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## 2016 Summer Update

In early 2016, the House Transportation Committee proposed significant restructuring of the FAA that includes privatizing the existing national air traffic control system into a separate non-profit entity, which would run by an appointed board controlled primarily by legacy scheduled air carriers. Concerns from across the aviation industry, including a legacy air carrier, by-partisan members of Congress, and the general aviation sector, stalled this privatization initiative, at least for the time being. However, the FAA's halting progress in implementing NextGen satellite-based navigation systems continues to be cited as a reason for seeking private operation of the air traffic control system.

FAA Reauthorization remains unfinished – with the potential to change the general aviation industry substantially. The current 2012 FAA Reauthorization expired in September 2015, but has been extended until July 15, 2016. In a year with a Presidential election and a divided Congress, the direction of long-term Reauthorization is unclear.

This Update is geared towards the general aviation community, including aircraft maintenance, aeronautical support and airport fueling services, ground and cargo handling providers, and other air transportation and logistics industry sectors. We've included short briefs on topics of interest, a list of useful regulatory and guidance references, and a look-ahead to important pending issues.

Please contact a [McBreen & Kopko](#) attorney if you have questions or would like more information. A PDF copy of this newsletter is available [here](#).

## FAA Reauthorization

The [U.S. Senate version of FAA Reauthorization](#) was passed on April 19, 2016. [Senate Bill 2658](#) includes aircraft certification reforms, a second Pilot Bill of Rights, limitations on flight attendant duty times, commercial delivery drone flights, and increased funding to the Airport Improvement Program (AIP). Significantly the Senate bill does not include privatization of air

traffic control. The bill must now be reconciled with the version passed by the U.S. House of Representatives which does include air traffic control privatization. In the meantime, the House and Senate have again agreed to extend FAA's funding authority temporarily, until [July 15, 2016](#).

## Forecasts

The FAA's [Forecast for 2015-2036](#) was released on March 24, 2016; highlights include:

- The general aviation fleet is forecast to increase from 203,880 aircraft in 2015 to 210,695 in 2036, growing an average of 0.2% a year.
- Fixed-wing turbine aircraft are expected to grow at a rate of 2.0% per year, fixed-wing piston aircraft decline at a rate of 0.7% per year, and rotorcraft grow at a rate of 2.2% per year.
- General aviation hours flown are forecast to increase from 23.2 million hours in 2015 to 29.6 million in 2036, an average annual growth rate of 1.2% a year.
- Fixed-wing turbine aircraft hours flown grow at a rate of 2.5% per year, fixed-wing piston aircraft hours flown decline at a rate of 0.5% per year, and rotorcraft hours flown grow at a rate of 2.5% per year.
- General aviation operations are forecast to increase 0.4% in 2016, and grow at a rate of 0.3% thereafter, totaling 27.5 million operations in 2036.

## FAA Charter Industry Report

On May 18, 2016, the FAA released a [Study of Operators Regulated under Part 135](#). The Study found that general aviation charter is primarily composed of small businesses with a few aircraft that serve thousands of airports that are not served by scheduled airlines. Specifically, it found that 2,155 U.S. charter companies operate 10,655 aircraft to more than 3,000 airports. These companies average just 19 employees each, have only a couple of aircraft and report less than \$2.5 million in annual revenues. Business jets account for 30 percent of the fleet, with the remainder made up of pistons, turboprops and helicopters. The Study was mandated by Section 409 of the FAA Modernization and Reform Act of 2012. Among other things, the Study provides data on the following categories:

- size and type of aircraft in the fleet
- equipment utilized by the fleet
- hours flown each year by the fleet
- utilization rates with respect to the fleet
- safety record of various categories of use and aircraft types with respect to the fleet, through a review of the database of the National Transportation Safety Board
- sales revenues of the fleet
- number of passengers and airports served by the fleet

## FAA Compliance and Enforcement

Due to **reorganization within the FAA's Litigation Division**, the FAA Administrator has delegated the responsibility to **administer appeals in civil penalty actions** to the Chief Counsel and the Director of the Office of Adjudication, as of [March 28, 2016](#).

In its ongoing implementation of the new **Compliance Philosophy**, the FAA has [proposed changes](#) to the **Aviation Safety Action Program (ASAP)** and the **Voluntary Disclosure Reporting Program (VDRP)**. New ASAP reports will no longer be included in the

Enforcement Investigative System (EIS), and Administrative Actions will no longer be taken after accepted ASAP disclosures. Additionally, accepted VDRP reports will no longer be automatically documented in EIS. The ASAP and VDRP processes will protect certain disclosures through an exemption from the Freedom of Information Act (FOIA).

