



# The View from Washington

BY RIC PERI  
VICE PRESIDENT, AEA GOVERNMENT & INDUSTRY AFFAIRS

## Businesses Determine How To Meet FAA Requirements Training Available at Annual AEA International Convention & Trade Show

*“Never tell people how to do things. Tell them what to do and they will surprise you with their ingenuity.”*  
— Gen. George S. Patton

For years, the Federal Aviation Regulations (or the FAA advisory circulars) prescribed to aviation businesses specifically “how” to comply with requirements. This has proven to be a labor-intensive process for the FAA and prohibitively expensive for industry.

Have you noticed recently all the new rules are generic and require businesses to tell the FAA “how” they will meet the requirements based on their unique maintenance organizations? Essentially, we have transitioned from an environment in which the FAA prescribed specific procedures for each rule regardless of the size or complexity of the repair station to an open environment in which a business prescribes to the FAA how its unique operation meets the requirements of the rules.

For repair stations, it started with the rewrite of Part 145. The new repair station manuals must describe how each individual repair station’s unique operation will comply with the various regulations. In the repair station training program, a repair station tells the FAA “what” its training program contains, then shows the FAA “how” it is meeting its commitment.

In evaluating alterations, it is the repair station that evaluates the alteration and tells the FAA whether it’s a major or minor alteration.

The new requirement for submitting FAA Form 337 bypasses the final review by a local FSDO and requires the form be sent directly to the archives in Oklahoma City, Okla., without the benefit of local FSDO review.

The proposed quality system for repair stations has the repair station performing self-audits — corrective action — and verifying the resolution to any regulatory discrepancy.

But these newfound freedoms come with a price: the price of knowledge — knowledge of the rules, regulations and policies. The local FAA inspector has long been the unofficial consultant on regulatory issues. Industry can no longer rely on these unofficial consultants; it must know the rules itself.

This is easier said than done.

First, the FAA inspector workforce must be willing to “let go.” The inspectors must realize the direction for the future isn’t micromanaging their charges, but rather random auditing of their processes. And with this, comes an understanding that the shop will make mistakes. Too often, the inspector uses a minor mistake to “make a point” that the rules are too lax, FAA headquarters’ direction is wrong, or the public isn’t competent to manage itself.

Sure enough, after the inspector facilitates a few thousand dollars in fines, the shop is no longer willing to

embrace its freedom and goes back to the old way of doing business, empowering its local FAA inspector to run its business.

But the writing is on the walls, folks: Industry will have to run itself, and the FAA will provide oversight.

I wish I could say it was industry that led the charge for this change, but it wasn’t. The FAA (along with every other national aviation authority) can’t continue to support industry the way it used to — it doesn’t have the financial resources and it doesn’t have the staffing.

In addition to knowing how to perform the maintenance task, how to run a successful business, how to excel at customer service, knowing the latest technologies and understanding various product offerings, repair station personnel also must be experts in the rules, regulations and policies affecting the certification of aircraft, engines and parts (Parts 21, 23, 25, 27, 29 and 33), maintenance (Part 43), the repair station (Part 145) and a customer’s maintenance requirements (Part 91), as well as the applicable sections of Parts 121, 125, 129 or 135.

Yes, it’s a full-time job — in addition to all the other full-time jobs the single-person repair station must perform.

How can a small shop keep up? The simple answer is training.

The chief inspector and the accountable manager must be as versed in the Federal Aviation Regulations as their airworthiness safety inspector (ASI) is today.

Where can a small shop obtain this training? The first source is your ASI.

Anytime your ASI provides guidance about your repair station operations, maintenance or alterations, make sure you fully understand the regulatory reference for the recommendation. Take time to ask what the reference is, and read the regulation, the advisory circular and the FAA order applicable to the recommendation.

The second source is your association's journals. Each month, *Avionics News* contains the latest rule changes, interpretations and policies. Periodic electronic "AEA Regulatory Updates," which address issues of immediate interest to repair stations, the avionics industry and technicians, also are available to members.

