

**HOUSE JOINT RESOLUTION NO. 27**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES IVAN, Foster, Nicholia**

**Introduced: 3/5/97**

**Referred: Transportation**

**A RESOLUTION**

**1 Requesting the Federal Aviation Administration to grant exemptions from the  
2 "commuter rule" in order to maintain a high level of air safety and air  
3 transportation service in rural Alaska.**

**4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**5 WHEREAS** the Federal Aviation Administration (FAA) proposes to make aircraft with  
**6 10 or more passenger seats and all turbojet aircraft in scheduled passenger service in the state  
7 subject to the "commuter rule"; and**

**8 WHEREAS** the "commuter rule" imposes additional operational, certification, and  
**9 management requirements on aircraft operators in the state and additional equipment and  
10 performance requirements for aircraft in the state; and**

**11 WHEREAS** the "commuter rule" is supposed to improve aviation safety in the state;  
**12 and**

**13 WHEREAS** the National Transportation Safety Board (NTSB) in its 1995 report on  
**14 aviation safety in Alaska neither recommended that aviation safety in the state would be  
15 enhanced if all operators of smaller aircraft were subject to regulations designed for large  
16 aircraft nor even mentioned the "commuter rule"; and**

1           **WHEREAS** the NTSB has recommended that the FAA and the National Weather  
2 Service provide weather observation services at more Alaska airports to enhance aviation  
3 safety; and

4           **WHEREAS** the NTSB has noted that the number of weather observer stations in  
5 Alaska has not increased since 1980, contrary to recommendations otherwise; and

6           **WHEREAS** improved weather observation services and reporting would improve  
7 aviation safety in Alaska more than would imposition of the "commuter rule" on small  
8 aircraft in the state; and

9           **WHEREAS**, of the Alaska operators to which this new rule will apply, those operators  
10 operating in rural areas have chosen to avoid the "commuter rule" by either removing seats  
11 from aircraft in order to be under the rule's threshold or disposing of their larger aircraft  
12 entirely; and

13           **WHEREAS** operators of 10- to 19-seat, twin-engine, turbo-propeller aircraft have a  
14 better safety record than operators of smaller aircraft; and

15           **WHEREAS** the communities of rural Alaska rely heavily upon air transportation  
16 services for movement of people and goods; and

17           **WHEREAS** the "commuter rule" will not benefit communities in rural areas of the  
18 state; and

19           **WHEREAS** the Congress has authorized the FAA to exempt small air carriers in  
20 Alaska from provisions of the "commuter rule";

21           **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the Federal  
22 Aviation Administration to either allow affected air carriers to continue to operate in specific  
23 rural Alaska locations under the operating rules of Federal Aviation Regulation Part 135 or  
24 expeditiously grant specific exemptions from the "commuter rule" to individual operators who  
25 operate in rural Alaska.

26           **COPIES** of this resolution shall be sent to the Honorable Rodney E. Slater, Secretary,  
27 U. S. Department of Transportation; the Honorable Barry L. Valentine, Acting Administrator,  
28 Federal Aviation Administration, U.S. Department of Transportation; and to the Honorable Ted  
29 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young,  
30 U.S. Representative, members of the Alaska delegation in Congress.