## Aircraft Transactions

On February 10, 2016, the FAA updated [Advisory Circular 91-37B Truth in Leasing](#). This AC advises lessees and conditional buyers of U.S.-registered aircraft that **truth-in-leasing requirements** are required by regulation for aircraft weighing more than 12,500 pounds. Any person seeking to lease an aircraft should understand the meaning of **operational control** and should not enter into an agreement where operational control is not clearly maintained by the appropriate and duly authorized party. The AC was last updated in 1978.

On October 1, 2015, the FAA updated [Advisory Circular 21-44A - Issuance of Export Airworthiness Approvals Under 14 CFR Part 21](#). The AC gives guidance on **export certificates of airworthiness (C of A)**. The export C of A represents a certifying statement from the FAA that a given aircraft conforms to its approved design and is in a condition for safe operation, as of the time of examination and issuance of the certificate.

By the end of 2016, the FAA is expected to issue a Notice of Proposed Rule Making (NPRM) to establish **fees for the provision of legal opinions pertaining to aircraft registration or recordation**. The NPRM would also **revise existing fees for aircraft registration, recording of security interests in aircraft or aircraft parts, and replacement of an airman certificate**.

## Air Operations

The **FAA prohibited e-cigarettes** on flights operated by commercial air carriers and certain charter flights, effective March 4, 2016. The FAA's [final rule](#) extended the already-existing ban and expanded the ban to include charter (nonscheduled) flights where a flight attendant is a required crewmember.

The [FAA announced in March](#) that it is considering a request from the Federal Communication Commission (FCC) to use bright flashing lights on tall structures in order to deter birds. Recent flight tests concluded that flashing versus steady-burning lights could **reduce the number of migratory bird strikes**. The FAA has updated lighting [Advisory Circular 70/7460-1L](#) as of December 2015 to call for the **new type of tower lighting configuration**.

The FAA proposed to revise the requirements for operating in **Reduced Visual Separation Minimum (RVSM) airspace**. The [proposal](#) eliminates the burden and expense of developing, processing, and approving RVSM maintenance programs. An applicant to operate in RVSM airspace would no longer be required to develop and submit an RVSM maintenance program solely for the purpose of an RVSM authorization. Because of other independent FAA airworthiness regulations, all aircraft operators would nevertheless continue to be required to maintain RVSM equipment in an airworthy condition. The comment period closed on July 17, 2015.

## International Operations

FAA and EASA are jointly hosting the **International Aviation Safety Conference in Washington, D.C., on June 14-16, 2016**. This conference will provide a forum for aviation safety leaders to share new ideas, initiatives and best practices for reducing accident risk through improved technology, infrastructure, shared safety data and analysis, testing, training, and certification. More information is available at the [conference website](#).

The FAA signed a **Maintenance Implementation Procedures (MIP)** agreement with the **Civil Aviation Authority (CAAS) of Singapore** on [February 16, 2016](#). The MIP Agreement is the first of its kind in Asia and builds on the 2004 U.S.-Singapore Bilateral Safety Agreement (BASA) which saves both countries time by allowing for the reciprocal acceptance of Singapore and the United States' surveillance of maintenance work.

On September 15, 2015, The FAA signed **bilateral safety agreements** with the **European Aviation Safety Agency (EASA)** and **Transport Canada (TCCA)** to allow each authority to rely on each other's regulatory systems. The agreements allow reciprocal acceptance of the majority of Technical Standard Order (TSO)-approved articles. This eliminates the need for applications, additional validation and administrative review by each party. The agreement with EASA also facilitates acceptance of basic Supplemental Type Certificates (STCs).

## Airports

The FAA Airport Compliance Division plans to publish a **Notice of Policy on Evaluating Disputed Changes of Sponsorship at Federally Obligated Airports** on [June 6, 2016](#). The Policy will clarify the FAA's legal authority and policy for handling disputed sponsorship changes at federally obligated, publicly owned airports. It also will explain the requirements for state or local governments to give advance notice to and coordinate with the FAA when considering actions that may impact an airport's ownership, sponsorship, governance, or operations.

