMAT/OSHA/EPA and Security. The Repair Station Training Program has highlighted areas in which AEA member shops feel they can train their employees better, and one of those areas is the indoctrination training required of non-FAA government agencies, such as OSHA, EPA and TSA. Dickstein's program focused on hazardous materials familiarization; an introduction to OSHA requirements; identifying OSHA mandatory subjects; an introduction to EPA requirements; and an introduction to facility security.

The Fast Trak sessions offered before the official AEA Convention Opening Ceremonies have fast become a staple in the training environment. There are always a blend of regulatory, OEM and technical topics. For 2007, plan ahead to attend Fast Trak sessions the day before the convention officially opens.

The morning of Thursday, April 20, began with AEA's traditional Rise & Shine Regulatory Roundtable and coffee sponsored by Aero Radio de Panama to celebrate its 30th anniversary. Congratulations to Aero Radio de Panama, and happy anniversary.

The roundtable offered a quick review

of the regulatory issues avionics repair stations and the maintenance industry in general will be affected by during the next six to 12 months. The highlight of regulatory issues to watch: the revision to the repair station ratings system and the quality assurance system due out later this year. Once finalized, these revisions undoubtedly will require a re-write of your repair station manuals and a review of your Repair Station Training program. (If you used the FAA's template, which the AEA has facilitated the use of on Resource One and at its RSTP seminars, you should be fine on the RSTP side. If you used another source, then plan on revising your program again this time next year.) Additional information on these topics will be available during this year's AEA regional meetings.

This session also received the support of Wes Ryan of the FAA's Small Airplane Directorate. The Small Airplane Directorate has supported the AEA Convention for the past three years with solid and timely information the avionics industry can use. Thanks to Kim Smith and her staff for their continued support.

Ryan discussed a number of FAA initiates that either currently affect, or certainly will affect, repair stations in the coming months. These issues include:

• Regulations, guidance and policies affecting the Organization Delegation Authority.

• A project to develop a couple of advisory circulars for the installation of avionics and the alterations to aircraft interiors.

• An FAA project that would facilitate the development and use of repeatable repair and alteration data for repair stations (currently known as process specifications).

For a full overview of these topics as they develop, look to the AEA at its regional meetings this fall.

The Rise & Shine Regulatory Forum on Friday, April 21, began with a 30-minute briefing by the FAA's Flight Standards Division on the new optional "electronic" FAA Form 337 being introduced later this year. This form will streamline the submission of the form to FAA for data approval; streamline the submission of the form for documenting a major repair or major alteration; and make retrieving an aircraft's history more efficient. We are looking forward to hearing more about this "new" form later this year.

The second panel for Friday's four-hour regulatory forum focused on the various activities the FAA has been engaged in to streamline and promote the installation of modern avionics in the current fleet of aircraft. This panel was represented by FAA leadership from areas ranging from the FAA headquarters and the Capstone Program in Alaska to the Small Airplane Directorate in Kansas City and the FAA Avionics Branch in Seattle. The Avionics Branch currently is working on a number of projects, including FAA AC 120-86 Aircraft Surveillance Systems and Applications, and AC 120-76A on electronic flight bags.

Advisory Circular 120-86 provides guidance for aircraft surveillance applications; ground surveillance applications; ADS-B data-link systems traffic information service–broadcast (TIS-B); airborne collision avoidance system and ASA integration; and Mode S elementary and enhanced surveillance downlink systems.

The electronic flight bag (EFB) AC provides guidance material to transition from traditional paper products and airline administrative communications to an electronic format. Published on March 17, 2003, AC 120-76A provides for Aircraft Certification Service design approvals and Flight Standards Service operational approvals. EFB AC is not intended to conflict with or supersede existing communication, navigation and surveillance (CNS) policy.

The Small Airplane Directorate's presentation focused on the exciting strong growth and resurgence in GA, as well as the new technology and new designs being introduced literally every day. One interesting perspective on the advances in avionics is that the FAA is seeing a trickle-up approach to avionics technology — Part 23 certification is coming first, then the technology is migrating into Part 25 aircraft. As an example, Part 23 first had synthetic vision system certification.

