

AVIATION RULEMAKING ADVISORY COMMITTEE DRAFT RECORD OF MEETING

MEETING DATE: December 12, 2024

MEETING TIME: 1:00 pm - 4:00 pm ET

LOCATION: The Aviation Rulemaking Advisory Committee (ARAC) held a meeting in person at FAA Headquarters at 800 Independence Ave, SW, Washington, DC, 20591, in Conference Room 8AB, and virtually on Zoom.

PUBLIC ANNOUNCEMENT: The Federal Aviation Administration (FAA) provided notice to the public of this ARAC meeting in a *Federal Register* notice published on November 21, 2024 (89 FR 92273).

ATTENDEES:

Committee Members	
Andrew Moore	National Agricultural Aviation Association
Chris Martino (In-Person)	Vertical Aviation International
Chris Witkowski	Association of Flight Attendants
David Oord (In-Person)	Wisk, <i>ARAC Chair</i>
Gary Peterson (In-Person)	Transport Workers Union of America
George Paul	National Air Carrier Association
Javier de Luis	Advocate for Passengers and Victims (Ethiopian Airlines Flight 302)
Jonathan Archer	SAE International
Justin Barkowski (In-Person)	American Association of Airport Executives
Keith Morgan (In-Person)	Pratt & Whitney
Lisa Ellman	Commercial Drone Alliance
Mildred Troegeler	The Boeing Company
Murray Huling (In-Person)	Aircraft Owners and Pilots Association
Paul Hudson (In-Person)	FlyersRights.org

Committee Members	
Ric Peri	Aircraft Electronics Association
Robert Ireland (In-Person)	Airlines for America
Sarah MacLeod	Aeronautical Repair Station Association
Walter Derosier (In-Person)	General Aviation Manufacturers Association
Non- Members	
Antonio Chiesa	Transport Canada Civil Aviation
Brian Lee	The Boeing Company <i>Flight Test Harmonization Working Group Chair</i>
Estelle Laurendeau	Airbus Helicopters
Gail Dunham	National Air Disaster Alliance/Foundation
Jessica Dedeaux (In-Person)	The Boeing Company
Jim McClay	AOPA
Jim Stieve	Southwest Airlines
Julio Ceron (In-Person)	Transport Workers Union of America
Kara Charles (In-Person)	The Boeing Company
Laura Everington	National Business Aviation Association
Maryanne DeMarco (In-Person)	Coalition of Airline Pilots Association
Mel Johnson	Radia
Scott Shtofman	Association for Unmanned Vehicle Systems International
FAA Staff	
Alan Strom	Aircraft Certification Service (AIR)
Aliah Duckett (In-person)	Office of Rulemaking (ARM)
Ali Gungor	Office of Aviation Policy & Plans (APO)
Anastasia Couch	ARM
Angela McCullough	UAS Integration Office (AUS)
Brandon Roberts (In-person)	ARM, <i>Designated Federal Officer</i>

Committee Members	
Bryan Davis	Flight Standards Service (AFS)
Catalin Fotache	AIR
Caitlin Nabinger	ARM
Christopher Bailey	AIR
Daniel Sullivan	AFS
Erin McMakin	ARM
Everette Rochon	AFS
Kenneth Gene Savage	AFS
George Padalec	AFS
Jabari Raphael	AFS
Jim Crotty	ARM
James Ciccone	AFS
James Doucette	Office of Policy, International Affairs, and Environment
Jeffrey Vincent	AUS
Jerome Sveeggen	AFS
Jim Anderson	AFS
Kenneth Thomas	AFS
Lakisha Pearson	ARM
Martin Crane	AIR
Melissa Smith (In-Person)	ARM
Michelle Ferritto	ARM
Meghan Gordon	AIR
Patricia Williams	AFS
Paul Gauthier	AFS
Puja Sardana (In-person)	FAA Contractor
Rick Clark	AFS
Sean Gallagher	ARM

Committee Members	
Sean Whiteford	ARM
Shelly Waddell	AFS
Sierra Elam	ARM
Tiffany Jackson	ARM
Tim Adams	ARM
Thuy Cooper	ARM
Troy Brown	AIR
Uchenna Nwaobilor (In-Person)	ARM
Yvette Rose (In-person)	ARM
Zachary Thornburg (In-Person)	ARM

Welcome and Introduction

Mr. Brandon Roberts, Designated Federal Officer (DFO), called the meeting to order at 1:03 pm ET. He reminded everyone that the meeting was being recorded and reviewed logistics for the hybrid meeting, including information about exit procedures in case of an emergency.