On May 6, 2016, the FAA updated Order [JO 7210.54C](#) which provides for **FAA Contract Tower (FCT) Operation and Administration**. The order provides guidance to FAA and contractor personnel for the administration and operation of the FAA FCT Program. The FCT Program is a federally funded program to provide contract air traffic control services at designated towers. FAA organizations must provide the same level of operational support and guidance to contract towers as provided to similar FAA Air Traffic Control Towers (ATCT).

## Airport Advisory Circulars

The FAA released Draft AC [150/5320-6F](#), **Airport Pavement Design and Evaluation** on June 1, 2016. The AC provides guidance to the public on the design and evaluation of pavements used by aircraft at civil airports.

The FAA updated AC [150/5370-10G](#) - **Standards for Specifying Construction of Airports** on May 13, 2016. The AC prescribes the materials and methods used for the construction of airports. Items covered in this AC include general provisions, earthwork, flexible base courses, rigid base courses, flexible surface courses, rigid pavement, fencing, drainage, turfing, and lighting installation.

The FAA released Draft AC [150/5370-2G](#), **Operational Safety on Airports during Construction** on May 2, 2016. The AC sets forth guidelines for operational safety on airports during construction. The draft document adds guidance for the use of orange construction signs, allows open trenches within the Taxiway Safety Area with specific restrictions, and

enhances guidance for temporary shortened runways and displaced thresholds.

The FAA updated AC [150/5100-19D](#) - **Guide for Airport Financial Reports Filed by Airport Sponsors** on April 28, 2016. The AC provides airport sponsors with guidance on filing FAA financial forms and announces changes to the FAA's financial reporting program.

The FAA updated AC [150/5345-53D](#) - **Airport Lighting Equipment Certification Program** on April 22, 2016. The AC describes the Airport Lighting Equipment Certification Program (ALECP).

The FAA released Draft AC [150/5200-30D](#), **Airport Field Condition Assessments and Winter Operations Safety** on March 7, 2016. The AC provides guidance to assist airport operators in assessing and reporting field conditions through the utilization of the Runway Condition Assessment Matrix (RCAM), conducting and reporting runway friction surveys, and developing snow removal and control procedures.

The FAA updated AC [150/5345-46E](#) - **Specification for Runway and Taxiway Light Fixtures** on March 2, 2016. The AC contains FAA specifications for light fixtures to be used on airport runways and taxiways.

The FAA reactivated AC [150/5300-18B](#) - **General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards**. The AC provides the specifications for the collection of airport data for the FAA Airport Surveying – Geographic Information System (GIS) Program. Also explains how to submit data to the FAA, which will forward the safety critical data to the National Geodetic Survey (NGS) for independent verification and validation.

The FAA updated [150/5340-30H](#) - **Design and Installation Details for Airport Visual Aids** on January 22, 2016. The AC provides guidance and recommendations about the installation of airport visual aids.

## FAA Fines on Airports

**Puerto Rico Airports Authority** received a proposed FAA penalty on March 17, 2016 for [\\$917,000](#) for alleged aircraft rescue and firefighting violations at three of its commercial airports.

On November 18, 2015, the FAA proposed a [\\$200,000](#) penalty against **Detroit Wayne County Airport Authority** for allegedly failing to maintain safe airport conditions during a November 2014 snow storm.

**City of Cleveland** received proposal civil penalties totaling [\\$735,000](#) on September 18, 2015 for failing to maintain safe runways and taxiways clear of snow and ice during three snowstorms in the winter of 2013 and 2014. On [May 17, 2016](#), the City agreed to pay \$200,000 and implement enhanced compliance systems, including:

- Maintenance of appropriate staffing numbers, with reports to the FAA twice each year, through 2020.
- Documentation of the staffing allocated per shift for each winter event.
- Procurement of new and replacement snow removal equipment by 2019, with the FAA to review this plan every 12 months.
- Construction of a snow removal equipment storage building on or before December 31, 2017.



- Specific requirements for executive management oversight in the airport's Airport Certification Manual (Snow and Ice Control Plan).

## Noise

On [January 14, 2016](#), the FAA published a Notice of Proposed Rulemaking (NPRM) to establish a **new noise standard for certain subsonic jet airplanes and subsonic transport category large airplanes, to be known as Stage 5**. The new standard would apply to a new airplane type design with a maximum certificated takeoff weight of 121,254 pounds (55,000 kg) or more on or after December 31, 2017; or with maximum certificated takeoff weight of less than 121,254 pounds (55,000 kg) on or after December 31, 2020. This change would reduce the noise produced by new airplanes and harmonize the noise certification standards for those airplanes certificated in the US with the new ICAO noise standard in Annex 16, Chapter 14, effective July 14, 2014.