New technology is helping to positively impact safety, and the number of GA accidents continues to decline. The latest reports show accidents down to 6.2 per 100,000 flight hours, and fatal accidents are down to 1.2 per 100,000 flight hours. It is believed one significant reason for these improvements is the situational awareness information new technologically advanced avionics provide.

The efforts to promote technology are paying off. Safer Skies & Safe Flight 21 recognized the need for a change and embraced new technology as a viable solution. And in Alaska, Capstone tested and implemented the concepts in a controlled test within specific Alaskan airspace.

Sue Gardner, manager of the FAA's Capstone program, gave an informative presentation on the historical status of the first two Capstone initiatives and a forecast of the next phase of this FAA safety-enhancing program. It is said history repeats itself, and I believe the Capstone initiative will show this to be true. Throughout the history of the development of avionics and the use of airway navigation, Alaska flying was at the forefront of these technological advances.

Today, we are seeing new GA avionics technology being introduced, installed and, in some cases, developed for flight in Alaska before it is being introduced in the "lower 48." Many of the initiatives we enjoy today, such as

Continued on following page

VIEW FROM WASHINGTON

Continued from page 25

the approved model list STC that was enhanced for the streamlined installation of Capstone equipment, was introduced first in Alaska.

This FAA forum also included a discussion of WAAS. Commissioned for IFR use on July 10, 2003, WAAS benefits all phases of flight and is a key component of the FAA's transition to performance-based navigation. The FAA predicts by 2008, WAAS system performance improvements will provide enhanced safety and efficiency for the NAS.

There are currently more than 4,986 procedures available, 387 of which are WAAS-specific instrument approaches (LPV). The FAA shared its goal of developing WAAS LPV approaches at more than 300 per year. By 2008, the FAA predicts there will be nearly 1,200 LPV approaches within minimums as low as 200 feet and one-half a mile.

The third forum focused on avionics in technically advanced aircraft (TAA). This panel didn't tell the audience what many folks wanted to hear, but it did provide some insight into TAA development and future maintenance. This was the first discussion of these aircraft at an AEA function.

Simply put, TAA will change how the avionics industry functions. Random retrofit of new avionics will be limited in the primary flight display world of TAA; however, there is a demand for qualified avionics technicians with solid background knowledge of the avionics and composite structures to maintain these aircraft.

The panel, facilitated by Paul Fiduccia, president of the Small Aircraft Manufacturers Association, with participants from Cirrus, Columbia Aircraft Manufacturing and Adam Aircraft, focused on the advancements of simple avionics to the total integration of technically advanced aircraft and their avionics, as well as the business opportunities these new aircraft will bring to the avionics industry.

David McRae, vice president of customer care for Columbia Aircraft Manufacturing, said it best regarding TAA advantages to the avionics industry, including:

- Demographically desirable customer.
- Accurate troubleshooting is critical to control expense of maintenance.
- Avionics manufacturers will target this market for upgrades.
- TAA upgrade kits will grow with the TAA population.
- Hardware upgrades will become available and will be a major driver of resale value.

McRae recommended avionics repair stations develop relationships with TAA manufacturers, attend CAM advanced training course, and avail the opportunities to join the TAA evolution.

"Forward-thinking repair stations will seek and secure training in the TAA marketplace," McRae said. "Early adopters stand the greatest chance of capturing the largest share of this growing, profitable segment of GA."

The morning ended with an inspiring speech given by Nick Sabatini, the FAA's associate administrator for aviation safety. Sabatini spoke on the current growth and need for continued growth of advanced avionics, as well as the airspace changes taking place to utilize the technology. Most importantly, he spoke about his vision of leadership within the FAA and what his expectations are for FAA employees and the public they serve.

Sabatini also spoke on the implementation of ISO 9001 and what it means regarding standardization and equal treatment from FAA employees. And he spoke about his expectations of the public and their requirement to participate in the program and to help support efforts toward standardization. In his speech, he once again reiterated his mantra: "As a citizen you have the right to question your government." ❑

Regulatory Update

United States

FAA Issues Revision to GPS Installation Inspector Policy

The Federal Aviation Administration has issued a revision to the GPS installation inspector policy, FSAW 94-32.

