



INTERNATIONAL NEWS AND REGULATORY UPDATES

FROM RIC PERI
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The Aircraft Electronics Association's international membership continues to grow. Currently, the AEA represents avionics businesses in more than 35 countries throughout the world. To better serve the needs of the AEA's international membership, the "International News and Regulatory Updates" section of Avionics News offers a greater focus on international regulatory activity, international industry news, and an international "Frequently Asked Questions" column to help promote standardization.

If you have comments about this section, send e-mails to avionicsnews@aea.net.

ICAO Assembly Focuses on Safety, Environmental Protection

Major decisions taken during the 36th session of the Assembly of the International Civil Aviation Organization, which took place in September in Montreal, Canada, reaffirmed the organization's global leadership role, sending a powerful message as to the critical strategic importance of the ICAO in establishing the future direction of international civil aviation.

The assembly, which attracted a record number of 179 member states and 44 observer delegations, embraced a plan for advancing aviation safety in Africa and made significant progress in tackling the issue of climate change, among other initiatives.

During a high-level meeting on the eve of the 36th session of the ICAO Assembly, representatives of 40 states from the African region and world aviation stakeholder endorsed a new strategy for sustained improvements in aviation safety in Africa.

The ICAO, in cooperation with African civil aviation authorities and the air-transport industry, developed the Comprehensive Regional Implementation Plan for Aviation Safety in Africa, or the AFI Plan. The plan represents the most coordinated and inclusive effort to date to deal with the safety challenges

facing the majority of African states.

The plan differs from past initiatives in that it integrates the ICAO's performance-based Global Aviation Safety Plan and the air-transport industry's new Global Aviation Safety Roadmap, both of which focus on activities with the highest return for improving safety.

Under the leadership of the ICAO, the AFI Plan will draw upon expertise available in the organization's headquarters and regional offices in Africa and the AFI Planning and Implementation Regional Group, as well as other contracting states and concerned stakeholders, such as the International Air Transport Association, the Civil Air Navigation Services Organization, the International Federation of Air Line Pilots Associations, the International Federation of Air Traffic Controllers Associations and international funding agencies, such as the World Bank and the African Development Bank.

The plan's initial implementation phase is expected to cover a four-year period. The next step is a special regional air navigation meeting in 2008, which will serve as a checkpoint for progress.

On the issue of climate change, the ICAO assembly agreed to a program of action to address the issue of aircraft emissions more effectively. A resolution, adopted by consensus, called on

the ICAO council to form the Group on International Aviation and Climate Change, composed of senior government officials. Its purpose is to develop an aggressive program of action on international aviation and climate change.

The new program would feature an implementation framework for states to use in achieving emissions reductions, including voluntary measures, technology improvements, more efficient operational measures, improvements in traffic management, positive economic incentives, and market-based measures.

The program also would include specific ways of measuring progress, as well as progress reports from member states.

The ICAO will convene a high-level meeting for the purpose of reviewing the program and taking the next steps in late 2009 or early 2010.

The assembly agreed that market-based options are valuable tools for addressing aircraft emissions. A majority of the delegations felt, however, states should not apply emissions trading systems to the airlines of other states except pursuant to mutual agreement.

With the view of continually expanding its scientific and technical understanding of aviation's impact on the environment and to ensure deci-

sions are made on the basis of the most authoritative and credible information available, the ICAO produced its first-ever "Environmental Report: 2007." The report offers a comprehensive update on technical and policy aspects of aircraft noise and engine emissions, and it could serve as a catalyst for generating wider consensus on the ways to a sustainable air-transport system.

Publication of the triennial report will coincide with future ICAO assemblies. The current edition is available at www.icao.int/env.

A full report on the 36th session of the ICAO Assembly, including major decisions and future activities flowing from the organization's six strategic objectives — safety, security, environmental protection, efficiency, continuity and rule of law — can be found on the ICAO website at www.icao.int.

UNITED STATES News & Regulatory Updates

FAA Reinstates the Information Needed for a Petition for Rulemaking

In the recently published Title 14 of the Code of Federal Regulations, Parts 1 to 59, revised as of Jan. 1, 2007, on page 27, the FAA is reinstating Sec. 11.71 to read:

Sec. 11.71: What information must I include in my petition for rulemaking?

a) You must include the following information in your petition for rulemaking:

1) Your name, mailing address and, if you wish, other contact information, such as a fax number, telephone number or e-mail address.

