

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

1110. 135

SUBJ: PART 135/125 AVIATION RULEMAKING COMMITTEE

- 1. PURPOSE.** This order establishes the Part 135/125 Aviation Rulemaking Committee according to the Administrator's authority under 49 USC 106(p)(5).
- 2. DISTRIBUTION.** This order is distributed to the director level in the Offices of Rulemaking; International Aviation; Airport Safety and Standards; Aviation Research; Budget; Financial Management; Cost and Performance Management, Flight Standards, Aviation Medicine, Accident Investigation, Aircraft Certification Service; Air Traffic, Aviation Policy and Plans, Environment and Energy, and Office of Chief Counsel.
- 3. BACKGROUND.** Industry dynamics, new technologies, new aircraft types and configurations, and current operating issues and environment mandate a comprehensive review and rewrite of parts 135 and 125. This review will also include related portions of parts 91, 119, 121 and other regulations. Issues under review include:
 - a. Design and manufacture of new aircraft that current regulations do not address adequately, (for example, large airships, powered lift aircraft).
 - b. Certain large airplanes with modifications to payload capacity and passenger seat configuration operating under part 91 or 135.
 - c. New equipment and technologies not adequately addressed in current regulations.
 - d. International harmonization, ICAO commercial standards, and increased international operations.
- 4. OBJECTIVES AND SCOPE OF THE COMMITTEE.** The general objectives and scope of the committee's work are to complete a comprehensive review and rewrite of parts 135 and 125 and related regulations to:
 - a. Resolve current issues affecting this part of the industry.
 - b. Enable new aircraft types, size and design and new technologies in air transportation operations.

- c. Provide safety and applicability standards that reflect the current industry, industry trends and emerging technologies and operations.
- d. Address international harmonization and ICAO standards.
- e. Potentially, rescind part 125 from 14 Code of Federal Regulations.

5. COMMITTEE PROCEDURES.

a. The committee provides advice and recommendations to the Associate Administrator for Regulation and Certification. The committee acts solely in an advisory capacity.

b. The committee will discuss and present whatever input, guidance, and recommendations the members of the committee consider relevant to disposing of issues. Discussion will include, but is not limited to, the following:

- (1) Operational objectives, recommendations, and requirements.
- (2) Rulemaking needed to meet objectives.
- (3) Guidance material and the implementation strategy.
- (4) Documentation and technical information to support recommendations.

c. The committee's first task will focus on the applicability and safety standards for large airplane operations and will provide an interim report and written recommendations on this issue to the Administrator, through the Associate Administrator for Regulation and Certification. The committee will recommend timelines based on the complexity and priority of its recommendations. Recommendations should take the form of documented issue resolutions, recommended policy decisions, draft guidance material, or proposed rulemaking, as needed. The committee will develop and propose specific implementation planning and processes to ensure that recommendations meet these objectives.

6. ORGANIZATION AND ADMINISTRATION.

a. The FAA will set up a steering committee representing the various parts of the industry and government. The FAA will establish specialized work groups of subject matter experts from industry and government to research, document, and make recommendations on specific and assigned topics. The FAA also will establish a public docket to receive written comments on affected regulatory sections. The committee will consider these comments in the committee discussions.

b. The Associate Administrator for Regulation and Certification will have the sole discretion to appoint members or organizations to the committee and work groups. The committee and work groups will consist of members of the aviation community, including the public or other Federal Government entities representative of various viewpoints. The FAA will encourage participation and support from all affected lines of business.

c. The Associate Administrator for Regulation and Certification will receive all committee recommendations and reports. The Flight Standards Service will provide administrative support for the committee and will provide the designated Federal official for this committee. The designated Federal official will attend all meetings of the committee.

c. The Associate Administrator for Regulation and Certification is the sponsor of the committee and will select a chair from the membership of the committee. Once designated, the chair, with the designated Federal official, will—

- (1) Decide, in coordination with the other members of the committee, when a meeting is needed.
- (2) Ensure all committee members are notified of the time and place for each meeting.
- (3) Provide an agenda for each meeting and conduct the meeting.

7. MEMBERSHIP.

a. The committee will consist of about 25 members, selected by the FAA, representing aviation associations, representatives of industry operators, manufacturers, employee groups or unions, FAA and other government entities, and other aviation industry participants.

b. The membership will be balanced in points of view, interests, and knowledge of the objectives and scope of the committee. Each member or participant on the committee should represent an identified part of the aviation community and have the authority to speak for that part. Membership on the committee may be limited to facilitate discussions. The committee may add additional participants as subject matter experts to support work groups or to provide support to committee members.

8. COST AND COMPENSATION. The estimated cost to the Federal government of the Part 135/125 Aviation Rulemaking Committee is \$20,000 annually. Non-Government representatives serve without Government compensation and bear all costs related to their participation on the committee.

9. PUBLIC PARTICIPATION. Persons or organizations who are not members of this committee and are interested in attending a meeting must request and receive approval in advance of the meeting from the Director, Flight Standards or a delegate of the Director.

10. AVAILABILITY OF RECORDS. Under the Freedom of Information Act, 5 U.S.C. Section 522, records, reports, agendas, working papers, and other documents that are made

available to or prepared for or by the committee will be available for public inspection and copying at the FAA Flight Standards Service, 800 Independence Avenue, SW, Washington, D.C. 20591. Fees will be charged for information furnished to the public according to the fee schedule published in part 7 of title 49, Code of Federal Regulations.

11. PUBLIC INTEREST. The formation of the Part 135/125 Aviation Rulemaking Committee is determined to be in the public interest to fulfill the performance of duties imposed on FAA by law.

12. EFFECTIVE DATE AND DURATION. This committee is effective April 8, 2003. The committee will remain in existence until (insert 2 years), unless sooner terminated or extended by the Administrator. April 8, 2005

A handwritten signature in black ink, reading "Marion C. Blakey". The signature is written in a cursive, flowing style with a long, sweeping underline.

Marion C. Blakey
Administrator