



Background

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 air charter operators, Part 145 repair stations, and Part 141 and 61 flight training facilities. Affected regulated entities continue to be challenged by regulatory interpretations that regularly vary from one inspector within one FSDO or ACO, to another.

Issue

These varying interpretations of how to achieve or demonstrate compliance with federal aviation regulations (FARs) are estimated to cost general aviation businesses hundreds of millions of dollars annually when previously approved actions are subject to "re-interpretation."

A Government Accountability Office (GAO) report was requested to review how inconsistent regulatory interpretations are costing the FAA and the aviation industry hundreds of millions of dollars in resources, while raising serious concerns about unified safety standards.

Examples of varying regulatory interpretations that affect NATA members are:

- A Part 135 on-demand air charter operator contacted the 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.

TALKING POINTS

- ❖ Lack of standardization of FAA regulations are estimated to cost general aviation businesses hundreds of millions of dollars annually when previously approved actions are subject to "re-interpretations."
- ❖ Examples of varying interpretations are broad, ranging from moving an aircraft on a certificate from one FSDO to another to approval of maintenance manuals.
- ❖ A GAO study is underway and the findings will help pinpoint ways to alleviate the burden on industry while improving the FAA's regulatory enforcement capabilities.



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.

- A 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 it implemented the new region's revisions.

NATA Position

NATA is hopeful that the results of the report will prove the significance of the issue and highlight not only a need for change within the FAA but the best course of action to make constructive changes to alleviate the problem.