

# THE VTOL ADVOCATE

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### *HAI US News*

#### **HAI Submits Comments on the SMS NPRM**

This week, HAI submitted comments to the FAA regarding a notice of proposed rulemaking (NPRM) regarding safety management systems (SMSs). HAI will support a final SMSs rule accompanied by clear implementation guidance and objective requirements consistently enforced by well-trained oversight authorities. A summary of HAI's recommendations appears below.

**Provide Clarity and Objectivity.** HAI recommends updating SMS evaluation criteria and supporting guidance with detailed objective requirements to minimize the need for future legal interpretations to define compliance. HAI also recommends that the final rule include guidance supported by compliance examples to ensure all stakeholders can easily interpret, implement, and enforce it.

**Credit Early Adopters.** HAI recommends that aviation organizations that can provide third-party documentation validating a given level of SMS maturity be permitted to apply for and receive initial relief from redundant oversight activities during a transition period.

**Set Realistic SMS Implementation Milestones and Timelines.** Noting that a 24-month compliance mandate is inconsistent with established FAA Safety Management System Voluntary Program (SMSVP), ICAO, and other proven SMS implementation and maturity models, HAI recommends that the FAA adopt a timeline that mirrors time-tested SMS maturity milestones and timelines related to the attainment of incremental milestones.

**Partner with Industry.** HAI encourages the FAA to recognize the willingness of third-party SMS support providers to join with the agency to assist with the expansion of SMS coaching, education, administration, and oversight to levels not currently supported by FAA staffing.

One of HAI's core strategic initiatives is to elevate global safety culture by delivering and promoting safety initiatives that make aviation safer. We look forward to the continued partnership with the FAA as we move toward broader SMS implementation in our industry.

### **General Aviation Opposes California SB 720**

This week, HAI and the Aircraft Owners and Pilots Association (AOPA), the National Air Transportation Association (NATA), and the National Business Aviation Association (NBAA) submitted a coalition letter opposing California Senate Bill 720, which if enacted would require each public or private airport to report to the Department of Transportation and the State Air Resources Board the regulations, incentives, and measures the airport is deploying to achieve net-zero greenhouse gas emissions from its operations.

The bill also includes a requirement for each public or private airport that has a high volume of private flights with low passenger capacity in a disadvantaged community to report to the department and to the relevant air quality management district its efforts to mitigate environmental justice, air quality, and other impacts on neighboring communities. The bill identifies that both reports would be integrated into the airport's sustainability plan, and if the airport doesn't have a plan, it must file its reports on or before Jun. 1, 2024.

Of significant concern to our industry is the fact that the legislation's requirements are impossible to fulfill. Airports do not have the practical or legal ability to gain insights into the passenger occupancy or cargo loads of an aircraft and to determine the trigger for "low occupancy."

This bill would impact 242 public-use airports and a few hundred private-use airports in California, many of which do not have towers and are not attended 24 hours, making reporting requirements infeasible and highly burdensome. Many airports are already understaffed and underfunded; additional burdens could impede their efforts to operate safely and efficiently.

HAI looks forward to working collaboratively with the State of California to resolve these concerns.

## **California Introduces Legislation on Advanced Air Mobility**

Last month, California introduced SB 800 relating to advanced air mobility (AAM) technology. The bill, if enacted, would require the Department of Transportation, in coordination with the Office of Planning and Research and the State Air Resources Board, to establish an advisory committee to assess, among other things, pathways for feasible implementation of electrification goals for the aviation industry and require the committee to report its findings and recommendations to the department and the legislature no later than Jan. 1, 2025.

HAI is excited to see California facilitating the safe and efficient transition of AAM into the state market. We look forward to the passage of SB 800.

## **Texas Holds Public Hearing on AAM Technologies**

On Wednesday, the Texas House and Senate Transportation committees held public hearings for HB 2678 and SB 2144, respectively, companion bills relating to advanced air mobility (AAM) technology. If enacted, both bills would require the Texas Transportation Commission to appoint an advisory committee to assess current state law, identify potential changes needed to facilitate the implementation of AAM technology in the state, and develop a statewide plan for the implementation of AAM. The advisory committee would be composed of members from diverse geographic regions of the state, the AAM industry, local governments, and the public, as well as transportation experts, commercial airport representatives, and vertiport operators.

