

Log 1615

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: September 13, 1983

Forwarded to:

Honorable J. Lynn Helms
Administrator
Federal Aviation Administration
Washington, D.C. 20591

SAFETY RECOMMENDATION(S)
A-83-62

On September 9, 1982, the National Transportation Safety Board issued Safety Recommendations A-82-101 through -103 to manufacturers of multiengine, turbine-powered airplanes and rotorcraft, and Safety Recommendations A-82-104 and -105 to users of these aircraft. The recommendations urged manufacturers and users voluntarily to install "general aviation" cockpit voice recorders (CVR) and flight data recorders (FDR) in their multiengine, turbine-powered aircraft.

The Safety Board is aware of several companies that have already voluntarily installed flight recorders on their high performance aircraft. We would like to encourage further voluntary use of recorders. We note that 14 CFR Parts 121 and 135 both contain the following assurances: "The Administrator does not use the [CVR] record in any civil penalty or certificate action" (Sections 121.359(e) and 135.151(b)). Such assurances are not contained in 14 CFR Part 91 or in 14 CFR Part 125; we believe that voluntary use of CVR's would be encouraged if such provisions were added in Part 91 and in Part 125.

Therefore, the National Transportation Safety Board recommends that the Federal Aviation Administration:

Amend 14 CFR Parts 91 and 125 to be consistent with 14 CFR Parts 121 and 14 CFR 135 to clearly specify that the Administrator will not use the cockpit voice recorder record in any civil penalty or certificate action. (Class II, Priority Action) (A-83-62)

BURNETT, Chairman, GOLDMAN, Vice Chairman, McADAMS, BURSLEY, and ENGEN, Members, concurred in this recommendation.

By: *Patricia A. Salaman*
Jim Burnett
Chairman *for*