Mr. Roberts read the required Federal Advisory Committee Act statement (Title 5 U.S.C. Chapter 10). He stated that members of the public may address ARAC with permission of the Chair, Mr. David Oord.

Ratification of Minutes

Mr. Oord asked for a motion to accept the September 26, 2024,¹ ARAC meeting minutes. Mr. Chris Martino motioned to accept the minutes, and Mr. Keith Morgan seconded the motion.

All ARAC members voted in favor of ratifying the September meeting minutes.

Status Reports and Recommendation Reports

The December 12, 2024, meeting packet, which includes working group presentations and the draft tasking notices, can be found at:

¹ The September 26, 2024, meeting minutes can be found at:
<https://www.faa.gov/regulationspolicies/rulemaking/committees/documents/aviation-rulemaking-advisory-committee-december>.

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Airman Certification System Working Group (ACSWG)

Mr. Oord, ACSWG Chair, provided the working group's status report update. He reviewed some changes to the membership list and noted that the ACSWG tasking remains the same. He stated that since the Airman Certification Standards and Practical Test Standards for Airmen; Incorporation by Reference (IBR) Final Rule (89 FR 22482), published on April 1, 2024, the working group meets biweekly to define and prioritize next steps.

Mr. Oord stated that the working group created a sub-team devoted to handbook revisions, and that the working group is currently working on the following handbooks:

- Aviation Maintenance Technician – General Handbook (FAA-H-8083-30C)
- Aviation Maintenance Technician – Airframe Handbook (FAA-H-8083-31B)
- Aviation Maintenance Technician – Powerplant Handbook (FAA-H-8083-32B)
- Instrument Flying Handbook (FAA-H-8083-15C)

Mr. Oord presented the ACSWG December 2024 Recommendation Report and explained that the following handbooks are covered in the report:

- Pilot's Handbook Pilot's Handbook of Aeronautical Knowledge (FAA-H-8083-25C), intended publication date June 2025.
- Weight-Shift Control Handbook (FAA-H-8083-5C), intended publication date June 2025.
- Glider Flying Handbook (FAA-H-8083-13B), intended publication date December 2024.
- Balloon Flying Handbook (FAA-H-8083-11B), intended publication date December 2024.

Mr. Oord noted that the working group reviewed the current editions of the following handbooks to facilitate creating a scope of work and timeline to produce a new edition. He noted that the working group does not have an estimated date for publishing the new editions:

- Helicopter Flying Handbook (FAA-H-8083-21B)
- Helicopter Instructor Handbook (FAA-H-8083-4)

Mr. Oord asked for a motion to accept the report. Mr. Morgan motioned, and Mr. Murray Huling seconded the motion. All ARAC members voted to accept the report, and Mr. Oord confirmed he would forward it to the FAA.

Transport Airplane and Engine (TAE) Subcommittee

Mr. Morgan provided the TAE Subcommittee status report update, including the membership list, meeting schedule, and the expected dates for future deliverables.

Flight Test Harmonization Working Group (FTHWG)

Mr. Morgan noted that the Phase 4 tasking is complete and that Phase 5 will launch once ARAC approves the new tasking. Mr. Morgan stated that the working group continues to meet regularly. Mr. Morgan said that the working group would like to continue to encourage authorities to support this activity across necessary disciplines, noting that the European Union Aviation Safety Agency (EASA) does not have the availability to have a consistent representation.