The changes from FSAW 94-32 B to FSAW 94-32 C are only in paragraph 6C and 6D.

Paragraph 6C has a spelling correction. In version B, it referred to an "AFSM;" in version C it is corrected to "AFMS." In paragraph 6D, there was an "or" in the wrong place and the scope of approvals was expanded to include "all terrain" functions.

Version B referred to "control functions of an EHSI, for example, or display TAWS, weather data, traffic alert and collision avoidance system (TCAS), or other traffic information." In version C, the language is changed to: "control functions of an EHSI or, for example, display of terrain or TAWS, weather data, traffic alert and collision avoidance system (TCAS), or other traffic information.

Clarification Given on Antidrug and Alcohol Misuse Prevention Programs

In January, the FAA issued a final rule clarifying that each person who performs a safety-sensitive function for a regulated employer by contract, including by subcontract at any tier, is subject to testing (71 FR 1666, Jan. 10, 2006). The rulemaking clarified that there is no differentiation between levels of contractors when safety-sensitive work is being performed.

In the April 5 Federal Register, the FAA published a notice delaying the compliance date for the final rule clarifying that contractors, including subcontractors at any tier, must be subject to drug and alcohol testing. This action is necessary because it was pointed out to the FAA by AEA and other aviation associations that some original equipment manufacturers (OEMs) and other entities may be confused regarding whether they are performing maintenance or preventive maintenance duties subject to drug and alcohol testing or manufacturing duties not subject to testing. The effective date of April 10, 2006, will remain the same; however, this action extends the compliance date until Oct. 10, 2006, which gives OEMs and others sufficient time to determine what work is subject to drug and alcohol testing.

Final Policy Given on Lightning Direct Effects Compliance

On April 13, the FAA announced the availability of a final policy on Lightning Direct Effects Compliance. The final policy was issued by the Transport Airplane Directorate on April 4.

The final policy recognizes SAE International Aerospace Recommended Practice 5577, Aircraft Lightning Direct Effects Certification, as an acceptable method of compliance to the lightning direct effects requirements of Sec. 25.581. That document is a recognized reference for the certification of Part 25 transport category airplane lightning direct effects requirements.

The final policy is available at www.airweb.faa.gov/rgl.

Announcement Made of Safety Alert for Operators Website

In order to communicate safety information to the commercial aviation community more effectively, the FAA Flight Standards Service has issued FAA Order 8000.87, Safety Alert for Operators (SAFO). FAA Order 8000.87, Safety Alerts for Operators, established SAFOs on Aug. 29, 2005.

SAFOs permit the FAA to reclaim valuable guidance found in discontinued Air Carrier Operations Bulletins. Much of that information is still valid. A SAFO also may contain new and important safety information alone, or a combination of safety information and recommended (non-regulatory) actions. The respective operators identified in each SAFO can take action on a voluntary basis.

A SAFO exploits the power and reach of the Internet. A SAFO may be posted promptly when its content may be most valuable, and that content is readily available for use by operators. The FAA encourages operators to implement actions recommended in a SAFO.

The public and operators can access this order at www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safo.

Damage Tolerance Data for Repairs and Alterations Would Be Required With Proposal

On April 21, the FAA issued a notice of proposed rulemaking that would require holders of design approvals to make available to operators damage tolerance data for repairs and alterations to fatigue critical airplane structure.

The FAA said this proposal is needed to support operator compliance with the requirement to include damage tolerance inspections and procedures in their maintenance programs, and to enable operators to take into account the possible adverse effects of repairs and alterations on fatigue critical structure. The intended effect of this proposal is to ensure the continued airworthiness of fatigue critical airplane structure by requiring design approval holders to support operator compliance with specified damage tolerance requirements.

Fatigue cracking has been a major aviation safety concern for the FAA for many years. Unless detected and repaired, fatigue cracks can grow to the point of catastrophic failure. Since 1978, the FAA has required new types of airplanes to meet damage tolerance requirements to ensure their continued airworthiness. Industry also has used this method successfully to develop

inspection programs for older airplanes. Since the 1980s, the FAA has mandated operators of most large transport airplanes carry out these programs.

