

THE VTOL ADVOCATE

Keeping Your Rotors Turning



Issue Overview, Jan. 13, 2023

US News

[FAA System Outage Grounds Flights](#)

[OMB Releases 2022 Unified Regulatory Agenda and Regulatory Plan](#)

[Biden Administration Details Plan to Phase Out Transportation Emissions](#)

[FAA Releases Heliport Design Advisory Circular](#)

International News

[The United States and South Korea Partner on AAM Certification](#)

US News

FAA System Outage Grounds Flights

The FAA grounded thousands of flight operations across the country early Wednesday after a pilot notification system failed. Secretary of Transportation Pete Buttigieg said he has directed a review from the agency to determine causes and recommend next steps. The Senate and House committees that oversee aviation also plan to investigate this week's incident. This occurrence will likely influence the FAA's reauthorization bill.

Congress must pass an FAA reauthorization bill by the end of September. The Senate panel is already planning hearings tied to the bill to investigate the recent flight cancellations from Southwest Airlines that occurred during the busy holiday season. Transportation and Infrastructure Committee Chair Sam Graves (R-Mo.-06) says that just as the Department of Transportation (DOT) expects airlines to compensate passengers after a failure, he expects the DOT to do right by the passengers it wronged.

The FAA is continuing a thorough review to determine the root cause of the NOTAM system outage. Its preliminary work has traced the outage to a damaged database file. Currently, there is no evidence of a cyberattack. The agency is working to further pinpoint the causes of the disruption and take all needed steps to prevent it from happening again.

The major shutdown has already spurred calls to update the FAA's technology system from those who say the agency's system failure is a sign the US transportation network needs significant upgrades. Buttigieg said Wednesday that the agency needs to constantly update its systems and that now is the right time to take another look at the technology, given the upcoming FAA reauthorization.

HAI supports the modernization of technology at the FAA to ensure safety and efficiency.

OMB Releases 2022 Unified Regulatory Agenda and Regulatory Plan

Last week, the Office of Management and Budget (OMB) released the 2022 Unified Regulatory Agenda and Regulatory Plan, which outlines regulatory actions federal agencies are considering in the coming months. A summary of actions that have relevance for the aviation industry follows.

Department of Transportation Agenda Overview

The US Department of Transportation (DOT) has statutory responsibility for ensuring that the United States has a safe and efficient transportation system. To accomplish this goal, the DOT regulates safety in the aviation, motor carrier, railroad, motor vehicle, commercial space, transit, and pipeline transportation areas. The DOT also regulates aviation consumer and economic issues, provides financial assistance, and writes the necessary implementing rules for programs involving highways, airports, mass transit, vehicle safety, and so on.

The DOT's regulatory priorities for this year focus on:

- **Safety.** The DOT regulatory plan reflects a commitment to safety through a balanced regulatory approach grounded in reducing transportation-related fatalities and injuries.
- **Economic Growth.** The plan calls for improvement of the national transportation infrastructure for the safe and efficient movement of goods and passengers.
- **Climate Change.** The DOT is engaged in multiple regulatory activities to address climate change, one of the most urgent challenges facing the nation.
- **Equity.** The DOT has prioritized ensuring that the transportation system equitably benefits underserved communities.

As part of the DOT, the FAA is charged with enhancing aviation safety. The FAA is finalizing a rule that would require certain airport certificate holders to develop, implement, maintain, and adhere to a safety management system (SMS). The FAA also intends to propose rules requiring an SMS for certain aircraft, engine, and propeller manufacturers. Additionally, the agency will proceed with a rule to further advance the integration of uncrewed aircraft systems (UASs) into the US National Airspace System (NAS).

FAA's Current Proposed Rules

- **Safety Management Systems (SMSs)**
This rule proposes expanding SMS requirements, as recent accidents have indicated the need for action to improve safety in the NAS. The proposed expansion of the applicability of 14 CFR Part 5, which currently applies to Part 121 operators, would cover Part 135 operators and repair stations (Part 145) among others. Implementation of an SMS would further the administration's mission of promoting the safe flight of civil aircraft in air commerce and reducing or eliminating the possibility or recurrence of accidents in air transportation. The FAA is currently exploring several alternatives to determine how the revised applicability would extend SMS requirements to Parts 21, 91, 135, and 145.

- **Miscellaneous Rotorcraft Regulations**

This rule would revise regulations related to the certification of rotorcraft. The changes are necessary because the current airworthiness standards do not address the increasing design complexity of the extensive application of advanced technologies to rotorcraft. This rule would address these advances by updating current airworthiness standards.

- **Update to Air Carrier Definitions**

The FAA proposes to amend the regulatory definitions of certain air carriers and commercial operations. This proposed rule would add the term “powered-lift” to these definitions to ensure that the appropriate sets of rules apply to air carriers’ and certain commercial operators’ operations of aircraft that FAA regulations define as powered-lift. The FAA also proposes to update certain basic requirements that apply to air carrier oversight, such as the contents of operations specifications and the qualifications applicable to certain management personnel. In addition, this proposed rule would apply the rules for commercial air tours to powered-lift. This proposed rule is a crucial step in the FAA’s integration of new entrant aircraft in the NAS.

