

**AVIATION RULEMAKING ADVISORY COMMITTEE
EXECUTIVE COMMITTEE
RECORD OF MEETING**

MEETING DATE: December 5, 2007

MEETING TIME: 10:00 a.m.

LOCATION: Federal Aviation Administration
700 Independence Avenue, SW
10th Floor
McCracken Room
Washington, DC 20591

PUBLIC ANNOUNCEMENT: The Federal Aviation Administration (FAA) told the public of this Aviation Rulemaking Advisory Committee (ARAC) meeting in a Federal Register notice published October 26, 2007 (72 FR 60928).

ATTENDEES: Executive Committee Members

Craig Bolt	Pratt & Whitney, <i>ARAC Chair</i>
Norman Joseph	Airline Dispatchers Federation, <i>ARAC Vice Chair</i>
Pam Hamilton	Federal Aviation Administration, Office of Rulemaking, <i>Executive Director</i>
Paul Hudson	Aviation Consumer Action Project, <i>Public Interest Representative</i>
Sarah MacLeod	Aeronautical Repair Station Association, <i>Air Carrier/General Aviation Maintenance Issues, Assistant Chair</i>
William Edmunds	Air Line Pilots Association, <i>Air Carrier Operations Issues, Assistant Chair</i>
Richard Marchi	Airport Council International—North America, <i>Airport Certification Issues, Assistant Chair</i>

John Swihart Helicopter Association International,
Rotorcraft Issues, Assistant Chair

Attendees

Gerri Robinson Federal Aviation Administration, Office of
Rulemaking

Eve Taylor Adams Federal Aviation Administration, Office of
Rulemaking

Dave York Helicopter Association International

Ferrin Moore Federal Aviation Administration,
Aircraft Maintenance Division, AFS-300

Edward Hall Federal Aviation Administration,
Aircraft Maintenance Division, AFS-300

Mona Tindall Federal Aviation Administration,
Aircraft Maintenance Division, AFS-350

Michael Lukacs Federal Aviation Administration,
Aviation Policy and Plans

Raymond Thompson Dubai Aerospace Enterprise University

Courtney Makela Boeing

Web Heath Boeing

Joseph Miceli Airline Dispatchers Federation

Patrick Boyle Airline Dispatchers Federation

Brenda Courtney Federal Aviation Administration,
Office of Rulemaking

Cindy Nordlie Federal Aviation Administration,
Office of Rulemaking

Christa Brolley Phaneuf Associates Incorporated

COMMITTEE ADMINISTRATION

The Executive Committee Chair, Mr. Craig Bolt, called the meeting to order at 10:04 a.m. and welcomed the group to the meeting. The Executive Committee Members and those attending the meeting introduced themselves.

The Executive Director, Ms. Pam Hamilton, read the required Federal Advisory Committee Act (FACA) statement.

REVIEW OF MINUTES

Mr. Bolt asked for any corrections or comments to the draft minutes from the April 11, 2007, meeting. Hearing no comments or corrections, Mr. Bolt accepted the minutes as drafted.

ISO FEEDBACK FORM

Mr. Bolt asked everyone attending the meeting to complete the ISO-9001 customer feedback forms provided to all attendees before leaving the meeting.

AVIATION MAINTENANCE TECHNICIAN SCHOOLS CURRICULUM AND OPERATION REQUIREMENTS WORKING GROUP—REPORT FROM THE WORKING GROUP CHAIR

Dr. Raymond Thompson, Part 147 Working Group Chair, provided the Executive Committee a presentation updating the working group's progress (Attachment 1). The working group was tasked in June 2007 to (1) evaluate §§ 147.21 and 147.31 and appendixes A through D to part 147 of Title 14, Code of Federal Regulations (14 CFR). It was also tasked to recommend to ARAC that would enable the aviation maintenance technician schools to meet the needs of their clientele more effectively and (2) evaluate and incorporate revisions granted by exemptions to 14 CFR §§ 65.75(a) and 65.77. Dr. Thompson reviewed the working group's membership, which includes aviation schools, associations, industry, distance education providers, and other interested parties.

The working group held its first organizational meeting in September 2007. It reviewed the task and developed the work plan objectives. Dr. Thompson reviewed the initial work plan, which has been submitted to the FAA. The work plan includes general and specific objectives:

- Generate basic, consistent, requirements for implementation and oversight of part 147 programs.
- Recommend easier means to keep current training curriculums, training criteria, and hours of training.
- Clarify specific operating rules for attendance and enrollment, tests, and credit for prior instructions or experience.
- Make recommendations regarding the appropriateness of adjusting § 65.75(a) to allow students enrolled in part 147 aviation maintenance technician schools to take the

aviation maintenance written tests after completing the corresponding portion of the curriculum, but before meeting the experience requirements of § 65.77.

