



Aviation Rulemaking Advisory Committee Task Notice

December 13, 2024

ACTION: Notice of a new task assignment for the Aviation Rulemaking Advisory Committee (ARAC) and solicitation of members.

SUMMARY: In response to Section 320 of the FAA Reauthorization Act of 2024 (Public Law (Pub. L.) 118-63), FAA assigned ARAC a new task to update analysis and recommendations provided by the Rotorcraft Occupant Protection Working Group (ROPWG) in 2018 and provide recommendations to encourage helicopter owners and operators to expedite the installation of crash resistant fuel systems (CRFS) in the aircraft of such owners and operators regardless of original certification and manufacture date. These safety systems are intended to reduce fatal accidents in the rotorcraft fleet. This notice informs the public of the new ARAC activity and solicits membership for the new Rotorcraft Occupant Protection Working Group.

BACKGROUND: ARAC is governed by the Federal Advisory Committee Act (5 U.S.C., Ch. 10). The FAA established ARAC to provide information, advice, and recommendations on aviation related issues that could result in rulemaking to the FAA Administrator, through the Associate Administrator of Aviation Safety.

The FAA originally tasked the ARAC ROPWG in November 2015 to research and recommend rulemaking and other recommendations to improve rotorcraft safety related to post crash fires and blunt force trauma. ARAC submitted a series of reports with recommendations directed to both the FAA and industry in 2016 and 2018.

The FAA Reauthorization Act of 2018 created 49 U.S.C. 44737 (2018) to mandate covered rotorcraft include compliance to the set of 14 CFR 27 and 29 regulations recommended by the ROPWG. Covered rotorcraft are newly manufactured helicopters of type designs that predate the requirement for §§ 27.952 and 29.952 and related regulations for CRFS. Note that all new helicopter type certificates include the latest amendments to the regulations as part of their certification basis.

The ARAC ROPWG provided numerous recommendations for research and education on both CRFS and crash resistant seats and structures (CRSS). The FAA continues to work through the recommendations.

Section 320 of the FAA Reauthorization Act of 2024 (Public Law (Pub. L.) 118-63) requires FAA to task ARAC to review and update the ROPWG's 2018 CRFS recommendation report and develop recommendations for either the Administrator or the helicopter industry to encourage helicopter owners and operators to expedite the installation of crash-resistant fuel systems in the aircraft of such owners and operators regardless of original certification and manufacture date.

On (DATE), the FAA assigned this task to ARAC, which ARAC designated to the ROPWG. Participants of the newly established ROPWG will serve as members of the work group only, reporting to ARAC. The working group will provide advice and recommendations on the assigned task. The working group will submit the recommendation report to ARAC for consideration. ARAC must deliberate and discuss the report prior to voting on whether to submit the recommendation report to the FAA.

THE TASK: The ROPWG will provide advice and recommendations to the ARAC on the most effective ways to improve rotorcraft safety through reduction of fatal accidents due to post crash fires. The working group should review any relevant materials to assist in achieving their objective. As prescribed in Section 320 of Pub. L. 118-63, the ROPWG will - -

1. Review the data analysis conducted and the recommendations developed by the ARAC ROPWG of the Administration;¹
2. Update the 2018 report of such working group on rotorcraft occupant protection by -
 - a. reviewing National Transportation Safety Board data from 2016 through 2023 on post-crash fires in helicopter accidents; and
 - b. determining whether and to what extent CRFS could have prevented fatalities in the accidents covered by the data reviewed under subparagraph a.
3. Develop recommendations for either the Administrator or the helicopter industry to encourage helicopter owners and operators to expedite the installation of CRFS in the aircraft of such owners and operators regardless of original certification and manufacture date.
4. Develop a report containing recommendations on the findings and results of the tasks explained above.
 - a. The recommendation report should document both majority and dissenting positions on the findings and the rationale for each position.
 - b. Any disagreements should be documented, including the rationale for each position and the reasons for the disagreement.

SCHEDULE: The recommendation report should be submitted to the FAA no later than 18 months from the first working group meeting.

