



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.

AEA Offers Cross-Training of International Regulations

Last year during the AEA Canada Meeting, we began a series on cross-training of regulations. Under the Bilateral Aviation Safety Agreement between the United States and Canada, there are certain compliance requirements that must be met to work on aircraft with the other country's state of registry. For Canadian businesses, they must comply with certain U.S. FAA regulations.

The AEA's training was well received because of the globalization of aviation maintenance and the cross-border distribution of avionics equipment and certifications. Because most of the avionics equipment seems to originate under the FAA system, it is essential for everyone to understand these regulations.

The AEA is continuing this regulatory cross-training throughout the year. During the 2008 AEA International Convention in April, two significant cross-training opportunities were offered. For U.S. repair stations perform-

ing maintenance on Canadian aircraft, there was a four-hour session on Canadian regulations, and for U.S.-based EASA foreign Part 145 organizations, there was a four-hour training session on the U.S./European agreement and the applicable EASA regulations.

During the AEA Europe Meeting in Cologne, Germany, last month, the AEA conducted an FAA-approved eight-hour U.S. regulatory session for European-based U.S. FAA 145 organizations, which included certain U.S. regulatory subjects.

Your Association is in a unique position to provide this type of guidance on regulations. The AEA is actively involved in rulemaking with the European Aviation Safety Agency, Transport Canada, the Civil Aviation Safety Agency in Australia and the FAA. Therefore, the natural extension of our regulatory capabilities is to be not only your resource for avionics technology

information and local regulatory guidance, but also for international regulatory guidance and training.

The AEA will continue to bring international regulatory training to our international and regional meetings. At the international meetings, you can expect to hear not only about local regulatory issues, but also international regulatory issues affecting your business. The AEA will continue to offer separate U.S. regulatory training for those members most impacted by U.S. regulations, and the core of AEA regional meetings will retain a local focus.

As you plan for training this year, check the AEA website regularly for up-to-date meeting schedules for your region. If you have a particular training need, please do not hesitate to contact me at ricp@net or Mike Adamson, vice president of member programs and education, at mikea@aea.net.

EASA, FAA and TCCA Meet to Harmonize Rulemaking Activities

Experts from the European Aviation Safety Agency, the Federal Aviation Administration and Transport Canada Civil Aviation met in April, in Cologne, Germany, for a two-day meeting to fur-

ther improve harmonization of rules.

This transatlantic cooperation aims to align the authorities' rulemaking programs by exchanging experience and agreeing on common priorities. Rules of common interest, which can be jointly developed by EASA, the

FAA and TCCA, will be identified to avoid unnecessary duplication of work and maximize available resources.

"We share common challenges, many of which require global action. We aim to create a level playing field to the benefit of our stakeholders," said

Claude Probst, rulemaking director.

According to Probst, constant communication during the definition and implementation of the respective rule-making programs will ensure further harmonization.

The meeting took place as part of a partnership announced during the International Aviation Safety Conference in 2006.

UNITED STATES News & Regulatory Updates

FAA Says Repair Station Final Rule to be Published by August

During the 51st annual AEA International Convention & Trade Show, the Federal Aviation Administration announced the final rule amending Part 145 for repair stations will be published no later than August 2008. In the final rule, the AEA expects to see significant changes to repair station ratings, the requirement for capabilities lists, and an enhancement to the current quality system.

The FAA also announced the introduction of a delegated field approval process for normal and utility category aircraft, which should be published by mid-summer. Details of the program have not been made public.

FREQUENTLY ASKED QUESTIONS

United States

TOPIC: Self-Disclosure

The following information is from the Federal Aviation Regulations.

QUESTION:

Where can I find guidance on self-disclosure?

ANSWER:

Advisory Circular AC 00-59A.

This AC provides information and guidance material that may be used by a certificate holder, qualified fractional ownership program, or a production approval holder (PAH) operating under Title 14 of the Code of Federal Regulations when voluntarily disclosing to the Federal Aviation Administration apparent violations of Title 14 CFR, Parts 21, 119, 121, 125, 129, 133, 135, 137, 141, 142, 145, 147, and for qualified fractional ownership programs operating under Part 91, Subpart K.

