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Federal Update

FAA Releases SMS Rules for Part 135 Operators

Summary of Facts

The FAA announced Monday, Apr. 22, that companies conducting air tours, air ambulance operations, charters, and commuter flights must implement a safety management system (SMS) program within 36 months of the effective date of the rule, May 28, 2024.

The FAA is applying 14 CFR Part 5 to all Part 135 operators and air tour operators with a letter of agreement issued under 14 CFR 91.147. The rule will not apply, however, in situations where a single pilot is the sole person responsible for the safe operation of the aircraft.

Under the SMS final rule, operators have three years to submit a declaration of compliance. The FAA will require new Part 91.147 and Part 135 operators, including any potential advanced air mobility operators, to submit a statement of SMS compliance as part of the certification process. Additionally, the FAA will require current aircraft manufacturers (Part 21 certificate holders) to (1) develop and submit an implementation plan within six months of the final rule effective date; and (2) implement their SMS within 36 months of the effective date.

VAI Position and Actions

In anticipation of this rule, VAI developed programs to make it as easy as possible for VAI operator members to implement an SMS before it became a requirement.

Those programs remain in place to assist all affected operator members with developing and implementing their SMS programs. We are here to help our members navigate the evolving regulatory landscape, and we will be providing additional information in the future on how to achieve compliance with this rule.

Learn More

- [VAI SMS press release.](#)

State and Local Update

VAI Testifies before NYC Council

Summary of Facts

Earlier this month, the New York City (NYC) Council reviewed multiple resolutions aiming to restrict or prohibit helicopter operations within the city. These resolutions call upon local, state, and federal authorities to enact various reforms, including urging the FAA to ban charter and tourist flights and limiting operations at city heliports to electric-powered rotorcraft.

Additionally, there are proposals to amend the [Hudson River Park Act](#) to prohibit heliport use and establish a sound tax. Another resolution seeks to install sound-level meters in areas prone to helicopter sound for data collection and reporting by the NYC Department of Environmental Protection.

It is worth noting that the city's efforts to regulate helicopter operations based on sound concerns conflict with the federal Airport Noise and Capacity Act, which grants sole authority to the FAA for regulating aeronautical operations.

VAI Position and Actions

VAI opposes legislation aiming to ban nonessential helicopter operations and any proposals to restrict the use of New York City's heliport system. Josh Rousseau, VAI's Northeastern US regional representative, testified Apr. 16 on behalf of our members before the city council, highlighting the importance of our industry. He emphasized that such measures would adversely affect small businesses, essential operations, and infrastructure crucial to the city and the region.

International Issues

VAI Participates in Latin America's International Air and Space Fair

Summary of Facts

For more than 40 years, the International Air and Space Fair (FIDAE) has been Latin America's premier aerospace, defense, and security exhibition. This year's event took place Apr. 9–14 at Arturo Merino Benítez International Airport (SCEL) in Santiago, Chile. Encompassing various sectors of the aerospace industry, including civil and commercial aviation, defense, airport equipment and services, homeland security, aircraft maintenance, and space technology, FIDAE serves as a pivotal gathering for stakeholders within Chile's national space system.

VAI Position and Actions

VAI values collaboration with international partners to exchange ideas and foster global industry growth. At this year's FIDAE, VAI CEO and President James Viola delivered a virtual presentation outlining the future of vertical flight and anticipated industry shifts and challenges over the next decade. We extend our gratitude to FIDAE and the Asociación Chilena de Helicópteros, a member of VAI's International Partnership Program, for the invitation to participate.

Learn More

- [VAI participates in FIDAE.](#)

News from VAI's Regional Representatives

West Coast Report: "Word from the Street," by Chuck Street, VAI Western US Regional Representative

April has been a bustling month with various engagements and advocacy efforts. One significant highlight was my appearance before the California State Senate Transportation Committee to provide testimony on a proposed bill aimed at phasing out leaded fuels at California airports starting in 2027, a timeline that diverges from the FAA's established deadline of 2030.

The absence of FAA approval for unleaded fuel in helicopters and the current limitations in fuel-refining capacity pose considerable challenges in meeting the demand for unleaded fuel. Despite these hurdles, VAI remains steadfast in advocating for the best interests of the vertical aviation sector.

Also this month, I had the privilege of visiting several member helicopter operators in Northern and Central California. At Capitol Helicopters in Sacramento, Chief Pilot Mike Verdooner provided an informative tour of Capitol's facilities and showed me the company's helicopter fleet. The professionalism and unwavering commitment to safety among Capitol's pilots were readily apparent.

Next on the itinerary was PJ Helicopters in Red Bluff, where I was impressed by a comprehensive compound featuring various facilities, such as maintenance hangars, avionics and paint shops, administrative offices, and training classrooms. Director of Safety Greg Stine offered a thorough tour of PJ's operations, displaying the notable scale of the company's operation.

My visit to Rogers Helicopters in Fresno proved equally enlightening, with company VP Robin Rogers graciously hosting me. Founded in 1962, Rogers Helicopters serves the electric power industry, the US military, and firefighting agencies. Robin's extensive experience as both a helicopter and fixed-wing pilot, coupled with his deep knowledge of the vertical aviation industry, made for engaging discussions.

Finally, I spent several days in Honolulu, Hawaii, engaging with leaders of the Hawaiian helicopter tour industry, where I was joined by VAI President and CEO James Viola and VAI Chief Government Affairs Officer Cade Clark. The industry in the Aloha State faces significant challenges, including proposed legislation requiring insurance coverage at rates not available in the market and air tour management plans (ATMPs) that place severe restrictions on overflights of national parks across the Hawaiian Islands.

In response, VAI and helicopter tour operators have lobbied against the legislation and [initiated legal action against the ATMPs](#). It is crucial to recognize that these developments may compromise flight operations, underscoring the importance of prioritizing safety while navigating these challenges. Together, let us ensure the continuous operation of our rotorcraft with safety as our utmost priority.