Ice Crystal Icing Working Group (ICIWG)

Mr. Morgan stated that the working group has no status changes from the last meeting, and it is on track to meet its scheduled completion date of December 2025.

Engine and Powerplant Interface Working Group (EPIWG)

Mr. Morgan reviewed the tasking summary and meeting schedule. He described the workflow, noting that some topics can be worked on simultaneously. Mr. Morgan noted that the working group's recommendations should maximize harmonization between the FAA, EASA, the National Civil Aviation Agency, and Transport Canada Civil Aviation.

Mr. Morgan reported that the FAA requested the working group conduct a deeper dive into previously submitted recommendations relating to Fan Blade Out Release Locations (outer-most retention feature vs flow path). Mr. Morgan requested the FAA task this as a separate topic, as opposed to adding this to the working group's existing tasking.

FAA Updates

FAA Personnel Updates

Mr. Roberts noted the following agency personnel updates:

Office of the Administrator

- Administrator Whitaker announced his last day is January 20, 2025.
- Deputy Administrator Thomson's last day is January 10, 2025.
- Mark House, Assistant Administrator for Finance & Management, will serve as Acting Deputy Administrator.

Office of Aviation Safety

- David Boulter, Associate Administrator for Aviation Safety, has announced his plans to retire on January 3, 2025.

Aircraft Certification Service

- Caitlin Locke has been named the permanent Executive Director for Aircraft Certification Service, effective December 16, 2024.

Air Traffic Safety Oversight

- Wes Mooty has been named the permanent Air Traffic Safety Oversight Executive Director (AOV-1), effective December 16, 2024.
- Jonathan Gray is the Deputy Executive Director for AOV.

Office Accident Investigation and Prevention

- David Hempe, Deputy Executive Director for Accident Investigation and Prevention (AVP), has retired.
- Brittany Richardson is the Acting AVP Deputy Executive Director.

Office of Quality, Integration, and Executive Services

- Lisa Mansfield is the Deputy Executive Director of the Office of Quality, Integration, and Executive Services.

Office of Chief Counsel

- Lorelei Peter is the Acting FAA Chief Counsel.

Air Traffic Organization

- Nick Fuller is the Vice President of Safety and Technical Training.

Mr. Roberts responded to questions regarding the impact on existing and future rulemakings in a new administration. He noted that the FAA was very productive during the previous Trump administration, so he does not foresee any major changes. Mr. Roberts emphasized that the FAA recognizes the importance of safety regulations and is grateful to the industry for their support and for providing feedback that encourages continuous improvement and public safety. He noted that he does not know of any potential regulatory impacts at this time. Members expressed concern about rulemakings currently in process and asked for an update, including the Part 108 rulemaking project. Mr. Roberts said there is no official update but that the FAA is working to get things complete before the administration transitions on January 20, 2025. He stated that the rules not completed before the transition may be returned to the FAA for review.

Ms. Sarah MacLeod noted that she intends to draft a letter to the Office of the Secretary when the Office of Chief Counsel does not fully support the recommendations from committees, such as ARAC. She noted that when ARAC recommendations go under agency review, the intent of the recommendations has sometimes been changed or lost, resulting in poorly written rulemaking.

FAA Reauthorization Act of 2024 Updates

Mr. Roberts provided the following status updates to the FAA Reauthorization.

- Section 205 – Directs the FAA to establish a process review team to provide the Administrator with recommendations to improve the promulgation of regulatory materials by the agency. Mr. Roberts thanked the aviation stakeholders who provided feedback on the FAA’s regulatory processes to the Regulatory Process Review Team.
- Section 403 – Directs the FAA to establish the Bessie Coleman Women in Aviation (BCWA) Advisory Committee to advise the Department of Transportation and FAA on matters and policies related to the recruitment, retention, employment, education, training, career advancement, and well-being of women in the aviation industry and in aviation-focused Federal civil service positions. The FAA established the BCWA Advisory Committee on November 15, 2024. The membership solicitation notice published in the Federal Register on November 21, 2024, and closes on December 23, 2024².
- Section 406 – Directs the FAA to use the ACSWG to obtain industry feedback in reviewing Airman Certification Standards to ensure the airman proficiency and knowledge correlate and correspond to regulations, procedures, equipment, aviation infrastructure, and safety trends. Mr. Roberts stated that this requirement is already consistent with the 2016 ACSWG tasking, so it does not require a new tasking.

