



*The Leader In Recreational Aviation*

## Chapter 736 Newsletter for February 2009

### **Special Note**

This month's meeting will be at a special time and place. Please check at the end of this newsletter for details.

### **Amateur-Built ARC Completes Mission**

*Major recommendations echo EAA's concerns*

The amateur-built Aviation Rulemaking Committee (ARC) reconvened for a three-day session last week in Washington, D.C. to examine thousands of comments to the FAA's much-debated proposals for policy and procedural changes to the U.S. amateur-built aircraft regulations. The ARC, co-chaired by Earl Lawrence, EAA vice president of industry and regulatory affairs, identified the main areas of concern expressed by the public and provided additional input for the FAA to render its final version, which is expected to be published in the Federal Register before AirVenture this summer.

Although the FAA has yet to issue its final statement, Lawrence described the ARC's discussions as "very positive."

The vast majority of comments received, Lawrence said, fell into one of the following groups:

- Enforce the existing rules – don't change anything;
- Don't make changes that would stifle innovation;
- Remove [the cumbersome 20/20/11 proposal](#);
- Don't clamp down so hard that it would adversely affect safety;
- Create a new category or use existing kitbuilt category to certificate airplanes that fall short of 51% rule.

The ARC also recommended a definition of the term, "fabrication," as follows: "To perform work on any material, part or component, such as layout, bending, countersinking, straightening, cutting, sewing, gluing/bonding, lay-up, forming, shaping, trimming, drilling, de-burring, machining, applying protective coatings, surface preparation and priming, riveting, welding or heat-treating, transforming the material, part or component toward or into its finished state."

### **What's next?**

With the ARC's mission completed, the FAA will take the input and finalize its new policy as quickly as possible, indicating plans to publish a result in time for EAA

AirVenture Oshkosh. In the meantime, the agency will issue an official statement through the Federal Register on the progress made at the ARC in part to address uncertainty over possible changes in the 51% Rule that have had a dampening effect on the kit aircraft industry. Agency officials said they would issue their statement “as soon as practical.”

Before Oshkosh last year, the FAA released [its proposed changes](#) aimed to address concerns about excessive commercial building of aircraft certificated in the Amateur Built category. The proposal was immediately criticized by EAA as being harmful to the homebuilt movement without solving the agency’s commercial assistance concerns. EAA’s call to action resulted in thousands of comment submissions from members and other aviation enthusiasts.

### **Confused About the ELT Talk?**

As of February 1, 2009, the Search and Rescue (SAR) satellite system discontinued monitoring 121.5 MHz emergency locator transmitters (ELTs) and only monitor the 406 MHz signal. 121.5 MHz ELTs will continue to be monitored, but only by ground-based facilities and airborne aircraft that happen to have their VHF receiver tuned to 121.5. The FAA has not proposed any changes to FAR 91.207 (the regulation requiring ELTs in most airplanes). This means that the 121.5 MHz ELTs will continue to meet the requirements of the regulation.

As a practical matter, 121.5MHz ELTs will not be as effective, and due to the lack of satellite monitoring, finding a downed airplane with 121.5 MHz ELT will be less likely. This may be reason enough for some airplane owners to upgrade to the 406MHz ELT units, as this will offer the best chance for search and rescue units to find a downed airplane. If looking to install an ELT you can choose either a 406 MHz or 121.5 MHz ELT, either will meet the requirements of FAR 91.207, but only the 406MHz will be monitored with the SAR satellite system.

Another option to consider is the 406 MHz Personal Locator Beacon (PLB). Handheld devices that are activated manually, PLBs send out a distress signal on 406MHz and could be a great supplement to the ELT installed in the airplane. PLBs do not meet the regulatory requirement of 91.207, so they should only be considered as an additional way to send out a signal on 406MHz - not as a means to meet the regulation.

The 406MHz issue is driven by the International Civil Aviation Organization (ICAO), which adopted 406MHz as the international standard for ELTs. At the present time and for the foreseeable future, the FAA has chosen not to implement the ICAO standard. However, many other countries have. Neighboring countries have adopted the following policies:

Canada – Transport Canada has not yet formally adopted a policy for the 406 MHz ELT. However, they have indicated in the near future they will adopt a policy requiring a 406 MHz ELT installed in all aircraft, implemented during a 2-year conversion period, the details of which remain unspecified at this time.

Mexico - Reports indicate that aircraft with 121.5 MHz ELT installed are OK for operations in Mexico until July 1, 2009, or until the next mandatory ELT battery

replacement - whichever comes first. Presumably after this date a 406 MHz ELT would be required.

Bahamas - All general aviation aircraft are allowed to use 121.5 MHz ELTs until 2/1/2011.

### **D.C. ADIZ training**

If you fly anywhere near Washington, D.C., please complete the FAA's mandatory ADIZ/SFRA training course—even if you never fly into the D.C. Metropolitan Area Special Flight Rules Area (SFRA), as the ADIZ will be known after Feb. 17. To help spread the word about the new requirements, AOPA will be sending posters to FBOs, flight schools, and airports within 400 miles of the capital.

The posters emphasize that pilots of flights that pass within 60 miles of the Washington, D.C., (DCA) VOR/DME are subject to the new training requirement. That means flights that begin or end at dozens of airports in Maryland, Pennsylvania, West Virginia, and Virginia would be affected, as would flights that transit the area en route to another destination.

Make sure you're covered, take the FAA's online training course, "[Navigating the DC ADIZ/SFRA](#)," before your next flight near the Washington, D.C., area.

### **And Now, A Word from Wilkes**

On Sunday afternoon, Feb. 1, Scott Settlemyre and Jayne & Wilkes Harper met Al Yarberry to discuss constructing an electrical system for our Challenger projects. We met at Mike Watson's hangar where 2 Challengers were used for demonstration. Al explained away the elusive mysteries of a wiring diagram, and then led us through each part of the electrical system explaining the function of the various (read: many) devices involved. Al also mentioned some helpful wiring tips that he and Mike have incorporated on their Challengers. This will prove very useful to us first time builders as we begin the not-quite-as-intimidating-as-before process of wiring our Challenger projects. We are very appreciative of Al for his generous assistance. Had Mike not been diligently working on a sun burn down in the Caribbean no doubt we would have been appreciative of his assistance too.

### **Next Meeting**

In lieu of our regularly scheduled meeting, this month's meeting will be held at the Owl's Head Transportation Museum in conjunction with the Maine Aviation Forum (nee. Gathering of Eagles) on Saturday, Feb. 28 beginning at 9:30 a.m. The meeting will run until the mid afternoon. Lunch will be available for a nominal fee. In the event that there is a severe weather on the 28<sup>th</sup>, the meeting date will be moved up one week to Mar 7<sup>th</sup>.