2) An explanation of your proposed action and its purpose.

3) The language you propose for a new or amended rule, or the language

you would remove from a current rule.

4) An explanation of why your proposed action would be in the public interest.

5) Information and arguments that support your proposed action, including relevant technical and scientific data available to you.

6) Any specific facts or circumstances that support or demonstrate the need for the action you propose.

(b) In the process of considering your petition, we may ask that you provide information or data available to you about the following:

1) The costs and benefits of your proposed action to society in general, and identifiable groups within society in particular.

2) The regulatory burden of your proposed action on small businesses, small organizations, small governmental jurisdictions, and Indian tribes.

3) The recordkeeping and reporting burdens of your proposed action and whom the burdens would affect.

4) The effect of your proposed action on the quality of the natural and social environments.

Amendment Supports Compliance with Aging Airplane Safety Final Rule, Damage Tolerance Data

On Dec. 12, 2007, the FAA published in the Federal Register an amendment to 14 CFR Parts 26, 121 and 129.

This final rule requires holders of design approvals to make available to operators damage tolerance data for repairs and alterations to fatigue critical airplane structures. This rule supports operator compliance with the Aging Airplane Safety final rule with respect to the requirement to incorporate into the maintenance program a means for addressing the adverse effects repairs and alterations could have on fatigue critical structure.

The intent of this final rule is to ensure the continued airworthiness of fatigue critical airplane structures by

requiring design approval holders to support operator compliance with specified damage tolerance requirements.

These amendments became effective Jan. 11, 2008.

Generally speaking, this new rule applies to transport category, turbine-powered airplane models with a type certificate issued after Jan. 1, 1958, which, as a result of original type certification or later increase in capacity, have a maximum type certificated passenger seating capacity of 30 or more, or a maximum payload capacity of 7,500 pounds or more and used in commercial service.

These requirements apply to type certificate holders and supplemental type certificate holders, and they affect any person who repairs or alters these aircraft types. Any member company working on large transport category (Part 25) aircraft should review this rule for applicability.

This final rule can be found at <http://edocket.access.gpo.gov/2007/07-6016.htm>.

FREQUENTLY ASKED QUESTIONS United States

TOPIC: Light-Sport Aircraft

The following information is from the Federal Aviation Regulations.

QUESTION:

What avionics and/or instruments can be installed in light-sport aircraft?

ANSWER:

The answer is divided into two parts, based on two questions: What are the requirements for aircraft issued a *special airworthiness certificate* in the light-sport category? What are the re-

Continued on following page

INTERNATIONAL NEWS

Continued from page 21

quirements for aircraft issued an *experimental certificate* for the operation of a light-sport aircraft?

For an aircraft issued a special airworthiness certificate in the light-sport category, the answer is very simple: Only what the aircraft manufacturer allows can be installed on its light-sport aircraft.

14 CFR 91.327 (b) prohibits any person from operating an aircraft that has a *special airworthiness certificate* in the light-sport category unless each alteration conforms to the consensus standard and has been authorized by the manufacturer. The rule also prohibits operation of the aircraft following a major alteration unless the alteration is authorized, performed and inspected in accordance with maintenance and inspection procedures developed by the manufacturer.

A major alteration to a light-sport aircraft is any alteration not listed in the aircraft maintenance manual. Therefore, any avionics installation is either listed in the aircraft maintenance manual or explicitly approved by the aircraft manufacturer.

For aircraft with an *experimental certificate* for the operation of a light-sport aircraft, installation of avionics and instruments is at the discretion of the aircraft owner.

CANADA

News & Regulatory Updates

TCCA: Canadian Aviation Safety Seminar Set for Next Month in Calgary, Alberta

The Canadian Aviation Safety Seminar 2008 will take place from April 28-29, at the Hyatt Regency in Calgary, Alberta. The theme is "Managing Change: The Impact of Strategic Deci-

sions on Personnel and Processes."

According to Transport Canada, the Canadian civil aviation industry has long recognized the benefits of multidisciplinary skill sets for its next generation of aviation personnel, as well as the need for proven organizational processes. CASS 2008 will provide an opportunity to discuss how best to achieve this goal.

