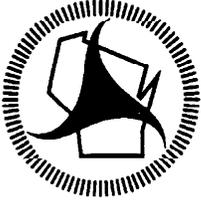


60379

ORIGINAL



Wisconsin Department of Transportation

DEPT. OF TRANSPORTATION
DOCKETS

99 JUL 29 AM 11:23

July 26, 1999

U.S. Department of Transportation Dockets
Docket No. FAA-98-4390
400 Seventh Street, SW
Rm. Plaza 401
Washington, DC 20590

**Division of Transportation
Infrastructure Development
Bureau of Aeronautics**
4802 Sheboygan Avenue, Room 701
P. O. Box 7914
Madison, WI 53707-7914

Telephone: (608) 266-3351
Facsimile (FAX): (608) 267-6748
TTY (Teletypewriter): (608) 266-3351

Docket No. FAA 98-4390; Notice No. 99-1 0 - 50

Flight Plan Requirements for Helicopter Operations Under Instrument Flight Rules

Gentlemen,

This letter is the Wisconsin Department of Transportation's (WDOT) comment on the supplemental notice of proposed rulemaking (SNPRM) on Flight Plan Requirements for Helicopter Operations Under Instrument Flight Rules. The proposed rule will improve helicopter utility and safety. WDOT supports adoption of the rule. There are several helicopter operators doing business in Wisconsin with the potential for several thousand passengers and crew using the airspace over the state annually. Specifically, we have Emergency Medical Service (EMS) flights throughout the state. While a large portion of these flights are conducted under FAR Part 135 rules, many operations are Part 91 until the patient is on board.

WDOT agrees with the SNPRM to remove Special Federal Aviation Regulation (SFAR) No. 29-4. In our opinion, the FAA is correct and SFAR 29-4 is no longer needed. We believe helicopter aircraft using the airspace over Wisconsin should comply with the Airworthiness Criteria for Helicopter Instrument Flight, found in both 14 CFR parts 27 and 29. The operational regulations already established in 14 CFR parts 91 and 135 are sufficient to protect the flying public and our citizens on the ground. SFAR 29-4 appears to have been useful in that it facilitated the development of the current regulations, we applaud the FAA for retiring the SFAR at the end of its useful life.

WDOT agrees with the SNPRM revision to the fuel requirements of 91.167. We agree that helicopters are unique in that they are more maneuverable than fixed wing and lighter than air aircraft. It is our opinion that because they are able to slow to a safe speed allowing them to see and avoid ground obstacles, the ceiling of 1,000 feet above the airport elevation (or 400 feet above the lowest applicable approach minima) and inflight visibility of 2 statute miles is appropriate. We believe it is reasonable to assume that if a helicopter descends through a ceiling at least 400 feet above the lowest approach minima with at least 2 miles visibility, the helicopter pilot or crew will be able to safely complete the approach by transitioning to ground based references.

The revision of 91.167 (b) (2) to delineate between helicopters and aircraft other than helicopters will result in increased usefulness of air ambulances utilized throughout the state.

These EMS aircraft typically have limited range which affects their ability to fly from one weather system to another in search of a suitable alternate airport. Current weather minima requiring the higher ceilings makes filing and flying using the IFR system less practical for helicopters. As a result, the air ambulances stay on the ground and the hospitals use ground transportation for their patients. The SNPRM will make it easier for EMS helicopters to fly to the hospitals which do have instrument approach procedures without having to carry the extra fuel it would take to fly to an alternate.

WDOT agrees with the SNPRM revision of FAR 91.169 (b) (2) (ii). We believe it is not required to include the forecast for 1 hour prior to time of arrival because a helicopter will never arrive at its destination 1 hour ahead of plan. The helicopter will be in the same weather mass and current reports are more accurate than projections.

WDOT agrees with the SNPRM revision of FAR 91.169 (c) (1)(ii). The IFR alternate airport weather minima for helicopters can and should be lower for helicopters as opposed to aircraft other than helicopters. Again, the unique characteristics of helicopter flight allow pilots to slow down to see and avoid obstacles at the end of an instrument approach.

WDOT agrees that by using the IFR system, helicopters will have safer, quieter operations and this will benefit Wisconsin. By addressing the unique capabilities of the helicopter, this SNPRM will make it easier for helicopters to use the system.

We hope that in the future, the FAA will consider the same characteristics when reviewing FAR Part 135.223 IFR: Alternate airport requirements. We believe updating the alternate airport requirements to differentiate between helicopters and aircraft other than helicopters would further increase participation of helicopters in the IFR system.

Sincerely,

A handwritten signature in cursive script that reads "Michael Kohrs".

Michael Kohrs
Aviation Consultant 1
608-266-7347