While these programs have been effective, the FAA argues that industry has not carried out damage tolerance methods comprehensively. While these programs apply to the airplane "baseline" structure (the airplane structure as originally manufactured), they often do not apply to repairs and alterations. This is important because airplanes are subject to many repairs and alterations throughout their operational lives. If fatigue cracking occurs in a repaired or altered area, the results can be just as catastrophic as if it occurs in the baseline structure.

The FAA adopted the Aging Airplane Safety Final Rule (AASFR) in early 2005. Among other things, it requires airline operators of certain large transport category airplanes to implement damage tolerance-based inspection programs for airplane structure — structure susceptible to fatigue cracking that could contribute to a catastrophic failure.

In this proposal, the FAA refers to this structure as "fatigue critical structure." Most importantly for this rulemaking, the AASFR requires these inspection programs to "take into account the adverse effects repairs, alterations and modifications may have on fatigue cracking and the inspection of this airplane structure."

The rule applies to turbine-powered airplane models with a maximum type certificated passenger seating capacity of 30 or more, or a maximum payload capacity of 7,500 pounds or more.

Throughout this proposal, reference is made to "alterations." An "alteration"' is a design change made to an airplane. The FAA uses the term "alteration" to be all-inclusive of any design change and considers it to be synonymous with the term "modification."

For purposes of this proposal, design approval holders (DAHs) are holders of type certificates (TCs) or supplemental type certificates (STCs) issued under 14 CFR Part 21. This proposal would require DAHs to develop and make available the following four types of documents to operators:

• Lists of fatigue critical structure (to aid operators in identifying repairs and alterations that need to be addressed for damage tolerance).

• Damage tolerance inspections to provide operators with the necessary inspection times and methods for the following: repair data published by TC holders.

TC holder's future repair data not published for general use; repair data developed by STC holders; and alteration data developed by TC and STC holders.

• Damage tolerance evaluation guidelines for all other repairs (to enable operators to develop the necessary damage tolerance inspections).

• Implementation schedules (to define the necessary timing for performing damage tolerance evaluations and developing damage tolerance inspections, and for incorporating the damage tolerance data into their maintenance programs).

Comments must be submitted by July 20. Send comments, identified by Docket Number FAA-2005-21693, electronically to http://dms.dot.gov. Send comments by mail to: Docket Management Facility, U.S. Department of Transportation, 400 Seventh St, SW., Nassif Building, Room PL-401, Washington, D.C. 20590-0003.

Damage Tolerance Inspections for Repairs Advisory Circular Proposed

A notice was announced regarding the availability of and requesting comments on a proposed advisory circular that sets forth an acceptable means, but not the only means, of demonstrating compliance with the provisions of the airworthiness standards for transport category airplanes related to damage tolerance inspections for repairs.

This proposed AC complements revisions to the airworthiness standards being proposed by a separate notice. The notice is necessary to give all interested persons an opportunity to present their views on the proposed AC.

This proposed AC would provide guidance material for design approval holders and operators for developing and incorporating damage tolerance inspections and procedures (DTIP). The proposed AC would support compliance with Title 14 Code of Federal Regulations (14 CFR) 121.370a and 14 CFR 129.16, the Aging Airplane Safety Final Rule (AASFR), with respect to repairs.

For compliance, operators would need to demonstrate that new and existing repairs would have an evaluation and DTIP or other procedures implemented, if needed. The proposed AC would be applicable to repairs affecting fatigue critical structure. The AASFR also requires operators to incorporate DTIP for alterations affecting fatigue critical structure.

The Aviation Rulemaking Advisory Committee Airworthiness Assurance Working Group currently is developing guidance for developing DTIP for such alterations. It is anticipated that this guidance will be incorporated into this AC. Upon completion of this work, the FAA plans to issue a revision to this AC that would include guidance applicable to both repairs and alterations.

The proposed AC can be downloaded from www.faa.gov/aircraft/draft_docs.

Comments must be received before June 20, and can be mailed to: Federal Aviation Administration, Attention: Greg Schneider, Airframe/Cabin Safety Branch, ANM-115,

Continued on following page

Continued from page 29

FAA, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Ave. SW., Renton, WA 98055-4056.

