



# The View from Washington

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**T**his has been a busy summer. The first of June brought the completion of the Federal Aviation Administration/Joint Aviation Authority International Aviation Harmonization conference in Reykjavik, Iceland followed by the Association's annual European Regional Meeting in Amsterdam. The Regional Meeting was increased to three days so the Association could support a FAA Part 145 training program for European FAR Part 145 repair stations and FAA inspectors; followed by four more Part 145 training sessions in Kansas City, Mo.; Anchorage, Alaska; Manchester, N.H.; and Teterboro, N.J. July began with an EASA Part 145 strategy meeting hosted by Scandinavian Avionics in Billund, Denmark.

The interesting thing about this summer is that I started the month of June talking to Bill McIntyre, the executive manager of Aviation Safety Standards of Australia's Civil Aviation Safety Agency (CASA), about their ongoing rulemaking and the status of the Australian Part 145 regulations. The meeting with Mr. McIntyre was followed by a meeting with Jean-Marc Cluzeau, ops maintenance coordinator from the JAA about the European Part 145. Then, throughout the summer, AEA has hosted four Federal Aviation Administration (FAA) Part 145 meetings with Diana Frohn, FAA's technical expert on repair station regulations, to train industry and the FAA about the United States Part 145. AEA is actively involved in the rewrite of repair station regulations on

three separate continents: Australia, North America and Europe.

With all of this activity on Part 145 regulations and the changing environment of avionics certification and installations, it seems like an opportune time to give you my view of AEA's Government Affairs activity and how AEA can help you, our customer, meet the demands of the new Part 145.

During the public comment period of the FAR Part 145 rulemaking, the FAA had proposed, among other things, to change repair station ratings and to introduce a Quality Assurance mandate. The arguments made by the public forced the FAA to rescind the proposal and resubmit it as another rulemaking expected to be out sometime in the next couple of years.

But that doesn't mean that Quality Assurance isn't an essential part of the daily operations of the repair station, it only meant that the labor intensive, administratively burdensome and costly proposal made by the FAA was wrong. In addition, Quality Assurance or a systems approach to regulatory compliance is already widely used throughout other countries.

## **So where does AEA fit into your repair station and Part 145?**

Every member has a slightly different view of the Association. Some appreciate the magazine: the monthly review of technology, technical articles and updates on AEA members. Others value the annual convention and tradeshow: literally the premier avionics exposition. For those that attend, the AEA annual convention is

THE place to be each spring for the "new releases" in avionics, test equipment and tools for the avionics and instrument shops as well as more training and educational programs than any one person can attend. But your Association can and should be much more. I'd like to present my view of how AEA can be part of the repair station and manufacturer's Quality Assurance program.

First and foremost, AEA provides regulatory support for its regular and associate members. Most repair stations don't have the ability to hire a regulatory consultant to help interpret the aviation regulations issued by their national authorities. It is not uncommon at all for aviation businesses to voluntarily confer all such interpretations to their local inspector. It is not necessarily a bad choice, after all, it is the inspector who may question your decision, and what better way to win an argument than to let them make the decision. But make no mistake: you are delegating your responsibility to a person who should not have your best interests at the top of their priority list. (And before I get any phone calls from an angry inspector workforce, I view the top priority of FAA employees as providing regulatory oversight of the FARs and fulfilling the demands of the Administrator. This may or may not be aligned with the business plan and profitability of the regulated businesses.) So knowing the regulations before a business decision is made, being able to discuss and debate the opportunities within the regulations, and making a business decision before contacting the Authority's inspector is

a better approach to changing regulations.

The Association uses a number of different media to communicate regulatory information. *Avionics News* is certainly a large part of the communication with "The View From Washington," the monthly "Regulatory Updates," and "Frequently Asked Questions" from the regulatory perspective complemented by the legislative and legal commentary in the "News From the Hill." Then, the daily "AEA Today" updates on AEA's website, [www.aea.net](http://www.aea.net), and the electronic "Regulatory Updates" on critical issues all round out the communication of regulatory issues. Almost all of the routine information is archived on the website for those who need to find previously published information.

The Association has regulatory support throughout the United States, Canada, Australia and Europe with permanent and part time staff support. AEA tries to make it easy for members seeking regulatory support by communicating their question through the government affairs office in Washington DC.

Aviation businesses and general aviation businesses in particular are busy trying to make a profit. In order to do that, equipment must be repaired and/or installed, paperwork must be completed and aircraft need to be returned to their owners. Reading new regulations is usually put in the "will do someday" file. AEA again steps up as part of your Quality Assurance team, as the source for training. For the past few years, your Association has solicited and received FAA approval of the training programs for credit towards Inspector Authorization renewal. This was done for two reasons, first because members who are IA's requested it, but also to help validate the quality of the training present-

ed by the Association so that the training will meet the regulatory training requirements of Canada, Australia, Europe and the United States.