Through interactive workshops with colleagues and specialists, followed by presentations in plenary by aviation professionals, CASS delegates will be offered strategies and ideas to bring back to their organizations for continued improvements in safety.

For more information about CASS 2008, visit www.tc.gc.ca/civilaviation/SystemSafety/CASS/2008/menu.htm.

TCCA: Exemption Given to Small AMOs from Quality Assurance Requirements

As reported in *Avionics News* in March 2007, CAR 573.09(5) requires all AMOs to have a quality assurance program to be fulfilled by persons who are not responsible for carrying out the tasks or activities of the AMO.

As a result of industry pressure, TCCA determined that 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 the fulfillment of the quality assurance program by persons carrying out the AMO activities will not result in an unacceptable risk. NPA 2006-059 was issued to address these issues.

Pending the implementation of this amendment to the CAR, TCCA now has issued an exemption to CAR 573.09(5) for one-person AMOs. The exemption can be viewed at www.tc.gc.ca/aviation/applications/exemptions/docs/en/1827.htm.

TCCA: Notices of Suspension Can Result from Audits

Canadian AMOs should be aware that under procedural guidelines issued by TCCA in Maintenance Staff Instruction MSI 28, TCCA could issue a notice of suspension if it determines there are deficiencies in the AMO's quality assurance program.

For safety issues with a determined immediate threat, the notice of suspension would be effective immediately. For non-immediate threats or procedural issues, the notice of suspension is issued with a 30-day effective date, and failure to submit an acceptable corrective action plan within 30 days would result in the suspension coming into effect.

MSI 28 can be viewed at http://www.tc.gc.ca/CivilAviation/maintenance/AARPC/msi/Msi_28.htm.

EUROPE

News & Regulatory Updates

European Commission: General and Business Aviation Agenda Adopted for Europe

On Jan. 11, the European Commission adopted an agenda for general and business aviation in Europe. For the first time since the creation of the European Union internal aviation market, the Commission has studied this sector, quantified its value and identified the challenges it is facing.

The Commission now proposes to integrate general and business aviation into the EU air-transport policy. Improving data gathering, screening of legislation to ensure proportionality, and integrating general and business aviation into the capacity optimizations initiatives are the main elements of this agenda.

“We fully recognize the value of non-commercial aviation and intend to work with this sector in Europe, as it is a large source of employment, expertise, technology and revenues,” said Jacques Barrot, commissioner for transport and vice president of the European Commission.

The increase of air traffic in Europe necessitates the inclusion of general and business aviation in initiatives for optimizing limited aviation infrastructure and capacity.

For more information, visit http://ec.europa.eu/transport/air_portal/internal_market/general_aviation/index_en.htm.

David McMillan Named New Director General of Eurocontrol

In January, David McMillan took over as director general of Eurocontrol, the European Organization for the Safety of Air Navigation, headquartered in Brussels, Belgium.

Prior to this appointment, McMillan was the UK's director general of civil aviation, a post he held since April 2004. He also was first vice president of the European Civil Aviation Conference, as well as the spokesperson for Europe on aviation and environment at the International Civil Aviation Organization.

During his career, much of which was spent with the UK's Department of Transport, McMillan worked in aviation, and integrated transport and personnel. In his role as director of strategy and delivery, he was responsible for the department's delivery agenda, business planning and relations with the European Union. He also was responsible for setting up the NATS public-private partnership and securing the replacement of Railtrack by Network Rail as the UK's rail infrastructure provider.

McMillan began his career in diplomatic service, serving in the UK's embassies in Morocco and Zimbabwe.

EASA: Various Decisions, Opinions Could Impact AEA Members

The rulemaking program of EASA was amended (ED 2007/021/R) with some new and some revised topics for 2008. Among them are:

- MDM.003 to establish common rules applicable to design flight testing for certification purposes, such as to obtain approval for TC, change to TC, STC, repair design, etc. EASA plans to prepare an opinion on the Part 21 amendment by the second quarter of this year, as well as a decision on AMC/GM to Part 21 by the fourth quarter of this year.