WORKING GROUP ACTIVITY: The working group must comply with the procedures adopted by the ARAC and as follows:

1. Conduct a review and analysis of the assigned tasks and any other related materials or documents.

¹ The working group should review the ARAC ROPWG Task 5 Final Recommendation Report for Crash Resistant Fuel Systems (CRFS). *See* https://www.faa.gov/sites/faa.gov/files/advisory_rulemaking_committees/ROPWG%20Final%20CRFS%20Report%202018-03-15.pdf.

2. Draft and submit a work plan for completion of the task, including the rationale supporting such a plan, for consideration by ARAC.
3. Provide a status report at each ARAC meeting.
4. Draft and submit the recommendation report based on the review and analysis of the assigned tasks.
5. Present the recommendation report at the ARAC meeting.
6. If the working group is reinstated to answer any questions the FAA has regarding the recommendation report, present the findings in response to the FAA's questions or concerns about the recommendation report at the ARAC meeting.

PARTICIPATION IN THE WORKING GROUP: The ROPWG will be comprised of technical experts having an interest in the assigned task that represent a wide range of stakeholders (normal category rotorcraft manufacturers, transport category rotorcraft manufacturers, CRFS suppliers, and rotorcraft operators from various segments of the industry such as oil and gas exploration, emergency medical services, and air tour operators) to ensure all aspects of the tasks are considered in development of the recommendations. A working group member need not be a member representative of ARAC.

The provisions of the August 13, 2014, Office of Management and Budget guidance, "Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions" (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their "individual capacity." The revised guidance now allows registered lobbyists to participate on Agency Boards and Commissions in a "representative capacity" for the "express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government." (For further information see Lobbying Disclosure Act of 1995 (LDA) as amended, 2 U.S.C 1603, 1604, and 1605.)

NOMINATION PROCESS: Candidates are required to submit, in full, the following materials to be considered for membership. Failure to submit the required information may disqualify a candidate from the review process.

1. A résumé or curriculum vitae, which must include relevant job experience and qualifications. The candidate must provide their full name and home address (no P.O. Box).
2. A brief biography, including professional and academic credentials.
3. A statement describing the candidate's interest in the task and the expertise the candidate would bring to the working group. The statement must also identify the stakeholder group that the candidate would represent.

Nominations must be submitted electronically (by email) to Martin R. Crane at Martin.R.Crane@faa.gov. The subject line should state “Rotorcraft Occupant Protection Working Group Nomination.” The FAA must receive all requests by **Friday, January 10, at 5:00 pm Eastern Time**. The FAA will review the nominations and advise nominees whether or not their request is approved.

The FAA reserves the discretion to appoint members to serve on the working group who were not nominated in response to this notice if necessary to meet Departmental needs in a manner to ensure an appropriate balance of membership.

Roles and Responsibilities

If a nominee is chosen for membership on the working group, they must actively participate in the working group, attend all meetings, and provide written comments when requested. The member must devote the resources necessary to support the working group in meeting any assigned deadlines. They must keep their management and those they may represent advised of working group activities and decisions to ensure the proposed technical solutions do not conflict with the position of those that they represent. Once the working group has begun deliberations, members will not be added or substituted without the approval of the ARAC Chair, FAA, including the Designated Federal Officer, and the Working Group Chair.

Confidential Information

All final work products submitted to the ARAC are public documents. Therefore, it should not contain any nonpublic proprietary, privileged, business, commercial, and other sensitive information (collectively, Confidential Information) that the working group members would not want to be publicly available. With respect to working groups, there may be instances where members will share Confidential Information within the working group for purposes of completing an assigned task. Members must not disclose to any third party or use for any purposes other than the assigned task any and all Confidential Information disclosed to one party by the other party without the prior written consent of the party whose Confidential Information is being disclosed. All parties must treat the Confidential Information of the disclosing party as it would treat its own Confidential Information, but in no event shall it use less than a reasonable degree of care. If any Confidential Information is shared with the FAA representative on a working and/or task group, it must be properly marked in accordance with the FAA Committee Manual.

The Secretary of Transportation determined the formation and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

ARAC meetings are open to the public. However, working group meetings are not open to the public, except to the extent individuals with an interest and expertise are selected to participate. The FAA will make no public announcement of working group meetings.

FOR FURTHER INFORMATION CONTACT: Martin R. Crane, Federal Aviation Administration, AIR-62B, 10101 Hillwood Pkwy, Fort Worth, TX 76177. Telephone (817) 222-5056; Martin.R.Crane@faa.gov.