For many, AEA is synonymous with training. It is hard to find a single month where AEA is not engaged in some level of industry training. In addition to the 14 hours of training at each of seven regional meetings, over 40 hours of training during the convention, and eight hours of FAA approved self-study training through the *Avionics News* magazine, for the past couple of years AEA has also presented specialized training on Human Factors in Canada and Maintenance Resource Management training in the United States. Add to that the Association's co-sponsorship this year of 11 joint FAA-industry training programs with a half-day on transitioning to the new Part 145 regulations and a half-day on complying with the new "Field Approval" policies.

AEA is providing the regulation training for repair station owners, managers, and technicians that is needed for sound decision making that will meet current and future regulatory training requirements.

And to recognize that AEA members have a deep commitment to training, the Association has established a new award, the annual AEA "Award of Excellence in Training" that will recognize the commitment that an AEA member has towards employee training. This award will identify the repair station's commitment to employee training to the National Aviation Authorities and the repair station's customers alike.

The other major Quality Assurance support AEA provides its members is the technical library. AEA's library includes aviation regulations, advisory materials, and technical manuals for many of the avionics and instrument systems being maintained today.

It has been estimated that 80 percent of the work a shop performs uses only 20 percent of their technical library. That means that 80 percent of the cost to maintain a technical library generates only 20 percent of the repair station's revenue; that equation is a losing proposition. The aviation regulations require a technician to possess and use current maintenance data while performing work. Many repair stations maintain their entire technical library in a current status, even though as discussed earlier, 80 percent of the library sits most of the year without supporting maintenance.

The technical library at AEA provides an alternative. Member shops can access the library electronically and download these manuals when the work dictates or as some shops have found, they can update their paper manuals only when the work dictates and they use the Association's library as the reference library to validate the currency of a particular manual.

A major portion of AEA's Government Affairs responsibilities lie in consulting, training and technical support. From information on the latest interpretation of a regulation to training on new technology, to accessibility to regulations and technical manuals, your Association should be part of your Quality Assurance team. Use us. q

# Regulatory Update

## United States

### FAA publishes final repair station Advisory Circular.

The FAA has published the final version of AC 145-9. This AC is a guide for development and evaluation of the Repair Station Manual and Quality Control Manual required by part 145. Currently, repair station manuals and quality control manuals must be submitted to the FAA not later than October 3, 2003.

The text of the AC can be viewed on AEA's website at [www.aea.net](http://www.aea.net).

### FAA publishes updated AML policy.

The FAA has announced a revision to Policy Statement PS-ACE100-2002-002, Installation Approval of Multi-Function Displays Using the Approved Model List (AML) Supplemental Type Certification (STC) Process. Appendix A has been added to the original policy to describe a process for approval of multi-function displays that provide supplemental navigation information during Instrument Flight Rules (IFR) operation. Minor editorial changes to the policy statement have been incorporated.

A paper copy of the Policy Statement Number PS-ACE100-2002-002 with the appendix may be obtained by contacting Barry Ballenger, Aerospace Engineer, FAA, Small Airplane Directorate, Continued Operational Safety, ACE-113, 901 Locust, Room 301, Kansas City, Mo. 64106; telephone: (816) 329-4152; fax: (816) 329-4149; e-mail: [barry.ballenger@faa.gov](mailto:barry.ballenger@faa.gov).

The policy revision with the appendix is also available on the Internet at: <http://www.airweb.faa.gov/policy>.

### The FAA proposes the development of voluntary consensus standards for electrical system wiring practices on small airplanes.

The FAA requests comments on voluntary consensus standards for electrical system wiring practices on general aviation small airplanes. In addition, the FAA requests comments from nongovernmental standards developing organizations (SDO) on their interest in developing such standards. This information will help the FAA determine the types of markets best suited to develop these standards for possible inclusion in the maintenance programs for general aviation small airplanes.

The National Technology Transfer and Advancement Act of 1995 encourages cooperative research and development efforts between the public and private sectors to bring technology and industrial innovations to the marketplace. With this in mind, the FAA seeks to gather information about how active standards developing organizations (SDO) are in determining standards for electrical system wiring practices on general aviation small airplanes.

The FAA also wants to know the expertise available in this area. The FAA is especially interested in working with nongovernmental SDOs to promote development of voluntary consensus standards for these airplanes and get their comments on whether FAA should adopt these standards.