On [May 7, 2015](#), the FAA announced that it would embark on a multi-year effort to **re-evaluate aircraft noise exposure and its effects on communities around airports**. Currently aircraft noise is measured on a scale that averages all noise during a 24 hour period, with a ten-fold penalty for noise at night and in the early hours. This measurement is known as the Day-Night Average Sound Level (DNL).

## Security

**Navigating Transportation Security Administration (TSA) enforcement actions** continues to present challenges for the general aviation industry, including FBOs. While similar to enforcement actions by other federal agencies, TSA civil enforcement actions do have some specific considerations, particularly with respect to sensitive security information (SSI) and the limited voluntary disclosure program. McBreen & Kopko attorneys are highly experienced at understanding these unique issues, as well as the civil enforcement process generally, leading to a better result for a company or individual subject to an enforcement action. An expanded article on the subject is available [here](#).

On May 12, 2016, the U.S. House of Representatives' Oversight and Government Reform Committee held a hearing to examine **TSA management and leadership challenges** facing and effect on their workforce. A [webcast](#) of the hearing and witness statements are available online.

The **summary of TSA's 2015 enforcement actions** was published on [February 26, 2016](#). The 9/11 Commission Act of 2007 required the TSA to provide an annual summary of certain enforcement actions.

Significant changes in the **Visa Waiver Program (VWP)** were included in the [2016 Consolidated Appropriations Act](#) (HR 2029). The VWP permits visa-free travel for 20 million visitors per year to the United States for citizens of 38 program partner countries around the world. VWP visitors are admitted to the US as tourists or business visitors for 90 days. VWP countries include those in Western Europe, Australia, Chile, Japan, New Zealand, Singapore, South Korea and Taiwan. Every prospective VWP traveler undergoes counterterrorism screening and must receive approval through the Department of Homeland Security (DHS) [Electronic System for Travel Authorization](#) (ESTA). The changes prevent foreign nationals who have been present in Iraq, Syria, Iran or Sudan (or other countries designed by the Secretary of DHS as supporting terrorism), on or after March 1, 2011, and dual nationals of

those countries and VWP countries from entering the United States.

## Cuba

U.S. Customs and Border Protection (“**CBP**”) proposed changes in response to the February 2016 agreement between the **U.S. and Cuba to open up scheduled air services**. The new Rules, published [March 16, 2016](#), remove the requirement that airports make a written request to CBP before accepting flights to or from Cuba. Immigration and other rules under Title 19 remain the same and are still applicable to passengers arriving from Cuba.

On [February 16, 2016](#), the **U.S. and Cuba signed a pact to re-open scheduled air services** between the two countries. The new arrangement provides each country with the opportunity to operate up to 20 daily roundtrip flights between the U.S. and Havana. The country’s respective carriers may operate up to 10 daily roundtrip flights between the U.S. and each of Cuba’s nine other international airports, providing U.S. carriers with the opportunity to operate up to a total of 110 daily roundtrip flights. The arrangement does not limit charter services, meaning that no DOT allocation procedures are needed and charter flights can continue as before. The [Department of Transportation](#) immediately invited scheduled passenger and cargo carriers to apply for allocation of flights.

On December 15, 2015, the **FAA** updated its guidance through the issuance of [Notice 8900.337](#) for **Operations Specifications (OpSpec) B050** which allows certificate holders to land within the country of **Cuba** and/or overfly the Havana flight information region. It also updated the requirements pertaining to travelers and air carriers intending to fly to Cuba.

**New OFAC Regulations Regarding Travel to Cuba.** As a result of the loosening of the embargo on trade with Cuba, the Treasury Department’s Office of Foreign Asset Control issued regulations that grant a general license allowing certain individuals to travel to Cuba for specific purposes. Among the permitted reasons for travel that would qualify for a general license are family visits. The general license is granted for persons “subject to the jurisdiction of the United States and persons traveling with them who share a common dwelling as a family with them” or “accompanying a close relative traveling to Cuba” for official government business, journalistic activity, professional research education activities, religious activities, humanitarian projects, or activities of private foundations or research or educational institutes. Each person relying on the general authorization in this section must retain specific records related to the authorized travel.