Canada

Transport Canada Issues New Policy for Parts Design Approvals

TCCA has published Policy Letter 513-010 and Staff Instruction 513-009 to reflect changes in the parts design approval (PDA) policy and to identify the availability of new guidance material. These documents replace ACPL 12 and ACSI 72. SI 513-009 contains a process checklist and flowchart to assist applicants. The requirement for TCCA to notify type certificate holders when applications for PDAs have been received on their products, has been removed. TCCA also has confirmed there are no applicable fees for issue of a PDA document, pending revisions to CAR Part 104.

PL513-010 and SI 513-009 can be viewed at www.tc.gc.ca/CivilAviation/certification/guidance/513/menu.htm.

AEA Canadian Members Meet

AEA Canada members met at the recent AEA International Convention for a roundtable discussion. TCCA engineers and inspectors also were in attendance.

Significant items discussed included:

• Applications for EASA STCs.

Several Canadian companies have experienced delays in obtaining EASA STCs. The problems stem from the current lack of a Canada-EU bilateral agreement on airworthiness for STC applications between TCCA and EASA, and the growing pains being experienced by EASA in managing projects from EASA HQ while assigning technical reviews to member states' CAAs. AEA committed to discussing the process with TCCA and providing Canadian members with a briefing note on the application process. Send any information on EASA delays to Ric Peri, AEA vice president of government and industry affairs, at ricp@aea.net.

• Authorized Release Certificates (TCCA Form 24-0078).

Members are reporting inconsistent TCCA regional policy on the issue of a Form 24-0078 on incoming inspection of a product or component. This is commonly referred to as "over-tagging" of parts. MPL No. 8 requires there be an AMO performing an "incoming inspection" of parts, but does not define what that inspection should comprise. TCCA HQ Maintenance & Manufacturing Branch stated after the meeting that this is to be a functional test in accordance with the part manufacturer's approved procedures (such as a maintenance manual). The AMO can then issue a 24-0078 for maintenance action per this procedure. Some AMOs are issuing 24-0078 forms for incoming parts based on physical inspections and verification of supplier/distributor documentation, with the concurrence of their local TCCA inspector. AEA will bring up this matter with TCCA HQ for clarification of the policy.

• Proposed Changes to Certificate Holder Requirements; Delegation.

As reported in earlier Regulatory Updates, TCCA is proposing to require all applicants for design approval certificates (STC, RDC, PDA, TSOA) be Approved Design Organizations (ADO), and DARs would become Approved Design Individuals (ADI). This would mean that all certificate applicants would have to be approved by TCCA and would have to demonstrate they have adequate engineering resources in-house or through contract, to support the initial design change and continuing airworthiness obligations. An ADO would be required to have at least two engineers on staff to prepare and verify design data. An alternative would be to hire ADIs on a contract basis. There are significant potential issues with this proposal from the commercial and intellectual property aspects. Also, current DARS could see dramatic changes to their business model. A CARAC Working Group will be discussing the proposal in the fall of 2006. John Carr, AEA Canadian regulatory consultant, will be representing AEA Canada on this WG, and a briefing paper will be sent to all AEA Canadian members for information and feedback prior to the WG meetings.

Europe

EASA

• The European Aviation Safety Agency is working on a draft proposal to extend the scope of the Basic Regulation (EC1592/2002) to safety and interoperability regulation of airports. A Terms of Reference (TOR Nr. BR.002) was issued in January describing the deliverables and proposed contents.

A harmonized total system approach is vital to provide for a high level of safety and efficiency in civil aviation. Application of this concept at the European level would make it possible to improve the current situation by facilitating the coordination between ground-based and air-based aspects of air safety. A single consistent regulatory framework, covering aspects of safety and interoperability, would be required for this purpose. Moreover, to ensure an effective and harmonized application of common rules, a system of regular supervision and inspection of compliance should obviously be established.

A draft of EASA NPA should now be published, and an EASA opinion should be issued by end of 2006.