This notice is available for viewing at: [www.access.gpo.gov/su\\_docs/fedreg/a030616c.html](http://www.access.gpo.gov/su_docs/fedreg/a030616c.html).

You may obtain additional information from Barry Ballenger, Aerospace Engineer, FAA, Small Airplane Directorate, Continued Operational Safety Branch, ACE-113, 901 by telephone at: (816) 329-4152 or e-mail at: [barry.ballenger@faa.gov](mailto:barry.ballenger@faa.gov).

### Advisory Circular 23-15A, Small Airplane Certification Compliance Program

The FAA announces the availability of and requests comments on a proposed AC. Proposed AC 23-15A provides information and guidance concerning an acceptable means of compliance with various sections of Title 14 of the Code of Federal Regulations (14 CFR) part 23 that have become burdensome for small, simple, low performance airplanes.

Some industry and aviation organizations expressed concern that the typical means of compliance for some regulations might be more demanding than justified. As a consequence, industry, aviation groups, and the FAA formed a team to study this issue. Historical files, Designated Engineering Representatives (DERs), ACOs, and industry were used to determine target regulations and provide known means of compliance. This AC is a compilation of the study results, listing the regulations and attendant means of compliance that offer an improvement in certification efficiency. The listed means of compliance have been found acceptable and historically successful, but they are not the only methods that can be used to show compliance. In some cases, highly sophisticated airplanes may require more accurate or substantial solutions. Accordingly, the FAA is proposing and requesting comments on AC 23-15A.

Any person may obtain a copy of this proposed AC by contacting Mark James, Standards Office, Small Airplane Directorate, Aircraft Certification Service, Kansas City, Mo., by telephone at: (816) 329-4137. A copy of the AC is also available on the Internet at [www.airweb.faa.gov/AC](http://www.airweb.faa.gov/AC). Comments regarding this AC must be received on or before

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## REGULATORY UPDATE

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August 18, 2003.

### **Electronic Map Display Equipment for Graphical Depiction of Aircraft Position**

The Federal Aviation Administration has announced the availability of and requests comments on a proposed Technical Standard Order (TSO)-C165, Electronic Map Display Equipment for Graphical Depiction of Aircraft Position. This proposed TSO tells persons seeking a TSO authorization or letter of design approval what minimum performance standards (MPS) their Electronic Map Displays must first meet in order to obtain approval and be identified with the applicable TSO marking.

The FAA has developed a new Technical Standard Order, TSO-C165, Electronic Map Display Equipment for Graphical Depiction of Aircraft Position. This proposed TSO prescribes the MPS for moving map equipment set forth in section 2 of RTCA Document No. (RTCA/DO)-257A, "Minimum Operational Performance Standards for the Depiction of Navigational Information on Electronic Maps," dated June 25, 2003. The standards of this TSO apply to equipment intended to provide graphical depiction of navigation information on electronic moving map displays for use as an aid to other approved means of navigation. For portable devices, this TSO may be used in combination with Advisory Circular (AC) 120-76A, "Guidelines for the Certification, Airworthiness, and Operational Approval of Electronic Flight Bag Computing Devices," to obtain a TSO authorization or letter of design approval for an Electronic Map Display for use on the airport surface.

You may view a copy of the proposed TSO at: [www.faa.gov/certifica-](http://www.faa.gov/certifica-)

[tion/aircraft/TSOA.htm](http://www.faa.gov/certification/aircraft/TSOA.htm).

Comments must be received not later than August 5, 2003.

Send all comments on the proposed technical standard order to: Federal Aviation Administration (FAA), Aircraft Certification Service, Aircraft Engineering Division, Avionics Systems Branch, AIR-130, 800 Independence Avenue, SW., Washington, DC 20591. ATTN: Mr. Brad Miller.

### **Europe**

The European Union is in the process of establishing a single regulatory authority for the European Union membership. Since 1990, the European Civil Aviation Conference (ECAC) has been attempting to standardize the aviation regulations throughout Europe. ECAC has been using the Joint Aviation Authorities (JAA) as the mechanism for the development and management of these requirements. The Joint Aviation Requirements (JAR), although widely used throughout Europe, provide no legal standing until adopted by the individual National Aviation Authorities as a national regulation.

On September 28, 2003, that begins to change as the European Aviation Safety Agency (EASA)—as an agency of the European Union—begins to transition all of the aircraft certification, including maintenance and technician licensing, to a single set of European aviation regulations.

