

HOUSE RESOLUTION NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KELLY, Austerman, Gardner, Crawford, Hawker, Tuck, Wilson, Millett, Seaton, Holmes, Johnson, Guttenberg, Keller, Kerttula, Harris, Chenault, Kawasaki, Olson, Dahlstrom, Herron, Buch, Doogan, Stoltze, Edgmon, Neuman

Introduced: 2/25/09

Referred: Today's Calendar

A RESOLUTION

1 **Opposing a rule proposed by the Transportation Security Administration that would**
2 **require certain security measures under a Large Aircraft Security Program for general**
3 **aviation and commercial aircraft with a gross take-off weight of 12,500 pounds or more.**

4 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:**

5 **WHEREAS** the federal Transportation Security Administration has proposed a new
6 rule that would establish a Large Aircraft Security Program for general aviation and
7 commercial aircraft larger than 12,500 pounds gross take-off weight, requiring aircraft owners
8 to implement the same security measures used on commercial passenger and air cargo aircraft
9 operating in the United States; and

10 **WHEREAS** the rule would require pilots and mechanics to undergo criminal
11 background checks; and

12 **WHEREAS** the rule would require pilots to check the passengers on a flight against
13 the federal "no fly" list before departure; and

14 **WHEREAS**, under the rule, some flights would, at the discretion of the
15 Transportation Security Administration, require a federal air marshal to fly with them; and

1 **WHEREAS** the rule would require flights using aircraft covered by the rule to be
2 approved by the Transportation Security Administration before departure; and

3 **WHEREAS** the rule assigns the same level of threat potential to business and
4 personal airplanes that are in the transport category as to airliners, although even small
5 airliners, such as the Boeing 737, weigh more than 100,000 pounds; and

6 **WHEREAS** the arbitrary threshold of 12,500 pounds would include a Beech King Air
7 350 turboprop, which has a gross take-off weight of 15,000 pounds, but not the King Air 200,
8 which has a maximum weight of 12,500 pounds, causing many aircraft owners and operators
9 to fear that the Transportation Security Administration would soon extend the rule to even
10 smaller aircraft; and

11 **WHEREAS** the proposed rule would impose a financial hardship on private and
12 commercial aircraft owners and pilots, as well as on airports that serve aircraft covered by the
13 rule; and

14 **WHEREAS** the cost of conforming to the rule would be exorbitant and would likely
15 cause many small air carriers and private aircraft owners to stop flying; and

16 **WHEREAS** the Department of Transportation and Public Facilities estimates it would
17 cost up to \$400,000 to upgrade each affected airport, including Aniak, Dutch Harbor, Galena,
18 Merrill Field and Lake Hood in Anchorage, Palmer, Kenai, and Unalakleet, among others;
19 and

20 **WHEREAS** aircraft operators would not be able to use airports that require upgrading
21 until the changes are made, requiring them to move airplanes and operations to other airports
22 to continue operating; and

23 **WHEREAS** Alaskans are more reliant on air travel than any other state's population,
24 and the proposed rule would have an immediate negative effect on air travel; and

25 **WHEREAS** the Transportation Security Administration's own estimate is that the new
26 rule would cost \$1,900,000,000 to secure 10,000 aircraft nationwide, more than 80 percent of
27 the cost of which would be borne directly by the aircraft owners; and

28 **WHEREAS** more than 100 aircraft in Alaska, operated by 25 separate owners, would
29 be immediately affected by the rule; and

30 **WHEREAS** the proposed rule is in direct conflict with AS 02.35.110, which requires
31 pilots in Alaska to fly with certain emergency and survival equipment on board that would be

1 prohibited by the Transportation Security Administration; and

2 **WHEREAS** the Transportation Security Administration is accepting public comments
3 on the proposed rule until February 27, 2009;

4 **BE IT RESOLVED** that the House of Representatives requests the Transportation
5 Security Administration to cease consideration of the proposed rule to require security
6 measures under a Large Aircraft Security Program for general aviation and commercial
7 aircraft having a gross take-off weight of at least 12,500 pounds.

8 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
9 the United States; the Honorable Janet A. Napolitano, United States Secretary of Homeland
10 Security; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators,
11 and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
12 Congress.