- MDM.002 on electrical wiring interconnection systems is planned to provide opinions on Part M and decisions on CS-25, AMC-20 and AMC/GM to Part M. Deliverables are planned between the second and fourth quarters of this year.

- MDM.032 on the regulation of aircraft other than complex motor-powered aircraft used in non-commercial activities is planned to provide an opinion to amend Part 21 by the third quarter of this year.

- Task 20.002, “Airworthiness and Operational Approval of Electronic Flight Bags,” and Task 20.003, “Airworthiness and Operational Approval for RNP-RNAV Approach Operations,” are planned to introduce former JAA TGL 36 and JAA TGL XY and XZ into the EASA AMC-20 System.

- A number of tasks, such as 66.006, 66.009 and 66.022, will take care of new amended regulations and AMC/GM for other than complex aircraft maintenance engineers. Deliverables are planned for the second and third quarter of this year.

- A Terms of Reference, TOR25.037(a), was released and indicates EASA will work on a review of AC25-11, “Electronic Display Systems.” The review should eliminate the limited scope of the AMC, which

currently only applies to cathode-ray-tube-based electronic display systems used for guidance, control or decision-making by flight crews. EASA considers this guidance clearly outdated in view of the integrated computer-based display systems used in modern airplanes today. EASA intends to take full advantage of progress made in the ARAC Avionics Systems Harmonization Working Group, and will consider subsequent developments by the FAA when drafting the NPA. The NPA is planned within the year.

- Executive Director Decision No. 2007/018/R was published in regards to the re-issue of the Part 66 aircraft maintenance license. This document amends the Annexes IV and V to Decision No. 2003/19/RM (AMC to EC 2042/2003). It provides new and additional guidance in regards to Part 66 licenses and their privileges.

- A new Amendment 4 to CS-25, “Large Aircraft,” was published. For companies involved in the design and installation of automatic pilot systems and flight directors, attention should be paid to the complete rewrite of CS 25.1329. Otherwise, this amendment has only minor relevance to AEA members.

- New AMC-20 material has been issued as part of ED2007/019/R. AMC 20-11 covers acceptable means of compliance for the approval of use of initial services for air-ground data-link in continental airspace. It contains a set of assumptions relating to the implementation of data-link services by service providers; an initial basis relating to the implementation of data-link services in the flight deck to guide the airworthiness certification process; and an initial basis relating to the operational use of data-link services by aircraft operators.

- AMC 20-20, which was issued as part of above-mentioned Executive Director Decision, provides acceptable

Continued on following page

INTERNATIONAL NEWS

Continued from page 23

means of compliance to type certificate holders, STC holders and repair approval holders developing a continuing structural integrity program to ensure safe operation of aging aircraft. The AMC primarily is aimed at large aeroplanes operated in commercial air transport and maintained under Part M. The AMC provides information as to how the TC, STC or repair approval applicant or holder can establish an acceptable level of safety to ensure continuing safety of the structure. The AMC provides guidelines for development of a supplementary structural inspection program; development of a program to preclude the occurrence of widespread fatigue damage; instructions for continued airworthiness of structural repairs and modifications; and development of corrosion-control programs and guidelines for the development of SB review and mandatory modification program.

- Executive Director Decision ED 2007/017/R, issued Dec. 18, 2007, provides a set of new or revised ET-SOs. Among them is the revised ETSO C151b for terrain awareness and warning systems, which provides updated marking requirements and reference to a Class C TAWS.

- ETSO-2C509 was newly issued to provide the technical conditions and minimum performance standards for light aviation secondary surveillance transponders. These transponders are restricted to cruising speed up to 175 knots and altitudes up to 15,000 feet with non-diversity operation.

- NPA 17-2007, issued Dec. 5, 2007, provides a proposal aimed at adopting FAA Advisory Circular AC 27-1B Change 2 and AC 29-2C Change 2, published by the FAA on April 25, 2006, as acceptable means of compliance to CS-27, CS-29 and CS-VLR. Where the FAA advisory circular

does not fully cover European rules or EASA interpretation of the rules, an additional AMC has been developed and added to Book 2 of the Certification Specifications. In addition, where existing Book 2 AMC is now fully contained within the FAA advisory circular revision, these AMCs are removed. Adoption of the FAA advisory circular would provide greater harmonization in the acceptable means of compliance required by the FAA and EASA. Comments can be forwarded to EASA using the comment response tool.

