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June 30, 2008

Dana Schulze
AS-10
National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594-2000

Re: NTSB-2008-0004-0001: 49 CFR Part 830 Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of more than 415,000 pilots. AOPA's mission is to effectively serve the interests and needs of its members as aircraft owners and pilots and establish, maintain, and articulate positions of leadership to promote the economy, safety, utility, and popularity of flight in general aviation aircraft. Representing two thirds of all pilots in the United States, AOPA is the largest civil aviation organization in the world.

AOPA submits the following comments to the National Transportation Safety Board's (NTSB) Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records Notice of Proposed Rulemaking (NPRM) published in the Federal Register on Monday, March 31, 2008.

AOPA supports the inclusion of unmanned aircraft systems (UAS) into the accident and incident reporting requirements of 49 CFR Part 830 and the NTSB's efforts to collect UAS accident/incident data.

AOPA members continue to express concerns over the operation of UAS in the National Airspace System (NAS), with specific concerns surrounding collision hazards with UAS and traditional piloted aircraft. UAS currently lack the necessary technologies to safely operate in a "see and avoid" environment. In order to safely operate in the airspace system without segregation and without any negative impact on general aviation. While AOPA supports granting UAS access to the NAS, it must be done in a way that does not adversely affect the safety or access to current NAS users. UAS operation in the NAS should not have a negative impact on general aviation operations and should not require specially designated airspace for UAS operation.

AOPA supports the addition of UAS language – Must revisit after ARC

The NTSB is proposing to amend its regulations concerning notification and reporting requirements to include reporting requirements for unmanned aircraft accidents.

Explanation of proposed changes: The proposed changes would add the definition of "unmanned aircraft accident" to 49 CFR Part 830. "Unmanned aircraft accident" would be defined as "an occurrence associated with the operation of a public or civil unmanned aircraft that takes place between the time that the aircraft is activated with the purpose of flight and the time that the aircraft is deactivated at the conclusion of its mission, in which any person suffers death or serious injury, or in which the aircraft receives substantial damage."

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The NPRM also proposes to modify the definition of "aircraft accident" to read, "For purposes of this part, the definition of 'aircraft accident' includes 'unmanned aircraft accident,' as defined herein."

AOPA recommendation: AOPA supports the addition of adding the definition of unmanned aircraft accident to the accident and incident reporting requirements within 49 CFR Part 830. We also recommend that the NTSB revisit 49 CFR Part 830 after the conclusion of the FAA's Small Unmanned Aircraft Systems Aviation Rulemaking Committee (ARC) and the subsequent expected issuance of a Special Federal Aviation Regulation (SFAR).

FAA's Small Unmanned Aircraft Systems Aviation Rulemaking Committee

The FAA, on April 4, 2008 issued Order 1110.150 establishing the Small Unmanned Aircraft Systems Aviation Rulemaking Committee (Small UAS ARC). The Small UAS ARC is tasked with proposing recommendations to the FAA to be considered, as a regulatory basis is developed to allow small UAS access to operate in the National Airspace System.

Once rulemaking is established allowing Small UAS access to the National Airspace System, the NTSB will need to revisit 49 CFR Part 830 to determine if different categories of UAS require varying definitions of "accident" and "incident" to address their specific characteristics and operating parameters. Until such time as the FAA allows for small UAS integration into the NAS, the scope of these characteristics is unknown, hence the request that the NTSB revisit Part 830 to determine what data should be collected.

Summary

AOPA believes that adding unmanned aircraft to the accident and incident reporting requirements of 49 CFR Part 830 is an important and proper step in the integration of the UAS into the National Airspace System. However, since the work to do so is in it's infancy, we recommend that the NTSB revisit Part 830 after the completion of the FAA's rulemaking to allow small unmanned systems access to the National Airspace System to determine if these systems require different definitions for "accident" and "incident."

Sincerely,



Melissa Rudinger
Vice President
Regulatory Affairs