The procedures and practices outlined in this AC can be applied to maintenance, flight operations, anti-drug and alcohol misuse prevention programs, and to the manufacturing functions of the PAH's organization.

The FAA believes aviation safety is well served by incentives for certificate holders to identify and correct their own instances of noncompliance and to invest more resources in efforts to preclude their recurrence.

The FAA's policy of forgoing civil penalty actions when one of these entities detects violations, promptly discloses the violations to the FAA and takes prompt corrective action to ensure the same or similar violations do not recur is designed to encourage compliance with the FAA's regulations, foster safe operating practices and promote the development of internal evaluation programs.

In evaluating whether or not an apparent violation is covered by this policy, the FAA will ensure the following five conditions are met:

1) The certificate holder, qualified fractional ownership program or PAH has notified the FAA of the apparent violation immediately after detecting it and before the agency has learned of it by other means. (It is FAA policy that initial notification should be accomplished ordinarily within 24 hours

of the discovery of the apparent violation.)

2) The apparent violation was inadvertent.

3) The apparent violation does not indicate a lack, or reasonable question, of qualification of the certificate holder, qualified fractional ownership program or PAH.

4) Immediate action, satisfactory to the FAA, was taken upon discovery to terminate the conduct that resulted in the apparent violation.

5) The certificate holder, qualified fractional ownership program or PAH has developed or is developing a comprehensive fix and schedule of implementation satisfactory to the FAA. The comprehensive fix includes a follow-up self-audit to ensure the action taken corrects the noncompliance. This self-audit is in addition to any audits conducted by the FAA.

CANADA News & Regulatory Updates

Transport Canada Processing NPAs for ELT Rulemaking

As a result of the upcoming withdrawal of Cospas/Sarsat monitoring of 121.5 MHz emergency locator transmitter (ELT) transmissions, effective Feb. 1, 2009, Transport Canada currently is processing notices of proposed amendment to CAR 605.38 and 625.38 for the mandatory installation of 406 MHz ELTs or an alternate means of compliance onto Canadian-registered aircraft and foreign-registered aircraft operating in Canadian airspace.

The NPAs currently are worded such that all Canadian aircraft operating internationally and domestically will be required to carry a 406 MHz ELT or an alternate ELD (emergency locator device) system, except those specifically excluded, such as ultra-lights, training

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operations within 25 nm of airport, flight tests and parachute operations. These exclusions are the same as currently provided under the existing CARs. In addition, internationally registered aircraft operating in Canadian airspace will be subject to the same requirements.

Apparently, phased-in compliance is proposed, with foreign aircraft and new aircraft being given two years to comply. The ELD system proposed in the NPAs refers to a system capable of providing immediate notification of an aircraft occurrence to a rescue coordination center directly or via a third party. This could include a third-party monitoring system; continuous radar coverage under an IFR flight plan; an ADS-B system; or a Type A flight dispatch system.

The NPAs were sent for legal editing earlier this year and will be published soon in *Canada Gazette I* for public comment. The AEA will monitor the rulemaking process and keep Canadian members advised of the final outcome.

In anticipation of the requirement for a large quantity of replacement ELT installations, TCCA has issued an Exemption to CAR 571.04 and 571 Schedule II to exclude TSO-C126 406 MHz ELTs from the avionics specialized maintenance rules. Therefore, AMEs with an M1 or M2 rating or a person holding an aircraft certification authority (ACA) may install these ELTs under certain conditions listed in the Exemption. AMOs and AMEs should contact their local TCCA inspector for a copy of the Exemption.

For more information, visit the Transport Canada website at www.tc.gc.ca.

FREQUENTLY ASKED QUESTIONS

Canada

TOPIC:

Transport Canada-Approved Emergency Locator Transmitters

The following information is from the Canadian Aviation Regulations and Transport Canada Civil Aviation guidance material.

QUESTION:

Which emergency locator transmitters (ELTs) are approved by TCCA for installation to satisfy CAR 605.38?