- NPA 18-2007 proposes an amendment to Appendix 1 to Annex IV AMC to Part 66 with the latest aircraft type ratings eligible for Part 66 aircraft maintenance licenses. This is of interest for all Part 145 organizations and Part 66 AML holders. Comments should be forwarded to EASA using the comment response tool.

For more information, visit the EASA website at www.easa.eu.int.

RTCA/EUROCAE: New Documents Issued

The following new documents were issued recently by RTCA:

- DO-308. "Operational Services and Environment Definition for Aeronautical Information Services and Meteorological Data-Link Services." This document presents the AIS and MET data-link services envisaged to be implemented within the next decade in both the U.S. and Europe. It is presented in an OSED form, which is based on the criteria set forth in RTCA DO-264/EUROCAE ED-78A, "Guidelines for Approval of the Provision and Use of Air Traffic Services Supported by Data Communications."

- Change 1 to DO-294B, "Guidance on Allowing Transmitting Portable Electronic Devices on Aircraft." Change 1 aligns Table 6-2 in DO-294B, with the updates and revisions developed with the completion of DO-307, "Aircraft Design and Certification

for Portable Electronic Device Tolerance." In addition, it corrects several table references in Section 6.

- DO-204A, "Minimum Operational Performance Standards for 406 MHz Emergency Locator Transmitters." DO-204A incorporates numerous changes to clarify the meaning and intent of the requirements. The document is harmonized with EUROCAE ED-62.

- DO-160F, "Environmental Conditions and Test Procedures for Airborne Equipment." This document provides standard procedures and environmental test criteria for testing airborne equipment for the entire spectrum of aircraft, from light, general aviation aircraft and helicopters to jumbo jets and SST categories of aircraft. The document includes 26 sections and three appendices. Coordinated with EUROCAE, RTCA/DO-160F and EUROCAE/ED-14F are worded identically.

The new documents can be purchased from RTCA at www.rtca.org.

FREQUENTLY ASKED QUESTIONS Europe

TOPIC: EASA—Approval of the Design of Certain PMA Parts

The following information is from Decision No. 2007/003/C of the Executive Director of EASA.

QUESTION:

Are U.S./FAA PMA approved parts acceptable for use in Europe?

ANSWER:

According to Executive Director Decision 2007/003/C, dated July 16, 2007, on the acceptance of certi-

fication findings made by the Federal Aviation Administration of the United States for parts designed in the United States under the parts manufacturer approval system of the FAA, in regards to the approval of the design of certain PMA parts:

An approval is hereby issued by the Agency to an organization under the regulatory oversight of the FAA for a part designed under its PMA system, provided:

a) the PMA part is not a “critical component.”

A “critical component” is a part identified as critical by the design approval holder during the validation process, or otherwise by the exporting authority. Typically, such components include parts for which a replacement time, inspection interval or related procedure is specified in the airworthiness limitations section or certification maintenance requirements of the manufacturer’s maintenance manual or instructions for continued airworthiness.

The statement, “This PMA part is not a critical component,” should be written in Block 13 of the FAA Form 8130-3; or

b) the PMA part conforms to design data obtained under a licensing agree-

ment from the holder of the FAA design approval, according to 14 CFR § 21.303(c)(4) of the Federal Aviation Regulations.

The statement, “Produced under licensing agreement from the FAA design approval holder,” should be written in Block 13 of FAA Form 8130-3; or

c) the PMA holder can show that the part has received an explicit approval by means of a design change or STC from the Agency or, when this approval was granted prior to Sept. 28, 2003, from any of the National Aviation Authorities of the Members States of the European Union. The reference to this authorization should be written in Block 13 of the FAA Form 8130-3.

Note: The AEA offers “Frequently Asked Questions” to foster greater understanding of aviation regulations and the rules governing the industry. The AEA strives to ensure FAQs are as accurate as possible at the time of publication; however, rules change. Therefore, information received from an AEA FAQ should be verified before being relied upon. This information is not meant to serve as legal advice. If you have particular legal questions, they should be directed to an attorney. The AEA disclaims any warranty for the accuracy of the information provided. □