New ARAC Taskings

Mr. Roberts stated that the FAA has five new taskings to present to ARAC.

- 1) ACSWG - Mr. Bryan Davis presented the tasking related to Section 426(a) of the FAA Reauthorization Act of 2024 (the Act). The FAA tasked ARAC to provide recommendations that would develop, as necessary, a relevant Airman Certification Standard to qualify eligible military maintenance technicians for a civilian mechanic certificate with airframe or powerplant ratings.

Mr. Oord asked for a motion to accept the new tasking. Mr. Morgan motioned, and Mr. Martino seconded the motion. Ms. MacLeod asked about another task regarding early testing for high school student testing, and she asked why these efforts were not being combined. Mr. Davis confirmed these topics would be worked separately. Ms. MacLeod noted that she believes it would be much more efficient to work these topics together in the spirit of efficiency. Mr. Oord and Mr.

² See https://www.faa.gov/sites/faa.gov/files/Charter_Bessie-Coleman-Women-Aviation-Advisory-Committee_11152024.pdf.

Ric Peri noted that they would support the topics being worked together. Mr. Robert Ireland stated that the mechanic shortage is every bit as real as the pilot shortage even though it doesn't get as much press. All ARAC members voted to accept this tasking.

- 2) Part 135 Aircraft Conformity Working Group - Mr. Kenneth Thomas presented the tasking related to Section 819 of the Act. The FAA tasked ARAC to study methods and make recommendations to clarify requirements and standardize the process for conducting and completing aircraft conformity processes in a timely manner for existing operators and air carriers operating aircraft under part 135 and entering such aircraft into service.

Mr. Oord asked for a motion to accept the new tasking. Mr. Walter Derosier motioned, and Mr. Huling seconded the motion. All ARAC members voted to accept this tasking.

- 3) Hydrogen Aviation Working Group (HAWG) - Mr. Catalin Fotache presented the tasking related to Section 1019 of the Act. The FAA tasked ARAC to develop recommendations on research, policy, and regulations that will enable the safe and efficient use of hydrogen in U.S. civil aviation.

Mr. Oord asked for a motion to accept this tasking. Mr. Derosier motioned, and Mr. Martino seconded the motion.

ARAC members discussed the safe and efficient sourcing of hydrogen, and many members noted that this sounds outside of the scope of the ARAC. ARAC members asked the agency if they could ensure the working group has representation from any other agency involved in regulating the safe and efficient use of hydrogen. Mr. Fotache stated that the Department of Energy's Hydrogen Interagency Task Force (HIT) exists, but he did not confirm if someone from that task force would be represented on HAWG. ARAC members requested it be documented that this new tasking should include someone from HIT or include representation from all agencies who have an interest in hydrogen.

Mr. Derosier asked for clarity on expectations of this tasking noting that much of the tasking is reporting and not developing actual recommendations. He motioned to strike the word *commercial* from the last sentence of the tasking. Mr. Morgan seconded that motion. All ARAC members voted to accept the tasking with the suggested amendment.

"Section 1019 of the FAA Reauthorization Act of 2024 (Public Law 118-63) directs the FAA and Department of Energy to conduct research and development activities relating to enabling the safe use of hydrogen in civil aviation, including the safe and efficient use and sourcing of hydrogen to propel ~~commercial~~ aircraft."

- 4) Rotorcraft Occupant Protection Working Group (ROPWG) - Mr. Martin Crane presented the tasking related to Section 320 of the Act. The FAA tasked ARAC to update the analysis and recommendations provided by the ROPWG in 2018 and provide recommendations 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.

