



The Honorable Robert L. Sumwalt III
Chairman, National Transportation Safety Board

Mar 31, 2021

Dear Mr. Chairman

The Aircraft Owners and Pilots Association (AOPA) considers the National Transportation Safety Board (NTSB) instrumental to the advances made in aviation safety through the last half-century. Those advancements are reflected in a steady reduction in the fatal accident rates across all sectors, including General Aviation. Improvements in knowledge, training, proficiency, and equipment often came as the result of an NTSB investigation, frequently conducted under demanding circumstances. The NTSB continues to be a national asset and a benchmark for investigating agencies throughout the world.

We share your sorrow at the tragic events discussed in the March 23 Board meeting, and your desire to eliminate them. We note that in the accident examples used during the Board session, existing regulations were not followed or enforced. This shows that mechanisms already exist to address the issues you target.

We believe a few of your recommendations could be interpreted as overly broad. Our decades long improvement in aviation safety indicates industry and the FAA are managing the safety equation effectively. Too often, expansive actions applied from broad assumptions add to regulatory burdens and have only a limited impact on improving safety.

Specifically, we do not believe an entirely separate category of flying, with yet another national set of standards would be effective, practical, or offer any additional safety oversight that is not already in place. As you noted, the FAA is already grappling with applying constrained resources for full oversight of existing categories. It may be appropriate to assess some existing operations and consider them for reclassification into a different category. Such an assessment should be thorough and involve stakeholders from industry and government.

We do support Safety Management Systems (SMS), and when properly scaled and implemented they can be an effective safety tool. When thrust upon operations without regard to the size, and type of operation, SMS programs can be a deceiving facade, expensive and time-consuming to develop with no real impact on operations. We do not support any requirement that all revenue passenger carrying operations, and even all Part 135 operations must implement and sustain an SMS program. Such a mandate would indicate an under-appreciation for the widely varied types and scale of operations underway. Further, requiring FAA oversight of such a wide variety of programs and operations would add substantially to the FAA level of effort.



We both acknowledge there are different levels of risk in aviation operations, and we need to be cognizant and careful not to create a perception that all passenger revenue flights can meet the standards of Part 121 air carriers, if only they had more regulation and oversight. Part 121 operators are staffed with resources to develop and manage programs that protect the hundreds of millions of people flying with them each year and such focus is appropriate to the public risk. However, applying similar requirements to smaller operators with substantially lower public risk is unwarranted as the safety requirements and rules for small operations are already in place today.

We appreciate and share the NTSB's commitment to driving safety performance. There is no doubt that we are most effective when working together, applying practical solutions that acknowledge the operating environment and associated risks, and creating a real impact on safety.

Your commitment, and that of the Board, to addressing aviation safety is appreciated and I look forward to continuing to work together with you on these important issues.

Sincerely,

Richard G. McSpadden Jr.

Richard G. McSpadden, Jr.
AOPA Senior Vice President
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