- Study the four appendixes to identify core and desired content considering the instructional level and hours for each. Subject and content delivery methods will be considered with an emphasis on identifying content suitable for alternate methods of delivery.
- Examine the specific operating rules for attendance and enrollment, tests, and credit for prior instruction or experience that could be applicable to meeting the requirements of §§ 147.21 and 147.31.
- Review §§ 65.75(a) and 65.77 and provide recommendations whether what is allowed under an exemption should be broadly allowed under the rule.
- Review advisory circular (AC) 147-3A and suggest revisions based on the working groups recommendations.
- Review and suggest revisions, additions, and deletions to the PMI handbook related to part 147.

The working group held a working meeting November 28 and 29, 2007, and now has a better understanding of its task and is revising the work plan as necessary for resubmission to the FAA in the middle of December 2007. Dr. Thompson also presented the working group's meeting schedule and noted that it is ambitious. Dr. Thompson noted that during the working group's November meeting the group completed its review of appendixes A through D to part 147.

Dr. Thompson stated that one of the obstacles the working group is facing is determining how flexible can it make the curriculum while still upholding the curriculum's current structure and clear manipulative standards. The working group wants to be able to update the curriculum requirements to respond to new technology without always having to revise the regulations. Dr. Thompson stated the working group has a good idea of what the curriculum should look like but putting it in the regulations is hard.

Ms. Sarah MacLeod suggested tying the curriculum to the airworthiness standards.

Dr. Thompson stated the working group is looking at the structure of 14 CFR part 141 and the practical test standards but now also will look at the airworthiness standards idea. Mr. Ferrin Moore stated the working group also is looking at other choices and there needs to be a way for universal enforcement. It was suggested using operations specifications or capability lists as used in 14 CFR part 145. Perhaps, the operations specifications can be used to allow the FAA to change the curriculum. In response to a question about who will be the AGC rep. to the working group, Mr. Moore noted that Mr. Mike Chase has been invited to the working group's meetings but has not yet attended. It was noted the ARAC manual suggests having legal involved from the beginning and this may just be a resources issue at this point.

It was noted that if the regulation changes the written, oral, and practical tests also will need to be changed.

Mr. Bolt stated the working group should get its final product to Ms. Gerri Robinson at least 30 days before the next scheduled Executive Committee meeting in June 2008 so the Committee can vote on the working group's product at that meeting.

ISSUE AREA STATUS REPORTS

Transport Airplane and Engine Issue Area

Mr. Bolt stated that several working groups are active. The Propeller Harmonization Working Group is updating the regulations and AC to address critical life limited parts and to align the FAA regulations with the European Aviation Safety Agency (EASA). The Avionics Systems Harmonization working group is cleaning up advisory material. The Airworthiness Assurance Working Group is working on aging aircraft issues. The Ice Protection Harmonization Working Group is finishing work on advisory material. The Airplane-Level Safety Analysis Working Group is working on risk analysis.

The Design for Security Harmonization Working Group was reassembled to help the FAA in disposing comments on the notice of proposed rulemaking. The working group initially was formed to recommend to the FAA on compliance with changes to ICAO annex 8. The working group provided the FAA its recommendations for comments disposition, which includes recommendations for changes in the preamble language, one change to rule language, and changes to the AC.

Air Carrier/General Aviation Maintenance Issues

Ms. MacLeod stated that she has nothing to report. She questioned when the group will be dismissed and noted that her feelings are on record. Ms. MacLeod had to leave the meeting at this time.

Rotorcraft Issues

Mr. John Swihart stated there is a meeting scheduled for February 24, 2008, in Houston, Texas, in conjunction with Heli-Expo 2008. He stated the-out-of area request form was submitted and Ms. Hamilton noted that it has been approved. Mr. Swihart stated the agenda includes a review of the AC material associated with its task on damage tolerance and fatigue evaluation of composite structures. He noted the rulemaking package was voted on at the last meeting and the AC is all that remains. No trouble is expected and the group expects to send its complete package to the FAA. He stated that this will complete all active issue area tasks.

Occupant Safety Issues

Mr. Courtney Makela reported for Mr. Billy Glover and noted that he is not aware of any active tasks.

Airport Certification Issues

Mr. Richard Marchi stated the Rescue and Firefighting Requirements Working Group has to wrap up its report on equipment staffing issues. He stated the working group was waiting on the economic report, which is now complete. The working group plans to schedule a telephone call rather than holding an in person meeting. However, while trying to coordinate the telephone call, some working group members questioned whether they should delay any decision until the new FAA Reauthorization is signed. Mr. Bolt stated the working group should not wait for the reauthorization to be signed and should continue its work. Ms. Hamilton agreed the group should submit its recommendation to the FAA and the FAA can reconstitute the working group if necessary.