• Stakeholders were requested to complete a questionnaire as part of an

Continued on page 33

Frequently Asked Questions

TOPIC:

Foreign Operations of U.S. Registered Aircraft

QUESTION:

Where can I get information on the avionics requirements of a U.S.-registered aircraft intending to operate in international airspace?

ANSWER:

The requirements are contained in 14 CFR Part 91, Subpart H – Foreign Aircraft Operations and Operations of U.S. Registered Civil Aircraft Outside of the United States; and Rules Governing Persons on Board Such Aircraft.

In part, Part 91 Subpart H states:

This subpart applies to the operations of civil aircraft of U.S. registry outside of the United States and the operations of foreign civil aircraft within the United States. (§91.701)

Section 91.703, "Operations of Civil Aircraft of U.S. Registry Outside of the United States," states:

(a) Each person operating a civil aircraft of U.S. registry outside of the United States shall:

(1) When over the high seas, comply with annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with §§ 91.117(c), 91.127, 91.129, and 91.131;

(2) When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force;

(3) Except for §§ 91.307(b), 91.309, 91.323, and 91.711, comply with this part so far as it is not inconsistent with applicable regulations of the foreign country where the aircraft is operated or annex 2 of the Convention on International Civil Aviation; and

(4) When operating within airspace designated as Minimum Navigation Performance Specifications (MNPS) airspace, comply with § 91.705. When operating within airspace designated as Reduced Vertical Separation Minimum (RVSM) airspace, comply with § 91.706.

(b) Annex 2 to the Convention on International Civil Aviation, Ninth Edition – July 1990, with Amendments through Amendment 32 effective Feb. 19, 1996, to which reference is made in this part, is incorporated into this part and made a part hereof as provided in 5 U.S.C. § 552 and pursuant to 1 CFR part 51. Annex 2 (including a complete historic file of changes thereto) is available for public inspection at the Rules Docket, AGC-200, Federal Aviation Administration, 800 Independence Ave., SW, Washington, D.C. 20591; or at the Office of the Federal Register, 800 North Capitol St., NW, Suite 700, Washington, D.C.

In addition, Annex 2 can be purchased from the International Civil Aviation Organization (Attention: Distribution Officer), P.O. Box 400, Succursale, Place de L'Aviation Internationale, 1000 Sherbrooke St., West, Montreal, Quebec, Canada H3A 2R2.

Note: AEA offers these Frequently Asked Questions in order to foster greater understanding of the rules that govern our industry. AEA strives to make them as accurate as possible at the time they are written, but rules change so you should verify any information you receive from an AEA FAQ before you rely on it. AEA DISCLAIMS ANY WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED. This information is NOT meant to serve as legal advice — if you have particular legal questions, you should contact an attorney.

REGULATORY UPDATE

Continued from page 30

Agency initiative for its rulemaking program to review the concepts, rules and implementing procedures relating to design organization approval (DOA). The aim of this initiative is to determine the possible future structure for such approvals.

The deadline for comments was March 31. The Agency now is reviewing the replies and will inform stakeholders of the outcome.

• Cooperation between the European Aviation Safety Agency and the Inter-State Aviation Committee of the Commonwealth of Independent States (CIS) has been intensified, addressing in particular the continued airworthiness of pre-CIS legacy-built aircraft.

Extending their current working arrangement, both organizations signed the implementation procedures for design approvals of aircraft, engines and propellers from the European Union at the end of January. This agreement complements the implementation procedures for design approvals of aircraft, engines and propellers from the CIS, previously signed in 2004.

In addition, both organizations agreed on an action plan to address the continued airworthiness of pre-CIS legacy aircraft operated in new EU Member States, in particular of Kamov 26, IL-76 and MI-8 aircraft.

• A U.S./Europe International Aviation Safety Conference will take place from June 6-8, in Portland, Ore. The conference provides a forum for open discussion with other civil aviation authorities and industry representatives on current initiatives and strategic directions. This conference also provides a forum for interested parties to participate in harmonization and safety enhancement activities and to present initiatives of their own to the global community.

For more information, visit the

Continued on page 46

Continued from page 33

EASA website at www.easa.eu.int.