ANSWER:

CAR STD, Airworthiness Manual, Chapter 551.104, contains acceptable standards for ELTs.

Currently, these standards are FAA TSO-C91, C91a and C126 — Chapter 551.104 also includes unique TCCA standards for ELT batteries and data requirements. To be eligible for installation on Canadian-registered aircraft, an ELT must meet STD 551.104 and be approved by TCCA. Additionally, the ELT must be an approved as a radio frequency transmitting device by Industry Canada. STD 551.104 references Airworthiness Notice AN B014 for a list of ELTs approved by TCCA and IC.

Although AN B014 is still listed on the TCCA website, it recently was cancelled and superseded by a list of “Approved Emergency Locator Transmitters” published on TCCA’s aircraft certification website at www.tc.gc.ca/CivilAviation/certification/elt.htm.

Additionally, Airworthiness Directive AD CF-81-29R2 was referenced in AN B014, which prohibited the use of lithium sulfur dioxide (LiSO₂) batteries in ELTs for Canadian installations. In the new approved ELT list, TCCA identifies an alternative means of compliance to the AD to allow use of LiSO₂

batteries meeting FAA TSO-C142 and C142a in ELTs approved by TCCA.

Aircraft owners and installers should refer to the new list of approved ELTs prior to installing an ELT on a Canadian-registered aircraft.

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.

EUROPE

News & Regulatory Updates

Europe Launches Standardization of Future Data-Link Services

Europe has begun to standardize future data-link services, which will build on the operational introduction of controller pilot data-link communications (CPDLC) established by the Link2000+ program.

On the basis of a large amount of research and development, as well as numerous operational trials carried out by several European stakeholders and Eurocontrol, a number of new data-link operational services complementing those in Link2000+ now are ready for international standardization.

These new data-link services are consistent with the provisions from the European ATM Master Plan. They include data-link operational improvements for

the short-term in the flight information services area and a number of medium-term applications, such as the introduction of initial 4-D operations. These data-link services will allow an effective transition toward the advanced long-term operating method called for by the ATM Master Plan.

“Now is the right moment to capitalize on the R&D work carried out and to provide our stakeholders with the possibility to maximize the return on their data-link investment, and we are committed to the development of global standards, which will provide safety, efficiency and capacity benefits for our stakeholders,” said Robert Stewart, head of the communications systems and programs division for Eurocontrol.

A joint RTCA/EUROCAE group, the SC-214/WG-78, has been created to develop global data-link standards for this next step. Furthermore, the FAA’s Next Generation Air Transportation System plan includes a data communications program that envisages the operational introduction of these new data-link services across the United States.

European General Aviation Safety Team Elects Co-Chairs

Representatives of the general aviation community from across Europe came together in April, in Cologne, Germany, for the first 2008 meeting of the European General Aviation Safety Team (EGAST).

The team approved the EGAST terms of reference and nominated two co-chairs from the general aviation community. Eric Mandemaker, CEO of the European Business Aviation Association, and James Black, board member of the European Council of General Aviation Support and of the European Airshow Council, were elected as co-chairs.

As the third component of the European Strategic Safety Initiative, EGAST

is a voluntary partnership between the European Aviation Safety Agency and other European intergovernmental bodies and regulators, including national aviation authorities and the general aviation community, aimed at improving general aviation safety.

As agreed on during the meeting, the objective of EGAST is to promote and initiate for all sectors of general aviation best practices and awareness to improve safety, thereby reducing accident rates.

For more information, visit www.easa.europa.eu/essi.

Aerospace Sector a Key Competence in Cologne

According to a recent survey among regional decision-makers, the European Aviation Safety Agency is of high economic importance for the region of Cologne, Germany.

Three quarters of the interviewed “multipliers” from government, industry and the media claim to know EASA and recognize the contribution it is making in attracting new jobs and international experts to the city.

Most of the interviewees know the agency is responsible for the promotion of safety and environmental standards in civil aviation. The survey also shows the agency is beginning to be integrated in its host town.