## Production and Certification

The FAA recently issued a revised draft policy for approvals of minor modifications to products using **Parts Manufacturer Authority (PMA)**. The FAA took comments on its draft [Policy Statement](#) until May 1, 2016. Under the prior versions of FAA Order 8110.42, it was unclear to industry and to Aircraft Certification Offices (ACOs) whether PMA was an acceptable process for approval when modifications were minor. Modifications to products have typically been viewed as major changes in type design, requiring a supplemental type certificate (STC). However, this approach was excessive and inefficient for minor modifications. The FAA’s proposed policy recognizes the use of PMA as a suitable method to approve an article, and to provide for the article’s installation, when the installation would not constitute a major change to the product’s type design, and thus not warrant approval via a STC or type certificate amendment.

On March 11, 2016, the FAA updated [Advisory Circular 21.101-1B](#) - **Establishing the**

**Certification Basis of Changed Aeronautical Products.** The guidance is intended to help applicants and delegated organizations determine if it will be necessary to apply for a new type certificate (TC) under § 21.19, *Changes requiring a new type certificate*. The guidance describes the process for establishing the certification basis for an amended TC, supplemental type certificate (STC), and amended STC, detailing the requirements (evaluations, classifications, and decisions) throughout the process.

The FAA published long-awaited proposed new rules for manufacturing on [March 14, 2016](#) for the **airworthiness standards for small general aviation aircraft**. The proposed rule restructures the certification standard in Part 23 and creates performance-based standards. It adds new standards to address loss of control accidents and in-flight icing conditions. Performance and risk-based divisions are based on aircraft with maximums seating of 19 passengers and a maximum takeoff weight of 19,000 pounds or less.

The FAA updated its guidance to FAA personnel within the Aircraft Certification Service division (AIR) regarding **Production Approval Procedures** for the evaluation and approval of original equipment manufacturers and their suppliers. [Order 8120.11A](#) took effect on January 11, 2016, superseding the previous issuance on February 26, 2013.

## Maintenance and Repair Stations

On [May 2, 2016](#), the FAA issued **Notice N 8900.360 Maintenance Annex Guidance (MAG), Change 5 Requirements** for the FAA Form 8130-3 From Production Approval Holder extending the implementation date from April 1, 2016 to October 1, 2016. The notice addresses concerns about the current MAG raised by numerous FAA-certificated repair stations (CRS) on the changes contained in Section B, Appendix 1, paragraph 10, Release and Acceptance of Components.

On [April 27, 2016](#), the FAA issued a **legal interpretation on regulations applicable to airworthiness directives (ADs)**. Specifically, the interpretation addressed: (1) the extent of an aircraft operator's continuing obligation following the issuance of an AD; (2) the extent of an aircraft operator's obligation to accomplish actions referenced in an AD beyond those actions necessary to resolve the unsafe condition specifically identified in an AD; (3) the meaning of the term "applicable" in AD 2007-07-02; and (4) the extent of an aircraft operator's responsibilities when an AD requires an action that cannot be accomplished on a particular aircraft.

The FAA recently amended the standard language in the templates for **Operations Specifications (OpSpecs)** applicable to **Part 145 certificated repair stations**. The affected sections are **A001, Issuance and Applicability; A002, Definitions and Abbreviations; and A004 Summary of Special Authorizations and Limitations**. Notice 8900.341 took effect on [January 19, 2016](#).

On [March 16, 2016](#), the FAA released a technical amendment to its final rule for **Air Carrier Contract Maintenance Requirements**. The amendment adds the Office of Management and Budget (OMB) information collection requests to the final rule.

On January 4, 2016, the FAA released two advisory circulars regarding contract maintenance applicable to all Part 121 and certain Part 135 operations. [AC 120-106A - Scope and Recommended Content for a Contractual Agreement Between an Air Carrier and a Maintenance Provider](#) introduces new rulemaking regarding air carrier contract maintenance programs and air carrier manual content pertaining to contract maintenance requirements and contract maintenance provider (MP) responsibilities. [AC 120-16G - Air Carrier Maintenance](#)



**Programs** explains the meaning of the term “maintenance program” and describes the scope and content of air carrier aircraft maintenance programs. This is important as there is a significant difference between an air carrier maintenance program and an inspection program used in non-air carrier maintenance operations. The background of the programs, FAA regulatory requirements as well as each of the 10 elements of air carrier maintenance programs are described and explained.

