



March 25, 2004

Dear Senator/Representative:

Last October, the Federal Aviation Administration issued a proposed rulemaking that would change the regulations governing sightseeing operations conducted within 25 miles of an airport and impose new requirements for air tour flights. As a result, the “National Air Tour Safety Standards” Notice of Proposed Rulemaking (NPRM) will seriously and detrimentally impact the nearly 2,000 existing commercial air tour operators in the United States who serve over two million passengers annually. The NPRM would also have devastating effects on over 550,000 general aviation pilots and professionals who participate in charitable sightseeing events and other sightseeing flights under the Part 91 regulations.

Commercial air tour companies, those which already have air carrier certification, conservatively estimate that this NPRM will cost them anywhere from one to four million dollars to implement in terms of new and unnecessary equipment purchases, labor costs, and lost revenue due to decreased passenger-carrying capability. These businesses, predominately located in and around national parks, are already subject to numerous federal restrictions above and beyond those required of other types of air carriers. Special federal aviation regulations in the Grand Canyon and Hawaii, and the provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (which requires the development of Air Tour Management Plans for any air tour at a national park), all impose specific safety requirements that are intended to address the very same concerns as this NPRM, making it overly burdensome and unnecessary.

By the FAA’s own admission, roughly 41% of the projected 1,700 small businesses affected by this proposed rule will be forced to “exit the industry.” The FAA also acknowledges that the cost of the NPRM to industry will be \$238 million, not taking into account how such a rule would have “trickle down” effects on other portions of the industry including manufacturing and businesses that support and maintain these aircraft.

At this time, the FAA has neither accident or exposure data to support their contention that commercial sightseeing flights conducted under Parts 135 or 91 require additional regulation. Further, there is no data to suggest that any safety concerns exist in the conduct of charitable flights and community based events. Should the FAA enact the NPRM, it will force sightseeing operators to spend enormous amounts of capital to conform to Part 135 standards and will severely cripple that segment of the aviation industry without the agency ever having performed a data-driven evaluation of whether or not the NPRM was justified from a safety standpoint.

We strongly encourage you to contact the FAA immediately to ask that this NPRM be withdrawn in its entirety. Please visit the following website for a sample letter that can be downloaded and sent to the FAA:

<http://www.nata-online.org/2GovWatch/AirTourSampleLetter.doc>

Thank you for your consideration and support on this critical aviation issue.



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