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Honorable Senator Jamaal Bailey  
Legislative Office Building  
Room 707  
Albany, NY 12247

TRANSMITTED BY ELECTRONIC SUBMISSION  
[bailey@nysenate.gov](mailto:bailey@nysenate.gov)

**Re: Senate Bill 7611 – Helicopter Requirements**

Dear Senator Bailey,

On behalf of more than 11,000 New York aircraft owners and pilots, I am writing to express our **opposition to Senate Bill 7611**.

I am the Eastern Region Manager for the Aircraft Owners and Pilots Association (AOPA) and in my role I focus on state aviation policy and airport support across thirteen states from Maine to the Virginias. AOPA is the world's largest aviation membership organization representing the general aviation interests of 330,000 aircraft owners and pilots across the country.

Aircraft are highly mobile assets used for the efficient carriage of passengers from one location to another and frequently across multiple state lines. There are over 200,000 aircraft registered in the United States. If each state established its own equipment requirement, interstate air commerce and travel would be severely impacted as aircraft operators attempted to comply with each state's requirement.

The intent to require specified equipment on helicopters used in New York state is presumably a response to the recent accident in Calabasas, CA that tragically ended the life of retired NBA star Kobe Bryant and 8 other passengers and crew. As tragic as this accident is and well-intended as this legislation may be, it is both premature and unjust to circumvent well established federal authority to regulate the aviation industry and certification of aircraft.

As you are aware, the National Transportation Safety Board (NTSB) is an independent U.S. government investigative agency responsible for civil transportation accident investigation. At the time of this writing, the NTSB has yet to determine a 'probable cause' for the Calabasas accident. Speculation alone is not sufficient-enough information to adequately address any underlying issue and to enact legislative policy on that basis alone sets a dangerous precedent.

### **Federal Preemption**

Furthermore, regulation of the National Airspace System (NAS) is the sole responsibility of the Federal Aviation Administration (FAA) which is 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 the safety and efficiency of the public. Allowing the FAA to uphold this mandate is crucial to the effective and free use of airspace across the country and cannot be preempted by state or local legislation. Simply put, the State does not have the authority to enact SB 7611 as the bill is in clear violation of the Supremacy Clause, Article VI of the U.S. Constitution.

We understand the intent of S.7611 but it is clear the bill as written violates the U.S. Constitution. AOPA is committed to ensuring the safety, future viability, and development of general aviation as an integral part of a national transportation system. We welcome any opportunity to work with your office on ways to enhance the aviation industry in New York and thank you for consideration of our concerns.

If you have questions or require additional information, please contact me directly at 301-695-2090 or [sean.collins@aopa.org](mailto:sean.collins@aopa.org).

Respectfully,



Sean M. Collins  
Government Affairs, Eastern Region  
Aircraft Owners & Pilots Association, AOPA