



GAMA 08-49

November 13, 2008

Brian A. Verna (brian.verna@faa.gov)
Aircraft Certification Service (AIR-130)
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Dear Mr. Verna:

The General Aviation Manufacturers Association (GAMA) appreciates the opportunity to review and provide comments to SNPRM 08-08, *Filtered Flight Data*. GAMA offers some general comments along with some specific areas where we believe clarification is appropriate.

General Comments:

GAMA provided comments to FAA NPRM 06-16, *Filtered Flight Data* in April of 2007 to express concerns that the NPRM was written in a manner which didn't properly address the general aviation operations conducted in §135 service. GAMA believes the changes incorporated in SNPRM 08-08 are appropriate to mitigate some of the unintended consequence of the initial proposal, however, GAMA believes the FAA should adjust its regulatory flexibility analysis to properly address the general aviation community, and the agency should provide guidance which demonstrates the documentation necessary for operators to demonstrate compliance with the regulation.

Cost Benefit Analysis Comments:

GAMA's comments to NPRM 06-16 were intended to illustrate that business aircraft operations in §135 service can not be accounted for in the same manner as commercial airliners operating in §121 service. Aircraft which operate in §121 service traditionally spend their entire operational history under this part (from being a brand new aircraft to retirement). Aircraft which operate in §135 service however typically begin their lives in §91 service and transition to §135 service as they become older (there are very few new business jets in §135 service). It has become quite common for aircraft to transition back and forth between §91 and §135 service and therefore a snapshot of the population does not adequately account for the affected population. To properly address this in the regulatory flexibility analysis, GAMA believes the FAA should assume the existing fleet of business aircraft in §91 & §135 service which must carry an FDR is the affected fleet of aircraft (5,631 aircraft as documented in FAA's *2005 General Aviation and Air Taxi Active Aircraft with Other Equipment AV.21*).

Additionally GAMA believes that because FDR equipment is not standard equipment among general aviation aircraft, determination of compliance with this proposed regulation can not be accomplished at the make and model level but rather on a case by case basis. Most often the operator will request that the manufacturer make a determination that the affected aircraft is compliant. This will require approximately 10hrs. of records research, drawing package review and compliance documentation per request by an engineer at the manufacturer (\$160/hr typical). GAMA believes a realistic figure for the cost of this regulation on the operating community who will bear the burden is as follows:

Aggressive Assumptions:

(Assumes each aircraft needs independent assessment, §91 & §135 fleet of FDR aircraft)
5,631 Aircraft x 10 Hrs/Aircraft X\$160/Hr = \$9,009,600 Cost on GA Community

Conservative Assumptions:

(Assumes an assessment covers 5 aircraft, §91 & §135 fleet of FDR aircraft)
1,126 Aircraft x 10 Hrs/Aircraft X\$160/Hr = \$1,801,600 Cost on GA Community

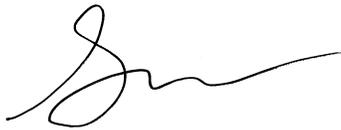
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Compliance Documentation Comments:

As the typical §135 operator does not operate a large fleet of aircraft there is need for simple documentation of compliance to this proposed regulation. GAMA suggests the FAA provide policy or guidance which includes discussion of what type of documentation an operator must possess. Additionally GAMA believes this policy should be written with the understanding that each operator will need to assure that any modifications which have been made to an aircraft from the evaluation point must be substantiated to assure they haven't had an effect on compliance with this proposal.

Please contact GAMA if we can provide additional thoughts or insight as to the specific concerns we have laid out in these comments (gbowles@gama.aero, (202) 393-1500).

Respectfully,

A handwritten signature in black ink, appearing to read 'G. Bowles', with a long horizontal flourish extending to the right.

Gregory J. Bowles
Director, Engineering & Manufacturing
General Aviation Manufacturers Association

GAMA is an international trade association representing over 60 manufacturers of fixed-wing airplanes, engines, avionics and components. In addition, GAMA member companies also operate aircraft fleets, airport fixed based operations, and pilot and maintenance technician training facilities across the nation.