

Advocacy Recommends That FAA Consider the Impact of its Proposed Production and Airworthiness Approvals, Parts Marking Rule on Small Aviation Businesses

On February 5, 2007, the U.S. Small Business Administration's (SBA) Office of Advocacy (Advocacy) submitted comments to the Federal Aviation Administration (FAA) on its *Proposed Production and Airworthiness Approvals, Parts Marking, and Miscellaneous Proposals Rule* [71 Fed. Reg. 58914 (October 5, 2006)]. FAA's proposed rule is designed to improve aviation safety by revising its regulations governing the certification procedures for aviation parts and products, and to mandate new requirements for marking aviation parts and components. FAA also seeks to promote a global marketplace in aircraft parts and products by harmonizing its regulations with certain global standards.

Several small aviation parts manufacturers and other small business representatives contacted Advocacy and expressed serious concerns with FAA's proposed rule – particularly its potential impact on small domestic manufacturing. Advocacy's comments are reflective of these concerns and recommend that FAA carefully evaluate them before proceeding.

A complete copy of Advocacy's letter to FAA is available at: www.sba.gov/advo/laws/comments/.

- Small business representatives would like FAA to clarify some of the provisions dealing with parts marking, and to not require that all component parts within an assembly (e.g., a muffler or hydraulic pump) be individually marked.
- Small business representatives are concerned that FAA's proposed definition of "commercial parts" (including DVD players, coffee pots, curtain rings, and other parts that are not specifically intended for an aircraft) is overly broad, and that FAA should limit its regulations to parts that are specifically designed for aircraft. They also believe FAA should not require specific approval for routine parts produced during maintenance.
- Small business representatives are concerned that the proposed requirements concerning quality systems are so costly and onerous that some small manufacturers could be forced out of business. They also believe that the proposal to require a Form 8130-3 for domestic shipments is duplicative and unnecessary.
- Small business representatives are worried that the proposed regulation will alter the current system of aircraft parts sales and distribution, and believe that FAA should "grandfather" inventories of existing parts from any new regulations.

For more information about rule, please visit Advocacy's Web page at www.sba.gov/advo or contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 (or bruce.lundegren@sba.gov).