EASA cooperates with several other regional aerospace organizations, such as the German Aerospace Center, the Federal Ministry for Transport in Bonn, Lufthansa, and the Cologne-Bonn Airport.

In 2006, EASA launched an initiative for an “aviation competence region” to concentrate activities and to strengthen the region in this sector.

“We hope that Cologne will see this key competence in the aviation sector as an opportunity,” said Daniel Höltingen, communications manager for EASA. “This emerging sector should be recognized and supported.”

The results of the survey of 91 decision-makers by Marktforschungsinstitut EuPD are available on request (in German).

International Aviation Safety Conference to Take Place in Florida This Month

From June 3-5, 2008, the U.S. Federal Aviation Administration and the European Aviation Safety Agency are meeting for the International Aviation Safety Conference in St. Petersburg, Fla. The U.S./Europe International Aviation Safety Conference provides a forum for open discussion with other civil aviation authorities and industry representatives on current initiatives and strategic directions.

This conference also provides a forum for interested parties to participate in harmonization and safety enhancement activities and to present initiatives of their own to the global community.

The complete agenda, as well as hotel information, can be accessed through EASA’s website at www.easa.eu.int. The AEA will be in attendance at this meeting.

EASA Issues NPA on Extended-Range Twin-Engine Airplanes

Of specific interest to Part 145 organizations is the newly issued NPA 2008-01, which addresses new standards for extended-range twin-engine airplanes for diversion time beyond 180 minutes, as well as a newly introduced concept on “early ETOPS” and “accelerated ETOPS” (extended-range twin-engine operational performance standards).

The new standard is based on a JAA ETPPS/LROPS ad hoc working group and GAI 20X6, which was transferred into EASA AMC 20-6. This NPA further proposes a revision to CS-25, AMC to Part 21 and Part 145 and AMC-20. Comments should be received by the EASA prior to June 6, 2008.

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Relaxed Requirements Proposed for Maintenance License

Of particular interest to maintenance providers is the proposed relaxation of the Part 66 requirements and the related AMC and GM for the maintenance license necessary to provide maintenance of non-complex aircraft.

The NPA was developed because feedback to EASA seemed to indicate the qualification requirements for the B1.2 license are too strict for the lower spectrum (in terms of complexity) of piston-engine aeroplanes.

The proposal introduces a B3 license and an ELA (European light aircraft) license. The B3 license is applicable to sailplanes, powered sailplanes and piston-engine non-pressurized aeroplanes below 2,000 kg MTOM.

The ELA license is for non-complex aeroplanes below 2,000 kg MTOM, sailplanes, powered sailplanes, very light rotorcraft, balloons and certain airships.

Both licenses have fewer experience and training needs than the current B1.2 license requirement.

Comments should be received by EASA prior to June 28, 2008.

EASA Issues NPA on Aircraft Noise

NPA 2008-02, which was issued earlier this year, introduces changes to CS-36, "Aircraft Noise Standards." This NPA might be of interest to TC holders. STC applicants can be affected if external modification of the aircraft (such as an antenna) alters the aircraft noise.

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

RTCA/EUROCAE Updates

- DO-311: Minimum Operational Performance Standards for Rechargeable Lithium — This document contains minimum operational performance standards (MOPS) for rechargeable lithium battery systems to be used as permanently installed power sources on aircraft.

Compliance with these standards is recommended as a means of assuring the lithium battery will perform its intended function(s) safely under conditions normally encountered in aeronautical operations. These standards apply to the chemical composition, cell size, cell construction, cell interconnection methods within batteries, venting provisions, operational and storage environments, packaging, handling, test, storage and disposal of rechargeable lithium batteries installed separately or in avionics equipment onboard aircraft.

- DO-309: Minimum Operational Performance Standards for Helicopter Terrain Awareness and Warning System Airborne Equipment — This MOPS defines a helicopter terrain awareness and warning system (HTAWS) airborne equipment.

The HTAWS is an alerting system intended to provide terrain and obstacle aural and visual alerts. It is designed to reduce the risk of controlled flight into terrain accidents by providing increased situational awareness.

For more information, visit the RTCA website at www.rtca.org. □