

LEGISLATION NEWS

Fall 2014

2014-2015 Federal Budget and User Fees

The U.S. House of Representatives and Senate have both approved versions of a spending bill. President Obama will receive a final version once the differences had been resolved. The House bill differs from the Senate bill in that it additionally prohibits imposing new aviation user fees and prohibits the FAA from charging fees for digital navigation charts.

Third Class Medicals

The FAA has submitted a Notice of Proposed Rulemaking regarding using a valid and current driver license in place of a Third Class medical. Public comments should be opened in the fall.

Comment Period Extended for FAA Policy on Non Aeronautical Use of Airplane Hangars

Comment period remains open until approximately October 5.

To read the policy:

<https://www.federalregister.gov/articles/2014/07/22/2014-17031/policy-on-the-non-aeronautical-use-of-airport-hangars>

To make comments:

<http://www.regulations.gov/#!documentDetail;D=FAA-2014-0463-0001>

or by mail to Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue SE, Washington, DC 20590.

Also see:

http://www.eaa.org/en/ea/ea-news-and-aviation-news/ea/2014-09-02_More_Time_to_Comment_on_FAA_Hangar-Use_Policy_and

<http://www.aopa.org/News-and-Video/All-News/2014/July/24/faa-drafts-new-hangar-policy>

Area Forecasts to be Updated in Early 2015

The FAA is planning to revamp and modernize area forecasts, with proposed changes to include switching from a text to a graphical format and providing additional details. Among the existing weather products identified as potential alternatives are surface weather analysis and prognostic charts, public forecast discussions, significant weather charts, terminal aerodrome forecasts (TAFs), and airmen's meteorological information (AIRMETs).

The FAA hopes to transition to 7 area forecast regions, utilizing a graphical format, by early 2015. The regions would cover the lower 48 states and Hawaii. Area forecasts for Alaska, the Caribbean, and the Gulf of Mexico would not be affected.

"Climb Via" Phraseology

This past April, the FAA began using "climb via" phraseology for route transitions and/or the assignment of standard instrument departure (SID) and area navigation (RNAV) SID procedures containing speed and altitude restrictions.

For more information:

- "Climb Via" Informational Video – <http://www.1.usa.gov/1nkkRvK>
- Frequently Asked Questions – <http://www.1.usa.gov/1wFA5et>
- Information for Operators – <http://www.1.usa.gov/1u0EOGT>

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Sleep Apnea Guidelines

The FAA drafted and announced new guidelines this past April related to sleep apnea. Guidelines include:

- Pilots will not be disqualified based on body mass index (BMI) alone and will be issued medical certificates even if they are referred for additional evaluation
- Aviation Medical Examiners (AMEs) will continue to ask questions related to sleep apnea
- If referred for a sleep apnea evaluation: 1) the examiner will issue a regular medical certificate and the pilot will have 90 days to get an assessment; 2) you can keep flying during that 90-day period; 3) the assessment can be conducted by any physician, not just a sleep specialist; 4) an sleep test is not required if the doctor feels it is unnecessary.

For more information:

http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/aam/ame/guide/special_iss/all_classes/sleep_apnea/

Pilot's Bill of Rights 2

In late June 2014, a "Pilot's Bill of Rights 2" was proposed which includes several updates to expand the original Pilot's Bill of Rights. A few of the proposals include:

- Prohibiting Customs & Border Patrol searches from searching any GA airplane or requesting pilots' airman or medical certificates (and any other license) if the aircraft or pilot was traveling between two points within the 48 contiguous states without having "articulable reasonable suspicion of illegal activity" or "probable cause that illegal activity is occurring". Three types of flight activity that would not qualify as "articulable reasonable suspicion of illegal activities" are: 1) flying without a VFR or IFR flight plan; 2) flying at fringe airports; 3) a flight path that is not straight between two points.
- Exempting pilots from the third class medical certification process if they meet the criteria currently proposed. The FAA would be required to report on the safety consequences of the new rule after five years.
- Expediting updates to the NOTAM program

For more information and to provide feedback:

<http://www.inhofe.senate.gov/feedback/PBOR2>

Respectfully,

Jill Shockley, South Central Section Legislation Advisor