Mr. Oord asked for a motion to accept this tasking. Mr. Morgan motioned, and Mr. Martino seconded the motion.

Mr. Derosier proposed to strike the words '*blunt force trauma*' at the end of the first sentence of the task since this language describes the 2016 ROPWG tasking.

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 ~~and blunt force trauma~~.

Mr. Huling motioned to accept this proposed amendment, and Mr. Morgan seconded the motion. Mr. Crane noted that this tasking language came from the previous tasking notice issued 9 years ago, and he supports this change. All ARAC members voted to accept the tasking with the words 'blunt force trauma' taken out, except for Mr. Paul Hudson, who abstained from voting.

- 5) FTHWG - Mr. Troy Brown presented the tasking for Phase 5. He explained that Phase 5 will consider the following topic areas:

- Failure Assessment: Methodology Evaluation
- Narrow Runway Operations; Use of Simulation for Certification
- Autoland & Flare Cue Guidance Landing Distance
- Controllability During Approach and Landing
- Stall Identification/Protection Systems; and
- Tail Clearance during Certification Testing.

Mr. Oord asked for a motion to accept this tasking. Mr. Morgan motioned to accept the tasking, and Mr. Derosier seconded the motion. Mr. Oord asked if FTHWG could submit an official workplan for the record, and Mr. Morgan confirmed they could. All ARAC members voted in favor of accepting the tasking.

Regulatory Activities

Mr. Roberts stated the FAA issued the following final rules since the September 2024 ARAC meeting.

Final Rules

- Removal of Expiration Date on a Flight Instructor Certificate; Additional Qualification Requirements to Train Initial Flight Instructor Applicants; and Other Provisions published on October 1, 2024, with an effective date of December 1, 2024. The amendatory instruction 10 is effective March 1, 2027.
- Public Aircraft Logging of Flight Time, Training in Certain Aircraft Holding Special Airworthiness Certificates, and Flight Instructor Privileges published on October 2, 2024, with an effective date of November 2, 2024.
- Extension of the Prohibition Against Certain Flights in the Tehran Flight Information Region published on October 3, 2024, effective upon publication.
- U.S. Agents for Service on Individuals with Foreign Addresses Who Hold or Apply for Certain Certificates, Ratings, or Authorizations published on October 8, 2024, effective upon publication.
- Extension of the Prohibition Against Certain Flights in the Baghdad Flight Information Region published on October 16, 2024, effective upon publication.
- Integration of Powered-Lift: Pilot Certification and Operations; Miscellaneous Amendments Related to Rotorcraft and Airplanes published on November 21, 2024, with an effective date of January 21, 2025.

Mr. Desrosier asked Mr. Roberts about the January 21, 2025, effective date, and the potential impact the change of administration may have on the rulemaking. Mr. Roberts noted the effective date is 60 days from the date the rule was published. He stated that rules that have been published but are not yet effective under an administration transition are reviewed and the new administration can decide to extend the effective date, repeal, or change the rule if they choose to. Mr. Roberts noted that the FAA will not know until the new Congress determines what will be included in the Congressional Review Act. Mr. Roberts stated that the FAA is not anticipating any big changes, as the agency recently went through a bipartisan reauthorization.

- Regulatory Updates to BasicMed published on November 18, 2024, effective upon publication.

Mr. Roberts noted the following final rules that will publish before the end of 2024:

- Foreign Air Operator Certificates Issued by a Regional Safety Oversight Organization
- Drug and Alcohol Testing of Certificated Repair Station Employees Located Outside of the United States

NPRM

- Requirements to File Notice for Meteorological Towers and Other Wind Energy Systems published on November 15, 2024. The comment period closes on January 17, 2025.

Correction

- Modernization of Passenger Information Requirements Relating to “No Smoking” Sign Illumination Final Rule; Correction; Confirmation of Effective Date, published on October 8, 2024, with an effective date of October 22, 2024.

Adjournment

Mr. Oord reminded members that the next meeting is March 20, 2025. He adjourned the meeting at 3:34 pm.