The FAA is expected to issue an NPRM for **Airport Safety Management System (SMS)** in the fall of 2016. The rulemaking would require certain airports to develop, implement, maintain and adhere to a SMS for its aviation related activities.

## **Hazardous Materials**

By [June 1, 2016](#) all aviation businesses and other firms, must be fully compliant with the Occupational Safety and Health Administration (**OSHA**) rule on the use of the **Globally Harmonized System (GHS) of labeling chemicals**. In addition, all employees must be trained on the use of the GHS system. Compliance with the GHS hazard communication rule requires that aviation businesses: update old Material Safety Data Sheets (MSDS) with new Safety Data Sheets (SDS) utilizing the GHS system, revise Hazard Communications Programs to include the GHS system and train all employees on reading and understanding GHS labels.

The U.S. Department of Transportation (DOT) issued a **Safety Advisory Notice regarding the transport of lithium batteries** on [April 7, 2016](#). The Safety Notice is a result of recent actions that were taken by the International Civil Aviation Organization (ICAO) to enhance the safe transport of lithium batteries by air. Based on this information, ICAO amended the 2015-2016 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air concerning the transport of lithium ion cells and batteries. These amendments, effective April 1, 2016, include:

- A prohibition on the transport of lithium ion cells and batteries as cargo aboard passenger aircraft;
- A requirement for lithium ion cells and batteries to be shipped at a state of charge of no more than 30 percent of their rated capacity on cargo aircraft; and
- A limit on the number of packages of both lithium ion and lithium metal batteries that may be offered for transportation on cargo aircraft under current provisions for small cells and batteries to not more than one package per consignment or overpack.

## **Transportation Research Board (TRB) Aviation-Related Reports and Guidance**

### ***Legal Research***

Legal Research Digest 27, [The Fourth Amendment and Airports](#), April 2016. The digest discusses the Fourth Amendment generally as it pertains to its application to people, houses, papers, and effects. The digest focuses on the application at airports and respective court decisions. It specifically discusses expectations of privacy at airports, airport administrative inspection actions, and law enforcement actions.

Legal Research Digest 26, [Regulations Affecting the Exercise of First Amendment Activities at Airports](#), August 2015. This digest provides an overview of the First Amendment for airport operators by discussing the different activities that occur at airports, the issues that generally

affect them, and the legal challenges to airport policies, while laying out the history of case law in this arena.

Legal Research Digest 25, [An Analysis of Federal Laws, Regulations, Case Law and Survey of Existing Airport NPDES Permits Regarding Tenant-Operators Responsibilities under NPDES and Stormwater Management BMPs Under Owner/Airport's Operating Permits](#), July 2015. This digest clarifies responsibility for implementation and liability for enforcement of alleged violations of NPDES and SPDES. It summarizes state and federal stormwater regulations and jurisdictional authority for taking enforcement action against and imposing liability directly on airport owners related to tenant noncompliance issues. The digest also provides guidance for airport operators in enforcing tenant compliance with stormwater permit requirements.

Legal Research Digest 24, [Sovereign Immunity for Public Airport Operators](#), March 2015. This digest provides an overview of sovereign immunity as it applies to airports and provides a state-by-state summary of each state's statutory authority and relevant case law.

Legal Research Digest 23, [A Guide for Compliance with Grant Agreement Obligations to Provide Reasonable Access to an AIP-Funded Public Use General Aviation Airport](#), February 2015. This digest describes the sponsor assurances and how they limit the airport sponsor from unreasonably restricting access for aeronautical activity at general aviation airports.

## **Research**

Research Results Digest 24, [Recommended Community Noise Model Enhancements to Improve Prediction of Helicopter Activity Impacts](#), January 2016. This digest summarizes the findings of ACRP Project 02-44, "Guidance for Helicopter Community Noise Prediction."

Research Results Digest 23, [Synthesis of Information Related to Airport Practices](#), January 2016. This report is an ongoing study to search out and synthesize useful knowledge from all available sources that is helpful to the airport industry.

## **Synthesis**

ACRP Synthesis 70: [Building Information Modeling for Airports](#), May 2016. The synthesis summarizes current state of the art and practice for Building Information Modeling (BIM) which is a digital representation of a facility's physical and functional characteristics. BIM offers tools that allow airport decision makers to understand all components of a facility—their location, and their attributes, both graphically and systematically—to minimize the total cost of owning and operating an airport facility.