The third source of training is the local FAA-sponsored IA renewal seminars offered annually by your Flight Standards District Office. While these local meetings are good for learning about your FSDO's "hot topics," they are not necessarily a good source for general regulatory training or regulatory issues directly affecting the avionics or repair station industry.

Meetings and seminars conducted by your Association are the fourth source of training. The AEA conducts a minimum of seven meetings each year: its annual convention and trade show; three domestic regional meetings (East, West and Central); and three international meetings (AEA Canada, AEA Europe and AEA South Pacific). Each meeting is a source of regulatory training, as well as technical training.

The greatest source of regulatory training is scheduled at this year's 50th Anniversary AEA International Convention & Trade Show, from

March 28-31, in Reno, Nev. A total of 90 hours of regulatory and technical training is available to choose from at this year's AEA convention.

This column, however, is focused on the training necessary for chief inspectors and accountable managers, so I'll limit the following descriptions to regulatory training and information available at this year's convention:

### **"The Rules About Maintenance"**

This session introduces attendees to the laws, regulations and policies surrounding maintenance. Through discussion of aviation law basics, examination of actual court cases, and group interaction, participants will chart out some of the basic standards applying to maintenance as well as some of the more unusual FAA rules and policies that sometimes confound AEA members.

The class is designed for employees of repair stations (ranging from those who are new to the regulations to those with significant experience in regulatory interpretation) and employees of manufacturing facilities who want to know more about what happens to their articles once they leave the shipping room door. This session may be used to satisfy indoctrination-training requirements.

### **"It's Time to Make Policy: Developing Employee Manuals"**

"Can I take comp time for attending a workshop?" "Do we have a sexual harassment policy?" "How many days of vacation do I really get?" "Do we get this holiday off?" If these questions sound familiar, a review of the components of an employee manual may be just what the company needs. Well thought-out manuals improve employee morale, prevent arguments and minimize a company's chances of landing in court.

At this session, participants will:

- Identify dozens of issues and policies to be considered for an employee manual.
- Recognize the "must-include" components.
- Create a framework for a manual for their company's unique situation.
- Prepare for the next steps in creating an employee manual that meets their company's goals.

While not technically a regulatory session, every rule change is mandating a new manual describing "how" the repair station will comply with the specific requirements. The only way to minimize the administrative burden of these requirements is to develop and write an employee manual encompassing all the various requirements. This session is a good primer in manual development and writing.

### **"Getting Paid and Staying Out of Jail in the Global Marketplace: Doing Business Internationally"**

General aviation is taking off around the world, providing unparalleled growth opportunities for AEA members interested in the global marketplace. If you are contemplating taking your business model to the next level, you need to understand the export control laws of the United States.

AEA members attending this session will be introduced to U.S. export laws, which apply to a wide range of transactions, including some transactions that might surprise you. The consequences of export non-compliance could be fines or jail time — you could even be prohibited from doing certain types of business.

To help support the membership in its compliance goals, the AEA will present an outline for approaching exports, including where to find the export laws applying to your transactions. The session also will teach participants how to identify which rules

*Continued on following page*

## VIEW FROM WASHINGTON

*Continued from page 19*

apply to a transaction (such as ITARs, EARs, etc.) and how to avoid some of the common legal pitfalls in exporting avionics and other aircraft articles.

### “AEA Regulatory Rise & Shine Round Table”

This annual review and update covers the latest regulatory issues affecting repair stations, manufacturers and distributors.

### “AEA Annual Regulatory & Industry Affairs Session”

- Panel 1 – Safety Management Systems:

Modern management and safety oversight practices are moving increasingly toward a systems approach that concentrates more on control of processes rather than efforts targeted toward extensive inspection and remedial actions on end products. This panel will discuss the implementation of safety management systems (SMS) in the maintenance community.

- Panel 2 – FAA Leadership: Here and Abroad:

The FAA is enhancing its Delegated Authority in both aircraft certification and field approvals. Key FAA personnel will discuss the latest information on these and other pertinent topics. In addition, this session will address the issue of international commerce from the perspective of international aircraft maintenance treaties across North America and Europe.