Air Carrier Operations Issue

Mr. William Edmunds stated the one active working group, All-Weather Operations, met in September 2007 and will have another meeting in March 2008. The working group is working with EASA on several harmonization issues.

Mr. Edmunds also added the issues group is planning on have a meeting in February or March 2008.

FUTURE OF ARAC

Mr. Bolt noted the Executive Committee talked about making changes to the FAA order chartering its organization at its last meeting. Ms. Robinson provided the Executive Committee a copy the draft order based on those discussions and on approval of the changes; she will submit the proper paperwork to the Department of Transportation to recharter the ARAC. The Executive Committee approved the changes to the draft order.

Ms. Hamilton stated the FAA did a polling of the ARAC membership for their continued participation. She stated the membership of ARAC will be decreased to 38 members and the draft order reflects this.

CONTINUOUS IMPROVEMENT OF FAA RULEMAKING PROCESS

Ms. Hamilton wants to explore if the FAA can use ARAC as an external continuous improvement process for rulemaking. For example, the Executive Committee or a component or subset could provide the FAA feedback on its rulemaking manual. Mr. Paul Hudson noted that this suggestion needs to be pursued.

Mr. Hudson added that it appears ARAC is becoming a shell with the increased use of aviation rulemaking committees (ARC). He stated the future of ARAC depends on the new FAA leadership. He added that on behalf of airline passengers, ARAC is irrelevant. There is legislation pending on passenger rights and extreme delays and so far there has been no action from the FAA to deal with this situation. Delay statistics are worse than published because canceled or diverted flights are not counted as delays. Mr. Hudson stated that ARAC needs to be

refined and restructured with ARCs taking over ARAC's role. Perhaps the Executive Committee needs to hold more frequent meetings and be reoriented to go beyond its current role. The Executive Committee can do a lot to assist the FAA in staying on top of rulemaking and air traffic delays.

Ms. Hamilton stated that ARAC is not going away; there is a role for ARAC.

Mr. Swihart stated that future ARAC tasks need to have a priority. The FAA tasks industry but then does not provide a response in a timely manner. Mr. Bolt added that progress was made because recent tasks are sharper with timetables that keep the groups focused and aligned. Ms. Hamilton noted she is sensitive to this issue and if the FAA tasks industry it is in an area the FAA intends to take action.

Ms. Hamilton noted that it appears there is interest in working on the area around ARAC and ARCs. She will talk with Mr. Bolt to see what can be done and Ms. Robinson to ensure compliance with FACA.

REMARKS FROM OTHER EXECUTIVE COMMITTEE MEMBERS

Mr. Hudson agrees with the idea of structured tasks and timelines for ARAC and the FAA. Ongoing criticism with the FAA rulemaking process is there are no deadlines. This creates a situation where circumstances overtake the process. If nothing is done, air service will continue to worsen. Load factors are at a record 90 percent and delays and strandings also are at record highs. The old strategies of using larger airplanes have reached its limit or are no longer effective. Unless things change there may be a major restructuring at the FAA. Hopefully, ARAC can help.

Mr. Marchi added there is a need for better organization of time deadlines. The FAA staff responds but there is no sense of urgency. The FAA should be engaged in closing out items. Mr. Norm Joseph added that he has had tremendous FAA support on his part 125/135 working group but once ARAC reported to the FAA there has been no evidence of further progress. Ms. Hamilton stated that some of the recommendations from the part 125/135 working group are in rulemaking projects.

Mr. Bolt noted that Ms. Hamilton sent a note to the Executive Committee on October 29, 2007, regarding the vacant assistant chair positions and sought to solicit candidate recommendations. These positions need to be filled so the Executive Committee can have representations from all technical areas. Mr. Joseph stated that NACA proposed Ty Prettyman for the Training and Qualifications Issues area. Ms. Hamilton, in response to a question, noted that she also will solicit recommendations from FAA personnel.

Mr. Makela stated that Boeing is interested in the Aircraft Certification Procedures Issue Area. Mr. Hudson stated that for Boeing to chair that issue area would be a conflict of interest because they are the regulated party and the job of the issue area is to propose regulations.

NEXT MEETING

The next meeting is tentatively planned for June 2008.

ADJOURNMENT

Mr. Bolt accepted a motion to adjourn from Mr. Swihart. All were in favor and none opposed. The meeting was adjourned at 11:37 a.m.

Approved by: 
Craig Bolt, Chair

Dated: January 14, 2008

Ratified on: 4/8/08 with changes to reference "draft" order and the spelling of Mr. Edmunds.