

December 19, 2014

Mr. Reggie Govan  
FAA Chief Counsel  
Orville Wright Bldg. (FOB10A)  
Room 900E  
FAA National Headquarters  
800 Independence Ave, SW  
Washington, DC 20591

Dear Mr. Govan,

Thank you for taking the time to meet with us last week. We hope you found the meeting as informative as we did.

During the meeting we discussed the Landis-Mayo interpretation from October 28<sup>th</sup>, 2014. The Landis interpretation cites the Swenson-ACE 230 interpretation from February 29<sup>th</sup>, 2012, which arrives at a similar conclusion. Both interpretations answer questions surrounding the requirements for cockpit voice recorders in multiengine, turbine powered aircraft certified for single pilot operations that have an autopilot installed.

The Landis and Swenson interpretations both answer questions based on scenarios where the autopilot becomes inoperable. In such a scenario, NBAA agrees with the FAA, a second pilot will be required and a CVR must be installed for continued operations under Part 135. It has also been suggested that the interpretations imply that multiengine, turbine powered aircraft certified for single pilot operations with passenger seating configurations of six or more and a working autopilot installed require a CVR for all operations under Part 135. This interpretation causes great concern for the industry and is contrary to the long standing application of the FARs.

The FAA has consistently acknowledged through the approval of Operations Specifications that multiengine, turbine powered aircraft with passenger seating configurations of six or more operated single pilot under Part 135 do not require CVRs when the autopilot is working. A search of the FAA Aircraft Operators for Compensation or Hire database lists 1,087 aircraft from 368 different operators potentially fitting this description.

The industry recognizes CVRs serve as a valuable post-accident investigative tool in many circumstances. When two pilots fly an aircraft, the CVR captures critical communications between the pilots. However, in single pilot operations, radio transmissions are recorded by air traffic facilities leaving the only possible utility of a CVR to be of a secondary nature, potentially capturing non-transmitted voice communication or ambient noise. These secondary benefits were not considered sufficient to drive an equipage requirement at the FAA nor, more recently, when ICAO tried a second time to mandate such equipage but was denied by the Air Navigation Panel.

Our industry partners at NATA and GAMA, who also represent a number of affected aircraft operators, are also closely following this issue and are hopeful for a positive outcome.

Please let us know if any additional information, including costs for equipment and installation, would be helpful. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Douglas Carr". The signature is fluid and cursive, with the first name being more prominent.

Douglas Carr  
Vice President, Regulatory & International Affairs

CC: John McGraw, NATA  
Jens Hennig, GAMA