ACRP Synthesis 69, [Airport Sustainability Practices—Drivers and Outcomes for Small Commercial and General Aviation Airports](#), January 2016. This report focuses on drivers and outcomes of green initiatives undertaken at small commercial and general aviation airports. *Reports and Guidance*

ACRP Report 151, [Developing a Business Case for Renewable Energy at Airports](#), January 2016. This report a guidebook to help airports understand renewable energy opportunities. ACRP Report 138, [Preventive Maintenance at General Aviation Airports, Volume 1: Primer](#), May 2015. This Volume 1 Primer begins by discussing the value of airports to communities and the national airspace system. It reviews the various infrastructure assets at airports and outlines the value of planning and prioritizing preventive maintenance into the budgeting process and the impacts to operations if an airport fails to conduct preventive maintenance. It

also identifies basic principles for establishing and implementing a preventive maintenance program.

ACRP Report 138, [Preventive Maintenance at General Aviation Airports, Volume 2: Guidebook](#), May 2015. This Volume 2 Guidebook assists airport and maintenance management and all staff responsible for maintenance and repair of the airport's physical infrastructure assets in understanding preventive maintenance (PM) programs. It includes guidance on conducting PM for typical airport physical infrastructure assets.

ACRP Practice, [Improving the Safety of Runway Safety Areas](#), October 2015.

ACRP Practice, [Addressing Aircraft/Wildlife Hazards at General Aviation Airports](#), June 2015. TR News, [Public Health and Transportation](#), October 2015. This edition includes articles on incorporating health into transportation planning and decision making, modeling the risk of infectious disease spread through the transportation system, transportation lessons learned from the Ebola epidemic, health-related findings from TRB-managed research projects, and more.

ACRP Web-Only Document 24; [Air Cargo Facility Planning and Development](#), June 2015. The report outlines guidelines for air cargo facility planning and development at airports, to assist airport operators in crafting effective business policies and development decisions that meet the industry's current and future technological, operational, and security challenges in a cost-effective, efficient, and environmentally compatible manner.

## GAO Reports

**Aviation Forecasting.** [FAA Should Implement Additional Risk-Management Practices in Forecasting Aviation Activity](#), GAO-16-210, Published: March 8, 2016.

**Explosives Detection Canines:** [TSA Has Enhanced Its Canine Program, but Opportunities May Exist to Reduce Costs](#), GAO-16-444T: Published: March 3, 2016

**Transportation Security:** [Status of GAO Recommendations on TSA's Security-Related Technology Acquisitions](#), GAO-16-176: Published: February 17, 2016

**FAA:** [Preliminary Observations of Potential Air Traffic Control Restructuring Transition Issues](#), GAO-16-386R: Published: February 10, 2016.

**TSA Acquisitions:** [Further Actions Needed to Improve Efficiency of Screening Technology Test and Evaluation](#), GAO-16-117: Published: December 17, 2015

**Air Travel and Communicable Diseases:** [Comprehensive Federal Plan Needed for U.S. Aviation System's Preparedness](#), GAO-16-127: Published: December 16, 2015

**Aviation Finance:** [Observations on the Effects of Budget Uncertainty on FAA](#), GAO-16-198R, Published: November 19, 2015.

**Aviation Security:** [Improved Testing, Evaluation, and Performance Measurement Could Enhance Effectiveness](#), GAO-16-199T: Published: November 3, 2015

**General Aviation:** [Observations Related to Liability Insurance Requirements and Coverage for Aircraft Owners](#), GAO-15-740: Published: September 9, 2015.

**Aviation Security:** [TSA Has Taken Steps to Improve Vetting of Airport Workers](#), GAO-15-704T: Published: June 16, 2015

**Airport Funding:** [Changes in Aviation Activity Are Reflected in Reduced Capacity Concerns](#), GAO-15-498T: Published: April 23, 2015

**Aircraft Certification:** [Issues Related to Domestic and Foreign Approval of U.S. Aviation Products](#), GAO-15-550T: Published: April 21, 2015.



[McBreen & Kopko's](#) Aviation practice is one of the most experienced in the country. Firm attorneys have counseled clients on complex business transactions and regulatory compliance issues that face aviation and airport businesses, including airport leases, Part 16 proceedings, FAA grant assurances, service agreements, civil enforcement actions, aircraft purchase transactions, technical operating issues, and bankruptcy and creditors' rights. Our clients include fixed base operators, business aircraft owners and operators, charter operators, equipment manufacturers, management companies, and repair stations.

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