



421 Aviation Way
Frederick, Maryland 21701

T. 301-695-2000
F. 301-695-2375

www.aopa.org

November 5, 2013

Mr. Jason Elliott
Director, Legislative and Government Affairs
City Hall, Room 200
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

Re: Ordinance being Considered to Prohibit Aerial Advertising over the City of San Francisco

Dear Mr. Elliott,

I appreciate your taking the time to speak with me in September. As I mentioned, the Aircraft Owners and Pilots Association (AOPA) represents nearly 400,000 pilots and aircraft owners nationwide, and 1,700 of whom reside throughout the greater San Francisco area. AOPA would oppose any ordinance that would prohibit aerial advertising over the City of San Francisco. Regulation of the National Airspace System is the sole responsibility of the Federal Aviation Administration (FAA), as defined by United States Code 49 § 40103 - Sovereignty and use of airspace.

AOPA submitted a letter to Supervisor David Chiu on July 31, 2013, regarding an ordinance amending the police code to prohibit aerial advertising over the 34th America's Cup Races. In that correspondence, AOPA reminded the Supervisor that regulation of the National Airspace System is the sole responsibility of the FAA, as defined by United States Code 49 § 40103 - Sovereignty and use of airspace. As such, the FAA holds the regulatory authority to control the use of navigable airspace and regulate all operations in that airspace in the interest of safety and efficiency of the public. Upholding this FAA mandate is crucial to the effective and free use of airspace across the country and should not be preempted by state or local legislation.

Since this matter was brought to our attention in July, AOPA discovered that the San Francisco Board of Supervisors was considering drafting an ordinance to prohibit aerial advertising over the City of San Francisco permanently. AOPA understands this proposal was introduced by the Mayor's office. As discussed during our conversation, AOPA would oppose the implementation of any ban that would prohibit aerial advertising over the City of San Francisco, and would urge the Mayor's office to take action to terminate the ordinance being considered. Doing so will ensure the FAA continues its mission and retains sole authority to regulate airspace as defined by United States Code.

AOPA appreciates the opportunity to discuss this matter and would welcome further dialogue with the Mayor's Office, and would encourage all involved to look to the FAA as the primary resource in

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airspace management and authority. Taking action to terminate any aerial advertising ban would ensure that airspace is regulated at the federal level for the safety and efficiency of the National Airspace System. Please feel free to contact me directly with questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Melissa McCaffrey". The signature is written in a cursive, flowing style.

Melissa McCaffrey
Senior Government Analyst
Air Traffic Services

Cc: Ms. Elizabeth Lynn Ray
Mr. Dennis Roberts
Mr. Ron Beckerdite
Ms. Edie Parish