



# News from the Hill

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## Beware the Ides of March

**A**ctually, the 15th of March is one of the few dates in the next month that might not be a red letter date on your calendar. There are plenty of fast approaching deadlines that should draw the attention of every AEA member, we remind you of a few in this column:

### Taws Equipment Deadline

The deadline for installing appropriate TAWS equipment in older aircraft (manufactured on or before March 29, 2002) is March 29, 2005. After this date, turbine-powered aircraft without appropriate TAWS equipment may not operate under Part 135 or Part 121. Make sure your customers who operate under Part 135 or 121 have already installed TAWS equipment.

### Tax Deadlines

Everyone knows that for calendar year-filers, Tuesday, March 15, 2005 is the deadline for business tax returns and Friday, April 15, 2005 is the deadline for personal tax returns.

Individuals can get an automatic six-month extension to these dates by filing an IRS Form 4686, but the form must be filed by the tax deadline (April 15 for most filers), and any tax that you think you will owe should be paid by the initial deadline to avoid late payment penalties. If you want an extension for your 2004 taxes and you filed a tax return for 2003, then you can file the Form 4686 by phone: call 1-888-796-

1074. You can even make a tax payment by electronic funds withdrawal when you call this number – if you want to make an electronic payment by phone then you will be asked for the adjusted gross income (AGI) from your 2003 tax return to confirm your identity.

Corporate filers can get an automatic six-month extension to the March 15 deadline by filing an IRS Form 7004 (similar to the Form 4686 for individual filers).

Remember to pay your taxes, or at least a calculated approximation of them, by the initial deadline, because the automatic extensions do not extend the payment due dates—only the filing due dates.

### Drug & Alcohol Deadline

March 14 is the deadline for filing comments on the FAA's drug and alcohol proposal. Under that NPRM, the FAA proposed to amend the airman medical certification standards to disqualify an airman (including a part 65 mechanic or repairman) based on an alcohol test result of 0.04 or greater breath alcohol concentration (BAC) or a refusal to take a required drug or alcohol test. The FAA proposal would standardize the time period for certain reports related to the program and would require employers to report pre-employment and return-to-duty test refusals (so the employer would be required to report refusals by persons who are not yet employees). The proposal would also

permit the FAA to suspend or revoke airman certificates for pre-employment and return-to-duty test refusals. The FAA supports these proposals by claiming that they are necessary to ensure that persons who engage in substance abuse do not operate aircraft or perform contract air traffic control tower operations until it is determined that these individuals can operate safely. Because these changes would apply to repair stations doing work for Part 121 and Part 135 customers, AEA members may want to review the proposals and comment on them. The proposed rule can be found on the internet at:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004\\_register&docid=fr14de04-35.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004_register&docid=fr14de04-35.pdf).

### 145 Training Comment Deadline

The deadline for filing your comments on the draft Advisory Circular for Repair Station Training Programs is March 22. We are all going to have to live with this program—so let's make it the best program possible—this means removing impediments to business while at the same time adding whatever is necessary to provide the level of appropriate training that we need. Please review this draft carefully and make your comments. Copies of your comments should be forwarded to AEA Vice President Ric Peri at [ricp@aea.net](mailto:ricp@aea.net).

In last month's article, I promised a series of articles designed to prepare the

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AEA members for the new Repair Station Training Program requirements under 145.163. The entire AEA team was working to develop materials to support your training program needs.

Meanwhile, however, Ric Peri and I have been working with the FAA to try and improve the FAA guidance that will be made available to support repair stations in developing their training programs. The draft AC came out December 22, 2004 and was originally issued for a 30 day comment period. This was simply inadequate time to permit meaningful comment, particularly from organizations like AEA that are committed to getting the most out of the training programs that will be developed. We don't want to see useless training performed just for the sake of checking off a requirement—if the mandate is going to be there, then we want to make sure that our members are free to develop training programs that genuinely meet their safety and technical needs.

Upon our request, the FAA extended the deadline for filing comments to March 22. Reasonably speaking, the FAA is unlikely to review these comments, implement them and then get the final AC out in time to allow meaningful programs to be developed before the April 2005 implementation date for the program. Thus, we expect the FAA to postpone the implementation date for the repair station training programs to a reasonable date after the issuance of the Advisory Circular (please don't act on this prediction until we get confirmation in the Federal Register!).

In anticipation of the FAA's willingness to provide a reasonable extension, AEA has filed a petition for rulemaking that would postpone the implementation date for repair station training programs until a reasonable time period after the issuance of the AC: two years, which is what the FAA promised in both the proposed rule and the final rule when Part 145 was updated. You can find the petition on the internet at: <http://dmses.dot.gov/docimages/p76/249073.pdf>.

## For the Future:

Mark September 2, 2005 on your calendar. That is the implementation date on the thermal acoustic insulation rule. If you remove thermal acoustic insulation from certain fuselages during an installation, and have to re-install it, then after September 2, 2005 such installations of thermal acoustic insulation must use insulation that meets the flame propagation requirements of 14 C.F.R. § 25.856. This rule will apply to aircraft flown under Part 135 (135.170(c)) and Part 121 (121.312(e)). Advise your for-hire customers accordingly.

## AEA Convention:

As always, this year's convention is a must-attend function. I hope to see you at my Fast-Trak course on getting paid, entitled Lord of the Wings: The Return of the Inventory, where we'll look at ways that well-drafted documentation—from purchase orders to invoices—can help protect a repair station from the three wraiths of lost profits, unrealized commercial expectations, and litigation.

We'll cover commercially valuable topics like how to protect your right to get paid when you sell or install an aircraft component (using liens and other techniques). We will also examine some simple language you can use in your own commercial documents that will give you the edge if your transaction does not meet your expectations, including the "Magic Words" that have worked in past commercial documents to protect businesses like yours. Attend this session to learn how to make the law work for you!

Finally, you won't want to miss Ric Peri's Rise and Shine sessions. These are 'must-attend' sessions for anyone who wants to keep up with the Federal Regulations that can make or break your business. If you haven't been to one of Ric's sessions, then you've missed one of the best benefits that AEA has to offer. I hope to see you there! □

### *Aircraft Electronics Association Convention & Trade Show*

#### **FAST TRAK SESSION**

**Wednesday, April 27, 2005 • 1:00 p.m. - 4:00 p.m.**

**Gaylord Texan • Dallas Texas**

#### **Lord of the Wings: The Return of the Inventory**

*Presented by Jason Dickstein, AEA General Counsel*

Well-drafted documentation—from purchase orders to invoices—can help protect your business from the three wraiths: lost profits, unrealized commercial expectations, and litigation. You don't have to be a wizard to make use of the simple transactional rules that we will cover in this seminar, including how to protect your right to get paid when you sell or install an aircraft component, and simple language you can use in your own commercial documents that will give you the edge if your transaction does not meet your expectations.

- Use purchase orders and invoices to protect your rights
- Establish liens to protect your right to get paid
- Magic words that have worked in past agreements
- Make the law work for you!

★ *AEA Business  
Management Series*