

STATE OF ALASKA
THE LEGISLATURE

1997

Source

SCS HJR 27(TRA)

Legislative
Resolve No.

37



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COPIES of this resolution shall be sent to the Honorable Rodney E. Slater, Secretary, U. S. Department of Transportation; the Honorable David R. Hinson, Administrator, Federal Aviation Administration, U.S. Department of Transportation; Guy S. Gardner, Associate Administrator for Regulation and Certification, Federal Aviation Administration, U.S. Department of Transportation; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of

the Alaska delegation in Congress.