In addition, the bills would require the Texas Department of Transportation (TXDOT) to review existing state aviation standards and guidelines, airport facility planning, and compatibility guidance to ensure that they are applicable to AAM. TXDOT would also be required to support the development of federal and industry standards for AAM technology that prioritize safety and develop a statewide plan that specifies potential locations for and classifications of vertiports and other associated infrastructure to guide the future operational environment of AAM.

HAI has submitted written testimony in support of HB 2678 and SB 2144. In addition, we have submitted a coalition letter with some of our AAM industry peers expressing our united support. We are also currently engaging with state legislators to ensure the passage of this legislation.

## **State Senate Judiciary Committee Defers Hawaii HB1201**

For the past two months, HAI has worked to oppose Hawaii House Bill 1201 and companion Senate Bill 969, legislation that, if enacted, would have allowed residents of Hawaii to sue helicopter owners and operators for generating sound above a certain decibel level. As of last week, Hawaii's Senate Judiciary Committee had deferred both bills.

During last week's rulemaking decision on HB1201, Senate Committee Chair Karl Rhoads stated that Hawaii has no jurisdiction over this matter and deferred the bill due to federal preemption of aviation regulations, meaning that the state cannot itself interfere with aircraft operations and cannot authorize private litigation that interferes with aircraft operations.

HAI previously submitted written testimony jointly with the Aircraft Owners and Pilots Association (AOPA) expressing our strong opposition to HB1201 and engaged with House committee members to provide information about federal preemption.

### **White House Announces \$20M in Bipartisan Infrastructure Funding to Modernize Airport Control**

The FAA will award \$20 million from the Bipartisan Infrastructure Law to 29 airport-owned traffic control towers. This funding will go to small regional airports to help improve safety, lower costs, and support local businesses. This week, the FAA announced the following grant recipients:

- Columbus Municipal Airport, Indiana: \$1.5 million for the construction of a new airport traffic control tower
- Joplin Regional Airport, Missouri: \$860,000 to replace the airport's aging airfield lighting control and monitoring system
- Tyler Pounds Regional Airport, Texas: \$1.1 million for the planning and environmental and preliminary design of an existing tower.

The grants will allow these airports to make much-needed upgrades to their airport traffic control towers while improving safety and local economies.

### ***HAI International News***

#### **EU Paves the Way for Renewable Energy**

Last week, the EU Council and the European Parliament reached a political agreement on the revision of the Renewable Energy Directive, commonly known as RED III. It took seven rounds of dialogue between co-legislators to reach a 'meet in the middle' binding target of 42.5% renewable energy in the EU's energy mix by 2030. To achieve these targets, negotiators agreed to expedite the permitting process for renewable energy projects.

Negotiators also found common ground on targets and measures to support the uptake of renewables across various sectors of the economy. Regarding transport, they agreed to give Member States the option of choosing between two binding targets for 2030: either a 14.5% reduction of greenhouse gas intensity or a share of at least 29% for renewables in the sector's final energy consumption.

The EU Commission kicked off its work on the 2040 climate objectives with [a call for evidence and public consultation](#). After intense negotiations, it appeared the EU would be able to achieve a 2% extra reduction, amounting to a net 57% reduction by 2030. The Commission will now concentrate on setting the 2040 target, which the EU Climate Law does not clearly state, that will enable it to chart a path from the currently anticipated 57% reduction by 2030 to net climate neutrality in 2050.

#### **TRAN Committee Receives Requested Research Study**

The *Assessment of the Potential of Sustainable Fuels in Transport* study provides the European Parliament's Committee on Transport and Tourism (TRAN) with an assessment of the potential of sustainable fuels to decarbonize the transport sector and help the sector achieve 2050 decarbonization goals. The study assesses their potential for use in maritime, aviation, and road transport, taking into consideration their technology readiness, feedstock availability, supply sustainability, and energy efficiency, and the most appropriate matchmaking between fuels and applications. If interested, [read the study](#) and [Annex I](#).