- Panel 3 – User Fees: Funding Our Air Transportation System:

Executives from major aviation trade associations will participate in this informative panel on the negative effects of a user-fee structure to fund the FAA and the Air Transportation System as proposed by the FAA and the airlines. Don't miss this session — come prepared to learn how the general aviation industry must work together to

convince Congress that our historically successful means of funding through the Aviation Trust Fund is the right method to use for the future.

### “Human Factors Topics in Aircraft Maintenance”

The science of “human factors” is a broad discipline applying to aeronautical design, certification, training, operations and maintenance, and seeking safe interface between the human and other system components by proper consideration of human performance. This session will present the big four influences of human performance: people, environment, actions and resources, and their impact on the safety and efficiency of aircraft maintenance.

Whether you're from an avionics-only repair station or a large multi-discipline facility, these sessions and more are beneficial for the chief inspector and the accountable manager.

For a complete schedule of training available during this year's AEA convention, visit [www.aea.net/convention](http://www.aea.net/convention). □

# Regulatory Update

## United States

### AEA Comments on Proposed Regulations

• Part 21, “Production and Airworthiness Approvals, Part Marking, and Miscellaneous Proposals:”

The FAA is proposing changes to its certification procedures and identification requirements for aeronautical products and parts. The proposed changes address standardizing requirements for production approval holders; requiring production approval holders to issue airworthiness approvals for aircraft engines, propellers and other aviation parts; requiring manufacturers to mark all parts and components; and revising export airworthiness approval requirements to facilitate global manufacturing.

The intent of these proposed changes is to promote safety by ensuring aircraft and parts designed specifically for use in aircraft, wherever manufactured, meet applicable standards. This action also is necessary to update the regulations to reflect the current global aircraft and aircraft parts manufacturing environment.

The comment period closed Feb. 5, 2007.

• Part 145, “Repair Stations:”

The FAA proposes to amend the regulations for repair stations by revising the system of ratings and requiring repair stations to establish a quality program. The FAA also proposes additional changes critical to maintaining safety. These include requiring a repair station to maintain a capability list, designating a chief inspector, and having permanent housing for its facilities, equipment, materials and personnel.

The comment period closed March 1, 2007.

To read the AEA’s comments on these proposed rules, visit the Association’s members-only website, Resource One, at [www.aea.net/R1](http://www.aea.net/R1).

## Canada

### TCCA

#### Transport Canada to Exempt Small AMOs from Independent Quality Assurance Requirements

In June 2005, Transport Canada Civil Aviation promulgated CAR 573.09(5), which required all AMOs to have a quality assurance (QA) program to be fulfilled by persons who are not responsible for carrying out the tasks or activities of the AMO. The AEA, and many small AMOs and operators, expressed concern at the difficulty and cost arising out of the requirement to have an independent QA function, regardless of the size of the organization.

As a result, TCCA conducted a risk assessment of the situation and determined a hard exclusion to the CAR can be implemented for one-person AMOs, and other small AMOs may be relieved of the requirement provided a risk analysis is submitted to TCCA to identify that the fulfillment of the QA program by persons carrying out the AMO activities will not result in an unacceptable risk.

NPA 2006-059 has been issued to address these issues. Pending a change to the CAR, TCCA will issue an exemption to CAR 573.09(5) for one-person AMOs. TCCA also will issue guidance to small AMOs on how to apply for relief to the CAR and prepare a risk analysis.

NPA 2006-059 and the TCCA risk assessment can be viewed at [www.tc.gc.ca/aviation/applications/npa/en/npa\\_detail.asp?x\\_lang=e&nid=2450&curr\\_status=1#](http://www.tc.gc.ca/aviation/applications/npa/en/npa_detail.asp?x_lang=e&nid=2450&curr_status=1#).

## Europe

### EASA

#### Amendment Released on Standard Parts

On Dec. 27, 2006, the European Aviation Safety Agency (EASA) released an amendment to the AMC and GM to Part 21 called Decision 2006/13/R. It provides information on specific issues related to standard parts installed and provided for sailplanes and powered sailplanes, and also includes additional definition. The definition now includes non-required equipment for sailplanes, such as glide calculators, navigation computers, data logger and anti-collision systems, except for ETSO articles.

