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October 23, 2008

Ms. Lynn Doucet  
Acting Chief, Regulatory Affairs (AARBH)  
Transport Canada  
Place de Ville, Tower C  
Ottawa, Ontario K1A 0N8

**Re: *Canada Gazette* Volume 142, No. 32 Regulations Amending the Canadian Aviation Regulations (Parts I and VI — ELT) August 9, 2008**

Ms. Doucet:

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of more than 415,000 pilots in the United States (U.S.). AOPA's mission is to effectively serve the interests of its members as aircraft owners and pilots to establish, maintain, and articulate positions of leadership to promote the economy, safety, utility, and popularity of flight in general aviation aircraft. AOPA submits the following comments to Transport Canada's proposed changes that would require the carriage of 406 MHz emergency locator transmitter (ELT) as published in the *Canada Gazette*, Part 1 on August 9, 2008.

**AOPA Opposes Mandated Equipage with 406 MHz ELT – Proposes Alternative**

AOPA continues to oppose any mandate that would require U.S. aircraft owners to replace their existing ELT with a 406 MHz ELT. In a recent survey, two-thirds of AOPA members were opposed to a mandate to re-equip general aviation aircraft with the new 406 MHz ELT. Aircraft owners who switch from a 121.5 MHz to a 406 MHz ELT will spend five times more than just simply replacing the 121.5 MHz they currently have. The decision on which ELT to equip with should be left in the hands of individual aircraft owners and operators who are best positioned to evaluate their unique flight profiles and determine which ELT offers the appropriate amount of protection in the unlikely event of an accident. AOPA requests that Transport Canada allow alternatives such as personal locator beacon (PLB) or other portable devices that transmit on 406 MHz in addition to the already installed 121.5 MHz ELT as an alternative for foreign registered aircraft who are not required to re-equip under the regulations of their home countries.

**Transport Canada to Require 406 MHz ELT**

Transport Canada is proposing to require all aircraft operated in Canadian airspace, including those based in other countries, to be equipped with ELTs able to broadcast simultaneously on both 406 MHz and 121.5 MHz frequencies effective February 1, 2009.

Currently, almost all general aviation aircraft in the U.S. are required to carry and maintain an ELT as a direct result of U.S. law. This mandate allows for either 121.5 MHz *or* 406 MHz units with the overwhelming majority of general aviation aircraft being equipped with 121.5 MHz units.

### **Number of U.S. Aircraft Flying to Canada Drop by Half**

The 406 MHz ELT mandate will have a significant effect on those Canadian towns and airports regularly frequented by American general aviation pilots either visiting Canada or stopping while transitioning between Alaska and the lower 48 States. As noted in the proposal, the majority of foreign private aircraft flying in Canada comes from the U.S. Transport Canada is assuming that the expected cost savings in search and rescue operations involving a 406 MHz ELT will be greater than the financial burden put on aircraft operators to equip with 406 MHz units and the loss of revenue from pilots flying in Canada from the U.S.

AOPA surveyed its members to determine the extent a 406 MHz ELT requirement would have on the number of flight made by U.S. pilots to Canada. In the survey, 51% of pilots who currently fly to Canada and do not have a 406 MHz ELT installed in their aircraft said they would stop flying to Canada instead of re-equipping with a 406 MHz ELT. This represents a significant loss in revenue for those towns and airports visited by U.S. general aviation pilots visiting Canada.

### **AOPA Alternative – Increased Flexibility with 406 MHz Redundancies**

AOPA encourages Transport Canada to consider the alternative of allowing foreign registered aircraft that are otherwise not required to carry 406 MHz ELTs to carry 406 MHz Personal Locator Beacons in addition to installed 121.5 MHz ELTs while operating in Canadian airspace. This solution would provide Transport Canada with the automatic activation feature of the installed 121.5 MHz units and the benefits of the 406 MHz. This alternative provides non-Canadian registered aircraft with a cost affective alternative to the proposed equipage mandate while still providing the benefits of the 406 MHz system. All of the AOPA members surveyed agreed that carrying a 406 MHz PLB in addition to their installed 121.5 MHz was an acceptable alternative when flying in Canadian airspace.

### **Education in Lieu of Mandates**

AOPA strongly supports and is taking an active role in educating the pilot community on the benefits and limits of 121.5 and 406 MHz ELTs. AOPA is also educating pilots and aircraft owners on other technology such as personal locator beacons (PLBs) and cell phones equipped with a global positioning system (GPS) receiver, both of which provide a locator signal that can be tracked. AOPA has been directly involved in providing education to the pilot community on this topic through *AOPA Pilot* magazine, aviation trade shows and work with the SARSAT community. The association will continue to remain actively engaged in providing information to aircraft owners and operators so they can make an informed decision as to which emergency equipment best fits their needs.

Ms. Lynn Doucet  
Page 3  
October 23, 2008

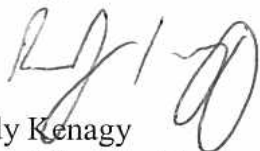
### **Future Enhancements Affect Current Decisions**

It is also important to note that as the U.S. Federal Aviation Administration (FAA) transitions to the Next Generation Air Traffic Control System (NextGen) and specifically to Automatic Dependant Surveillance – Broadcast (ADS-B), the benefits of the 406 MHz ELT may be significantly reduced. AOPA is also aware that Transport Canada is considering a plan to implement ADS-B in Canadian airspace. ADS-B, which is already in use in portions of the U.S. can and will provide improved flight tracking service for aircraft. In addition to providing updated flight tracking information *every second*, ADS-B also provides the aircraft registration number to air traffic control (ATC). In the event of an emergency, ATC would be able to provide the last known aircraft position, to within one second, to rescuers; an area that, depending on the aircraft's speed, may be much smaller than the current search area provided by a 406 MHz unit. The FAA has publicly stated their intent to propose mandatory equipage of ADS-B with an expected compliance date of 2020. It is anticipated that ADS-B would be mandated for airspace that currently requires a Mode C transponder, which would result in an equipage rate of over 85 percent of U.S. aircraft.

### **Summary**

The association strongly opposes a requirement for a 406 MHz ELT. AOPA encourages Transport Canada to consider the alternative of allowing foreign registered aircraft who are otherwise not required to carry a 406 MHz ELT to carry a 406 MHz Personal Locator Beacon in addition to an already installed 121.5 MHz ELT as a way of complying with this proposed requirement when flying in Canadian Airspace.

Sincerely,



Randy Kenagy  
Acting Vice President  
Regulatory Affairs