



The Leader In Recreational Aviation

Chapter 736 Newsletter for July 2010

Aircraft re-registration requirement on horizon

A rule requiring aircraft re-registration is awaiting FAA Administrator Randy Babbitt's signature and could go into effect this fall. Currently, there is a one-time aircraft registration with a \$5 fee; the new rule would require that aircraft be re-registered every three years, and the fee for that is yet unknown. Exact details of the requirement and process won't be known until the rule is published in the Federal Register.

The rule, proposed in 2008, was intended to scrub the aircraft registry of invalid registrations. The FAA claims to have 343,000 aircraft currently on the registry and estimates that 104,000, or about one-third, are possibly invalid for various reasons. The FAA, in order to transition from the current non-expiring aircraft registration to one with a three-year expiration date printed on the certificate, proposed that all existing aircraft be re-registered. Owners would be given a three-month window, based upon the month of current registration

In its formal comments on the proposal, [AOPA suggested an alternative](#). AOPA's plan would not have required expiring registrations; would have allowed owners to verify registry information online or through the existing Triennial Aircraft Registration Report; and would not have canceled N numbers for aircraft owners who did not re-register their aircraft on time. The association also met with the managers of the FAA's aircraft registry to discuss the concerns.

EAA encourages the FAA to use the existing FAR 13 legal authority to manage those aircraft owners who do not report as required by the FAR 47.51 Triennial Aircraft Registration Reporting program. To support that process, the FAA could simply issue a public legal notice in the *Federal Register* (at no cost to the public), with help from aviation groups like EAA in getting the word out.

FCC rule would outlaw 121.5 MHz ELTs

The Federal Communications Commission (FCC) June 15 released the notice of a rule prohibiting the "certification, manufacture, importation, sale, or continued use of 121.5 MHz ELTs." The rule would suddenly make aircraft that are in full compliance with the federal aviation regulations in violation of federal communications law.

"At this time, we caution anyone against purchasing a new ELT until this issue is resolved," said AOPA Vice President of Regulatory Affairs Rob Hackman. "There's a lot of misunderstanding at this time as to the status of this rule. As verified by the FCC, the rule has not been published in the Federal Register, and thereby no effective date can be

determined. This provides AOPA and the general aviation industry the opportunity to address our concerns with the FCC and potentially influence the outcome.”

[14 CFR Part 91.207](#) currently requires aircraft to carry a fixed ELT, but does not specify either 121.5 or 406 MHz. The FCC’s change to [47 CFR Part 87](#) would outlaw the use of the former—effectively forcing general aviation aircraft owners to buy the 406 MHz ELT. The rule would go into effect 60 days after publication in the Federal Register. AOPA is [aggressively pursuing](#) all options to have the FCC and FAA delay and re-evaluate the rule, highlighting the economic and operational impact to the more than 220,000 aircraft in the GA fleet, most of whom still carry the 121.5 MHz ELTs.

There is no FAA requirement to replace 121.5 MHz units with 406 MHz technology.

Both the 121.5 MHz and 406 MHz ELTs meet the FAA’s regulatory requirements if manufactured to the proper technical standard order. While satellites no longer monitor the 121.5 MHz frequency as of Feb. 1, 2009, the frequency is monitored by ATC, the military, and other pilots.

It would be impossible to outfit all aircraft in the timeframe of the FCC rule and cost prohibitive for GA aircraft owners. The rule highlights the fact that threats to GA can come from many different areas. Government agencies outside of the FAA don’t necessarily understand the effects of their actions on aviation, and poor communication can compound the problem. In addition to the unnecessary cost, this ruling also raises the question of the legality of the 406 MHz ELTs because they also transmit a low-power signal on 121.5 MHz to allow the search-and-rescue community to home as part of the rescue process.

Whatever Happened To Mogas For Airplanes, Anyway?

It's still out there, but it can be awfully hard to find. There are two reasons: one is that the price difference between mogas and avgas has narrowed substantially since the heyday of mogas for airplanes during the late 1980s and early 1990s. Then there's ethanol, which the vast majority of autogas contains these days, so-called E10, which is up to 10 percent ethanol. In addition to being hydroscopic, (it attracts water) ethanol is also incompatible with some seals, gaskets and O-rings, or so the earlier research seems to suggest.

It is possible to find mogas. Click on the following link.

[Find ethanol-free gasoline and let others know where you found it at Pure-Gas.org.](#)

FAA Ponders Changes To LSA Certification

The FAA is considering making some major changes in the way special light sport aircraft are approved. FAA officials told Light Aircraft Manufacturers Assoc., LAMA, that in the future LSA manufacturers may have to pass a compliance audit conducted by a

specially trained cadre of FAA inspectors. The FAA staffers would also inspect the first production airplane for each LSA model produced. Airworthiness certificates would not be issued until after both the audit and inspection are successfully completed. If the FAA follows through on this plan, it would be a major change from the current practice which allows manufacturers to certify on their own that consensus standards have been met.

Although the FAA has not yet taken any formal action to change the status quo, the industry should start now to be prepared for possible changes. FAA officials have said frequently that they have found no cause for alarm in the safety record of LSAs, but a recent FAA assessment of the industry led regulators to believe that many companies are not in full compliance with the ASTM standards. The FAA doesn't expect it would start to review LSAs that are already in the market, but would focus their efforts on proposed new models.

Next Meeting

Our next meeting will be held on July 20 at **OWK**. This will be the last meeting before the fly-in. Since there are issues that require discussion, **the meeting will begin at 7:00 pm** rather than the usual 7:30 start time.