EASA released Decision 2006/11/R in relation to EC2042/2003, clarifying the term “officially recognized standard.” It now is defined as “those standards established or published by an official body whether having legal personality or not, which are widely recognized by the air transport sector as constituting good practice.”

#### Amendment Provides Standards for Mode S Transponders

A long-awaited means of compliance now is provided through EASA’s Decision 2006/12/R, which amends AMC-20 material. The amendment to the document now provides official standards on the certification of Mode S transponders and their installation to meet the enhanced surveillance Mode S (EHS) requirement for some designated European air spaces.

AMC 20-13 was developed out of JAA TGL 18 and JAA NPA 20-12a, which was adapted and released as EASA NPA 11/2005. The amendment provides additional information on additional equipment qualification, AFM supplement and additional parameters to be transmitted. The decision further includes additional AMC

material for the approval of departure clearance via data communications over ACARS in AMC 20-9, on the approval of digital ATIS via data link over ACARS in AMC 20-10, and the recognition of FAA Order 8400.12a for RNP 10 operations in AMC 20-12.

### **Changes to the Flight Manual**

Those who are involved in the design of changes should pay attention to a set of application forms including Form 36, which should be used for the application for approval of “Stand-Alone or Minor Change Related Revision of Flight Manual,” and Form 41 for the use as a “Contract for Certification Support for Validation of EASA Certificates and Other Third Country Approval Activities.” All of the forms can be found on the EASA website, [www.easa.europa.eu](http://www.easa.europa.eu).

### **Revisions Introduced for Autopilots/Flight Directors**

NPA 18/2006 is of importance to any design organization planning to install an autopilot or flight director system, and for any TC holder intending to do the same. The NPA introduces revisions to CS 25.1329, “Automatic Pilot System,” and CS 25.1335, “Flight Director Systems.”

It is proposed to address the performance and safety required of modern flight guidance systems, including autopilot, autothrust and flight director systems. Because this revised CS 25.1329 code now addresses all types of flight guidance system, CS 25.1335 is proposed to be deleted. New AMCs also are provided for the amended CS 25 sections.

### **Information Detailed for Electronic Flight Bags**

TOR AMC-20.002 (terms of references), issued in December 2006, provides details about the planned actions to issue an NPA and finally issue an AMC by August 2008, discussing

and giving detailed compliance information on the approval of electronic flight bags (EFBs). It will be based on JAA TGL 36 and AC 120-76A, and will further provide guidelines on the human factors evaluation for Class 3 EFB hardware as required by current TGL 36.

### **Principal Place of Business Clarified**

Opinion 5/2006 proposes a change to EC 1702/2003 and EC 2042/2003 in regards to the principal place of business. The opinion, drafted by EASA and sent to the European Commission, represents the final conclusion after NPA 09/2005, and comment responses to the NPA were received.

The proposal clarifies the term “principal place of business” for Part 21 Subpart F and G organizations (production) as well as for Part M, Part 145 and Part 147 organizations.

### **JAA Joint Aviation Authorities Enters New Phase**

In implementing the so-called “FUJA Report” (“Future of JAA”), the Joint Aviation Authorities entered into a new phase as of Jan. 1, 2007. In this new phase, the former “JAA” becomes “JAA T” (transition). JAA T will consist of a liaison office (JAA LO) and a training office (JAA TO).

As of March 1, 2007, the offices of JAA LO will be located in the premises of EASA in Cologne, Germany. The JAA TO will remain at its current location in Hoofddorp, the Netherlands.

The liaison office, JAA LO, is established to liaise between EASA and the civil aviation authorities of non-EASA JAA member states to integrate the activities of these states with those of EASA. In addition, JAA LO will ensure the general management of the rulemaking, including the fields of operations and licensing. The technical work will be under taken by EASA for

all JAA members.

The training office, JAA TO, is established to provide relevant training to the aviation community to ensure it is sufficiently familiar with the European aviation safety rules and regulations, and to assist non-EASA JAA member states in their efforts to obtain EASA membership.

For more information, visit the JAA website at [www.jaa.nl](http://www.jaa.nl). □