Environmental Protection Agency (EPA) Agenda Overview

This year, the EPA will use its regulatory authority to address the following priorities: climate crisis, environmental justice and civil rights, environmental laws and compliance, clean and healthy air for all communities, clean and healthy water for all communities, the safeguarding and revitalization of communities, and safety of chemicals for people and the environment.

One of the EPA’s current proposals that HAI members should be aware of is the “Finding That Lead Emissions from Aircraft That Operate on Leaded Fuel Cause or Contribute to Air Pollution That May Reasonably Be Anticipated to Endanger Public Health and Welfare.” This proposed rule would analyze air-quality modeling and monitoring information to decide whether lead emissions from aircraft engines that operate on leaded fuel cause or contribute to air pollution that may be anticipated to endanger public health or welfare. The EPA has issued a proposed action that describes the proposed determination regarding lead emissions from aircraft that operate on leaded fuel.

As agencies consider the regulatory actions outlined in the Unified Regulatory Agenda, HAI looks forward to continued engagement with government agencies and the public. [Review the Unified Regulatory Agenda.](#)

Biden Administration Details Plan to Phase Out Transportation Emissions

This Tuesday, the Biden administration released the [US National Blueprint for Transportation Decarbonization](#). The road map was developed by the Departments of Transportation, Energy, and Housing and Urban Development and the Environmental Protection Agency to secure a clean electrical grid by 2035 and eliminate carbon emissions from the transportation sector by 2050. The plan calls for further investments in public transportation, the rapid adoption of electric vehicles, and the expansion of pedestrian and bike lanes. According to the White House, these federal agencies will develop more detailed action plans, to be implemented in cooperation with state and local governments and the private sector.

It is important to note that the blueprint does not set out enforceable targets but serves as a long-term guide for federal agencies tasked with writing climate rules and spending environmental funds. The blueprint also identifies the fuels and technologies that are the most viable for different modes of transportation and the timelines for making the transition to their use. The Biden administration is hoping to cut aviation emissions by 20% by 2030 and achieve a net-zero aviation sector by 2050, through “sustainable liquid fuels.”

HAI recognizes the importance of government and industries working together to confront the climate crisis. The emission reduction targets must be realistic, efficient, and achievable for this transition to work. We must also recognize the current barriers at hand, such as inflated costs and absence of necessary infrastructure, to properly tackle the adoption of the administration's goals.

FAA Releases Heliport Design Advisory Circular

Last week, the FAA released [Advisory Circular \(AC\) 150/5390-2D](#) regarding heliport design. This advisory provides standards for the planning, design, and construction of heliports serving helicopters with single, tandem, or dual rotors. The standards and guidelines contained in this AC are practices the FAA recommends for establishing an acceptable level of safety, performance, and operation for heliports. The guidance is voluntary. However, facilities that have received federal funding must comply.

It is important to note that this guidance is limited to heliports and helicopter operations and does not consider the characteristics of all vertical takeoff and landing (VTOL) aircraft. The AC states:

New aircraft entrants that have an interest in operating at heliports should work with the FAA Office of Airports and Flight Standards to demonstrate that their aircraft's operational and safety parameters comply with this AC, prior to operations. ... The FAA is developing guidance for vertiports that would be intended for VTOL and/or unmanned aircraft. Until that guidance is published, entities developing operating sites for new aircraft entrants are encouraged to work with the FAA Office of Airports and Flight Standards on applicable design, operational, and safety criteria tailored to the performance of aircraft which intend to operate at those facilities.

HAI takes issue with the FAA's guidance and believes that safety can be maintained without excluding eVTOL aircraft from heliports and helicopters from vertiports. Establishing two exclusive paths for infrastructure is not the right approach to support the future of vertical flight. We look forward to working with the FAA on addressing this issue.

International News

The United States and South Korea Partner on AAM Certification

On Jan. 9, 2023, the FAA and the Korea Office of Civil Aviation (KOCA) agreed to partner on the development of advanced air mobility (AAM) aircraft. Both agencies signed a declaration of cooperation under which they will collaborate and share ideas, information, skills, and techniques regarding AAM projects. As stated by Acting FAA Administrator Billy Nolen, this partnership will create "more efficient and equitable transportation options." The FAA and KOCA will also work together to promote the safety and oversight of AAM, including airworthiness, licensing, and operations.

The FAA also recently partnered with Japan and with Australia, Canada, New Zealand, and the United Kingdom in the National Aviation Authorities Network to synchronize certification criteria and an integration plan on AAM projects. These global partnerships are a result of nations' realization of the importance of AAM, which offers safe, accessible, automated, affordable air transport for passengers and cargo that is capable of serving previously hard-to-reach urban and rural locations. The technology being developed will help tackle urban congestion while bringing economic benefits to the areas it serves.

HAI is excited to see countries working together to bring the safe and efficient integration of AAM into the international market.

[Click here](#) to manage how often you receive emails from HAI.

Helicopter Association International

THE Trade Association for the International VTOL Community

Working Each Day to Keep the Rotors Turning

[Join HAI](#)

703-683-4646 | +1 703 6834646

www.rotor.org | rotor@rotor.org



1920 Ballenger Ave., 4th Flr., Alexandria, VA 22314-2898 USA