The regulations that are currently out for comment are:

- EASA Implementing Rules (IRs) for Maintenance
- EASA Implementing Rules (IRs) for Certification
- EASA Acceptable Means of Compliance (AMC) and Guidance Material (GM) for Maintenance Implementing Rules
- EASA Acceptable Means of Compliance (AMC) and Guidance

Material (GM) Certification Implementing Rules

These proposed regulations can be accessed on the JAA website at: [www.jaa.nl/jaa\\_easa/jaa\\_easa.html](http://www.jaa.nl/jaa_easa/jaa_easa.html). The official close of the comment (consultation) period was July 18, 2003, however, AEA encourages its members to submit comments regardless of the date.

### **Australia**

The Australian Civil Aviation Safety Agency has proposed Airworthiness Requirements for Light Sport Aircraft - Proposed amendment to Part 21 of the CASRs NPRM 0313CS was published 26 June 2003, and the comment period closes August 29, 2003. The proposed regulations can be viewed at: [www.casa.gov.au/avreg/newrules/casr/021.htm#docs](http://www.casa.gov.au/avreg/newrules/casr/021.htm#docs).

### **New Zealand**

New regulations requiring Aircraft Collision Avoidance Systems (ACAS) and Terrain Awareness and Warning Systems (TAWS) for aircraft operated under Part 121 and Part 129 have been signed by the New Zealand Minister of Transport and will come into force on August 1, 2003.

In addition, new Part 91 regulations regarding the use of Mode S transponders were also signed into law and become effective also on August 1, 2003.

These new regulations can be viewed at: [www.caa.govt.nz/](http://www.caa.govt.nz/).

### **Australia Establishes Closer Aviation Safety Arrangements With New Zealand**

Australia and New Zealand will recognize each other's aviation safety approvals under legislation introduced on June 25, 2003, into the Australian Parliament, the Deputy Prime Minister and Minister for Transport and Regional Services, John Anderson said.

The New Zealand government will introduce matching legislation into the New Zealand Parliament shortly.

“Under the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003, aviation safety approvals issued to eligible airlines in one country will be recognized in the other, starting with Air Operator’s Certificates for aircraft of more than 30 seats or 15,000 kilograms. The mutual recognition of other safety certificates will be considered in the future,” Mr Anderson said.

It will significantly reduce the administrative burden on airlines, because they will no longer be required to obtain and maintain duplicate certification issued by both countries.

For example, under the current arrangements, an airline wishing to operate services in both countries would need to hold an AOC from both regulators and comply with both certificates, according to where their operations were being conducted. Mutual recognition will mean that they will now only need to hold one AOC, from their home regulator.

The mutual recognition legislation will implement an important part of Australia’s open skies agreement with New Zealand and is a major step forward in the integration of the trans-Tasman aviation market. Australian and New Zealand operators covered by the open skies agreement will be eligible for mutual recognition.

“It will not affect the safety of aircraft operations in either Australia or New Zealand. Australia and New Zealand both have extremely high safety standards, which are consistent with international best practice for airlines operations using large capacity aircraft,” Anderson said. Q

# Frequently Asked Questions

## TOPIC: Technical Data

### QUESTION:

**What FAA guidance is available regarding when technical data must be current?**

### ANSWER:

Regulations require that technical data be current when the work is being performed.

The new Part 145, section 145.109(d) states: “A certificated repair station must maintain, in a format acceptable to the FAA, the documents and data required for the performance of maintenance, preventive maintenance, or alterations under its repair station certificate and operations specifications in accordance with part 43. The following documents and data must be current and accessible when the relevant work is being done:

- (1) Airworthiness directives,
- (2) Instructions for continued airworthiness,
- (3) Maintenance manuals,
- (4) Overhaul manuals,
- (5) Standard practice manuals,
- (6) Service bulletins, and
- (7) Other applicable data acceptable to or approved by the FAA.”

Part 43 section 43.13 generally states that each person performing maintenance, alteration, or preventive maintenance on an aircraft, engine, propeller, or appliance shall use the methods, techniques, and practices prescribed in the current manufacturer’s maintenance manual or Instructions for Continued Airworthiness prepared by its manufacturer.

Part 65 sections 65.81 for certificated mechanics and section 65.103 for repairmen restrict the individual from exercising the privilege of their certificate unless they understand the current instructions of the manufacturer, and the maintenance manuals, for the specific operation concerned.

While technical manuals are only required to be current when the work is being performed, good business practice dictates that manuals that are not kept current are clearly identified so that they are not used before being checked to ensure that the manual is current before the maintenance is started.



*Note: AEA offers these Frequently Asked Questions (FAQs) in order to foster greater understanding of the rules that govern our industry. AEA strives to make them as accurate as possible at the time they are written, but rules change so you should verify any information you receive from an AEA FAQ before you rely on it. AEA DISCLAIMS ANY WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED. This information is NOT meant to serve as legal advice – if you have particular legal questions, you should contact an attorney.*

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