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Federal Aviation Administration
Docket Management System
Attn: Docket No. FAA-2002-11666-27
U.S. Department of Transportation
400 Seventh Street, SW
Room 401, Plaza Level
Washington, DC 20590-0001

Gentlemen:

Thank you for the opportunity to comment on the Final Rule concerning requirements for pilots to carry photo identification when exercising the privileges of a pilot certificate.

The New York State Office of Public Security concurs with the FAA that this “provides a positive **short-term** *[emphasis added]* measure to enhance security throughout the general aviation community.” However, this office strongly disagrees with the view expressed in the Aircraft Owners and Pilots Association (AOPA) petition that the intent of the DEA Act (Federal Aviation Administration Drug Enforcement Assistance Act of 1988) and the Aviation and Transportation Security Act of 2001 (ATSA) with respect to assuring positive and verifiable identification of each person applying for or holding a pilot certificate is met by this rule change.

We are of the opinion that the FAA should promptly develop and implement a modern-day tamper-resistant pilot identification document.

The FAA’s Notice of Proposed Rulemaking of March 12, 1990 (55 FR 9270) was on the right track in proposing substantive changes to pilots’ credentials. Combined with the new mandate from Congress in ATSA, the FAA should rapidly move toward a two-part certificate as follows:

- Part A – Airman Identity Card
- Part B—Ratings and Limitations

The Airman Identity Card should be non-forgable and machine-readable and contain at least the following:

- Photograph of the pilot
- Signature / address/ identification number of pilot
- An appropriate biometric imprint pursuant to Sec.109 (a) of ATSA.

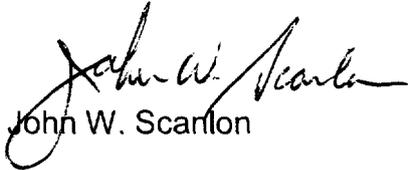
The Office of Public Security does not recommend reliance on existing drivers licenses as the solution to security concerns regarding the identification of pilots. There are a wide range of forged drivers licenses and fraudulently obtained authentic drivers license from virtually every state – enough to warrant scrutiny when the driver document is used as the foundation for the acquisition or validation of other credentials. For this reason, many establishments (including government issuers of identification media – motor vehicle departments included) are utilizing electronic readers to authenticate driver documents and match them to their legitimate bearers.

In conclusion, while the Final Rule is indeed a positive short-term measure, the **FAA** is long overdue in fulfilling the intent of both the DEA Act and ATSA to assure positive and verifiable identification of pilots. The current pilot certificate is simply outmoded and inadequate.

The Office of Public Security hopes that the new rule is proffered and accepted as an interim step in the right direction with modern-day pilot identification media to follow as soon as possible.

We once again appreciate the opportunity to comment on the rule. We remain committed to working with the TSA and the FAA on aviation and other relevant security matters to deter, detect and prevent future acts of terrorism in the State of New York.

Sincerely,



John W. Scanlon