

ENCOURAGE YOUR MEMBER OF CONGRESS TO CONTACT THE FAA REGARDING THE LACK OF STANDARDIZATION OF REGULATIONS

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What's at Issue

One of the biggest burdens confronting the general aviation industry is the varying interpretation of Federal Aviation Administration (FAA) regulations by the agency's Regional, Aircraft Certification (ACOs) and Flight Standards District Offices (FSDOs). Currently, there are 9 FAA regions, 10 ACOs and more than 80 FSDOs that each issue approvals on a wide range of maintenance and operational requests made by regulated entities. These regulated entities include Part 135 on-demand charter operators, Part 145 repair stations, and Part 161 and 41 flight training facilities.

Why it's Important

Affected regulated entities continue to be challenged by regulatory interpretations that regularly vary from one inspector within one FSDO or ACO, to another. These varying interpretations of how to achieve or demonstrate compliance with FAA regulations (FARs) are estimated to cost general aviation businesses hundreds of millions of dollars annually when previously approved actions are subject to "re-interpretation."

For example, a Part 135 on-demand air charter operator contacted NATA stating that he had to spend approximately \$25,000 to secure FAA approval to move an aircraft on his air carrier certificate from one FAA region to another. First, the operator demonstrated compliance with FAA officials from the region where the aircraft was based. The operator then had to work with FAA officials in the region to where the aircraft was being moved as its new base location. The new FAA office would not accept the determination of compliance from the original FAA office and insisted that the operator again demonstrate that the aircraft was in compliance with the FARs. The aircraft was out of service and unavailable for customer use for more than five weeks, at a cost of more than \$200,000 in lost revenue to the operator.

As another example, an NATA member Part 145 repair station was informed by the FAA that the region with responsibility for oversight of the repair station would be changing. The NATA member company endured a lengthy, costly process as the new region with jurisdiction decided to re-approve the repair station's manual, used to prescribe performance of maintenance functions, and identified more than 75 "deficiencies." The manual had been deemed to be fully compliant with all FAR requirements and approved by the first FAA region, but the new region insisted that revisions be made according to *its* interpretation of the regulations. This drawn out process cost the repair station countless hours of employee time and hundreds of thousands of dollars in lost revenue while the repair station implemented the new region's revisions.

Inconsistent and varying interpretations of FAA regulations are not only costly for the industry, they also demonstrate a shortcoming in the FAA's ability to coordinate its workforce and ensure that the decision-making abilities vested in inspectors are respected across all divisions of the agency, impairing efforts to achieve a uniform safety standard nationwide.

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What to do

To eliminate the unnecessary and costly regulatory re-interpretation process that currently exists between FAA field offices, NATA recommends the following action:

- **Contact your Members of Congress and request they contact the FAA on your behalf to highlight specific examples of how inconsistent regulatory interpretations are affecting your aviation business and, if possible, the financial implications.**
- **[To view the form letter provided by NATA, please click here.](#)**

NATA Position

NATA believes that it is vital that this issue be addressed and, most importantly, would like to see NATA members educate their Members of Congress about how this issue is affecting aviation businesses in their districts.

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