

Chapter 736 Newsletter for March 2014

Some photos from the 2014 Maine Aviation Forum at Owl's Head



Senate legislation would expand medical exemption

With legislation to expand the FAA's third class medical exemption gathering momentum in the House, Sens. John Boozman (R-Ark.), Pat Roberts (R-Kan.), and Jerry Moran (R-Kan.) on March 11 introduced an identical measure in the Senate. All three are members of the Senate General Aviation Caucus.

The bill would make thousands of additional pilots and a broader range of aircraft eligible for the exemption, which has applied exclusively to sport pilots for the past decade.

“Thousands of pilots, including many from Arkansas, have asked the FAA to expand the light sport aircraft medical exemption to cover additional small aircraft,” Boozman said. “If FAA continues to delay, this bill will start the discussion toward a legislative solution.”

The Senate bill mirrors the language of the General Aviation Pilot Protection Act introduced by AOPA members Rep. Todd Rokita (R-Ind.), a member of the House General Aviation Caucus, and GA Caucus Co-Chair Sam Graves (R-Mo.) in December. That bill has been gathering supporters and now has 52 co-sponsors.

AOPA, which has advocated strongly for expanding the medical exemption, expressed appreciation for the senators' leadership.

Currently, most pilots who fly recreationally must undergo an FAA medical exam every two or five years, depending on their age. They also must assess their fitness to fly before each flight and have their skills evaluated by a certificated flight instructor every two years.

“With passage of this legislation, pilots will continue to assess their fitness to fly and undergo regular flight reviews with a flight instructor, just as they do today,” said Jim Coon, AOPA senior vice president of government affairs. “But the resources now being used on the FAA medical certification process could be reinvested in ways that do far more to enhance safety, including increased proficiency flying and installing new safety equipment on aircraft. This measure will make flying more affordable for AOPA members and will ultimately help reinvigorate the pilot population.”

Like the House bill, the new Senate legislation would exempt pilots who make noncommercial VFR flights in aircraft weighing up to 6,000 pounds with no more than six seats from the third-class medical certification process. Pilots would be allowed to carry up to five passengers, fly at altitudes below 14,000 feet msl, and fly no faster than 250 knots. The FAA would be required to report on the safety consequences of the new rule after five years.

The legislative action goes a step further than a March 2012 petition filed by AOPA and the Experimental Aircraft Association. Under the petition, pilots would be able to operate noncommercial VFR flights in single-engine aircraft with 180 horsepower or less, four or fewer seats, fixed gear, and a maximum of one passenger. To participate, pilots would need a valid driver's license and would be required to take recurrent safety training to

help them accurately assess their fitness to fly. More than 16,000 overwhelmingly favorable comments were filed during the public comment period on the petition.

“Expanding this commonsense exemption to other GA aircraft operating for recreational purposes makes sense from both a practical and safety standpoint. The FAA has had two years to review this request for an exemption. Let’s get this thing moving,” Roberts said.

AOPA continues to work with the FAA and Congress to allow more pilots to fly without going through the costly and time-consuming medical certification process.

White House budget contains user fee despite opposition

User fees for aviation were once again part of the president’s new budget proposal, despite continued strong opposition from Congress and the aviation community.

On March 4, the White House released its fiscal year 2015 spending plan, which included a \$100-per-flight “surcharge” to pay for air traffic control services.

“We are disappointed that the President doesn’t seem to have gotten the message” said AOPA President Mark Baker. “With Congress on our side, I am confident we can prevent this arbitrary proposal from becoming a reality, but we have to stay vigilant. We are working hard to make general aviation more accessible and affordable, and whether you call it a user fee or a surcharge, we will keep fighting against proposals like this that would raise the cost of flying.”

A \$100 per-flight fee has been a regular feature of the president’s annual budget proposals, making an appearance in each of the past four spending plans. While the fees would apply to turbine aircraft, it is extremely likely that a fee on any portion of the GA fleet would soon extend to others as well.

“The real question may be why the FAA is calling for new fees on any segment of aviation when should be finding more efficient ways to manage the money it already has,” said AOPA Senior Vice President of Government Affairs Jim Coon. “The FAA’s budget has grown by more than 500 percent since 1980—from \$3.2 billion then to \$15.6 billion today, despite the fact that the agency employs 9,000 fewer people. The bureaucracy is bloated and the FAA should clean up its own house before it looks to pilots to pay more.”

On Feb. 27, leaders of the House aviation subcommittee and the co-chairs of the House General Aviation Caucus sent a [letter](#) to President Obama reiterating their strong bipartisan opposition to user fees and asking the president not to include a user fee proposal in his upcoming budget. The letter noted that the House of Representatives has repeatedly rejected this user fee proposal and opposition remains strong in both parties.

The letter was signed by House Aviation Subcommittee Chairman Frank LoBiondo (R-New Jersey) and Ranking Member Rick Larson (D-Washington), along with AOPA

members Sam Graves (R-Missouri), and John Barrow (D-Georgia). Graves and Barrow co-chair the House General Aviation Caucus which has 238 members. And while it expresses support for the economic contributions of commercial and general aviation, including manufacturing and associated industries, it also notes that those industries could be harmed by fees.

“Your continued support for any proposal to implement a per-flight-fee on commercial and general aviation would only serve to undermine the strength of our aviation transportation system and the jobs that rely on this important segment of our nation’s economy,” the letter warned.

In April 2013, 223 members of the House of Representatives signed a strongly worded letter to the president opposing user fees and telling the president the idea was “dead on arrival.”

Now the House Appropriations subcommittee on transportation has scheduled a March 12 hearing on the budget proposal. Transportation Secretary Anthony Foxx is scheduled to testify and the user fee provision is among the budget elements likely to be discussed.

AOPA and others have long argued that user fees are the wrong way to fund the national air transportation system and that the FAA needs to reduce spending in several areas before looking for any new revenues. The current system of excise taxes on fuel is efficient and ensures that everyone who flies pays to support the system.

Next Meeting

Our next meeting will be held at the Weathervane Restaurant in Waterville on Monday, March 17th. Please arrive at the restaurant by 6:00 pm if you plan to have dinner so that the regular meeting can begin at 7:30.