• NPA20/2005 was issued Feb. 21, and comments were to be sent before May 21. The purpose of this notice of proposed amendment (NPA) is to envisage amending the existing guidance material to paragraph 21A.303(c) and amending the existing acceptable means of compliance to paragraph M.A.501(c) to enable the installation of certain non-required equipment in sailplanes and powered sailplanes without an EASA Form 1.

In light of the planned rulemaking task, the Agency invited stakeholders to take part in a discussion as to whether or not there should be a more differentiated approach toward production of parts. Questions could be:

1) Should a new category of parts be introduced in Part 21 and Part M for parts which do not require a Form 1, but which are not standard parts (such as "commercial parts")?

2) Is the current definition of "parts and appliances" (see 1592/2002 Art. 3(d)) satisfactory for determining the applicability of Part 21 production rules and Part M maintenance rules? (Issues to be considered: what does "installed" or "attached to" mean; what does "used in operating or controlling an aircraft" mean?)

3) Should the definition of "standard parts" be further extended?

EU/DOT

The European Commission recently adopted the first EU list of airlines that are banned in the European Union. This black list of unsafe airlines now will be published on the Commission's website. The black list has been compiled on the basis of national contributions and after an in-depth analysis with Member State experts. The list currently consists of 92 companies that face a complete ban and three companies that face operational restrictions. From now on, the principle will apply that companies banned in one Member State are banned in the entire EU.

EUROCONTROL

ACAS II Bulletin 7, "The Do's and Don'ts of TCAS II Operations," has been published. The bulletin includes a summary of topics discussed in previous editions, but now is up-to-date with illustrations of recent events. The bulletin can be downloaded from the ACAS part of the Eurocontrol website at www.eurocontrol.int.

Eurocontrol also issued some important safety issues on known problems with airborne transponders.

Joint Aviation Authorities

Central JAA is offering accountable manager seminars and nominated postholder courses. The two-day program aims to provide case-based training for nominated or designated postholders and accountable managers. For more information, visit the JAA website at www.jaa.nl.

RTCA/EUROCAE

DO-294A issued in March provides expanded guidance to specifically assist regulators and operators seeking operational approval for use of Transmitting Portable Electronic Devices (TPEDs). It includes recommended aircraft test strategies, supporting analyses and clarifying rationale, filled in "to be determined" in onboard radio receiver characterization and suggests operator policies to manage TPED usage. It revises Appendix 6.D from procedural guidance to more generic test guidance and references the new appendices.

Australia

Draft advisory circular 21-45(0) has been published for public review and comment. The public comment period remains open indefinitely as changes may occur during policy development. This AC is intended to define the airborne component of the 1090 Megahertz Extended Squitter automatic dependant surveillance broadcast (ADS-B) data link use in Australia, and provide guidance and advice for the airworthiness approval of aircraft equipment proposed to support that use.

For more information or to submit comments, contact Charles Lenarcic at charles.lenarcic@casa.gov.au.

CASR Rulemaking

CASA continues to make progress on the revision to the CASR regulatory structure. After spending more than 10 years in rulemaking, CASA recently scrapped that initiative and made a significant shift away from a regulatory structure similar to New Zealand CAA or the U.S. FAA, and now has decided to follow a European EASA regulatory structure.

While the regulatory structure is not significant, the European language of the regulations will be crippling to the Australian aviation industry. Europe does not allow single-engine aircraft in commercial service; it requires that all technician qualification training (EASA Part 66) must be performed by a certified Part 147 training facility, which includes type ratings (there are no Part 147-approved training for GA aircraft or legacy business aircraft); and requires that every avionics shop must have an engineer who is type-rated and current on each aircraft type.

AEA is actively participating in the SCC Maintenance Subcommittee. CASA is expected to have a proposal available for review and comment by late 2006. The rulemaking activity will be a full topic of discussion at the AEA South Pacific regional meeting from Nov. 2-3, in Melbourne, Australia.

For more information about CASA's rulemaking activities, contact Ric Peri,

Continued on page 48

REGULATORY UPDATE

Continued from page 46

AEA vice president of government and industry affairs, at ricp@aea.net. For more information about the AEA South Pacific regional meeting, visit www.aea.net/Regional. ❑