

December 18, 2000

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street, SW
Washington, DC 205590-0001

DEPT OF TRANSPORTATION

00 050 26 PM 3:16

119490

RE: Docket Number FAA-2000-8274 - 29
Notice No. 00-13

To whom it may concern:

Your Docket #FAA-2000-8274 NPRM specifically targets aerial advertising businesses, blimps, and television news helicopters.

IT'S ABOUT THE MONEY!

The NFL asked that the FAA ban the banner planes at the Super Bowl in Tampa. The FAA refused based upon aerial advertising being "air commerce".

Major League Baseball has asked the FAA to ban the banner planes at the World Series and All-Star games. The FAA refused based upon aerial advertising being "air commerce".

Individual team owners in the NFL and MLB asked the FAA to ban the banner planes. The FAA refused based upon aerial advertising being "air commerce".

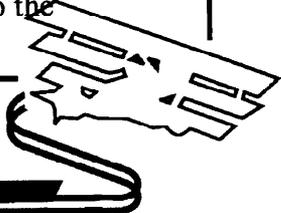
Lamar Hunt asked the FAA to ban the banner planes over the Kansas City Chiefs games. Miami Dolphins former owner Joe Robbie asked for a ban on helicopters flying banners over the Orange Bowl. The FAA banned the helicopters, but rescinded the order a short time later.

Joe Robbie's family asked the advertisers to stop advertising on the helicopters, saying they were ineffective and a pernicious nuisance. They said, and I quote, "If you want an effective ad to reach Dolphins fans in the stadium, purchase an ad in our game program." **IT'S ABOUT THE MONEY.**

Humpy Wheeler, owner of Charlotte Motor Speedway asked the FAA to ban the banner planes as they were competing unfairly with his inside the stadium signs which he sells for tens of thousand of dollars each to advertisers. **IT'S ABOUT THE MONEY.**

Does marketing guru Daniel Snyder want overflights of the Redskins games stopped? Does he offer FAA personnel and officials complimentary tickets to the Skins games or access to the owners box? He, his team and the NFL receive no revenue from aerial advertisers.

IT'S ABOUT THE MONEY.

**AERIAL
SIGN** 
COMPANY, INC.

7501 Pembroke Road, Hollywood, Florida 33023 • 954/989-2086 (Broward) • 305/625-2400 (Dade)

The Hialeah Race Track owner got the FAA to stop flights over his thoroughbred track for years until it was overturned by FAA inspector Charles Spillner. IT'S ABOUT THE MONEY.

I am a publisher. I personally oversee what messages regarding context will or will not fly. You are taking away the inalienable rights of many people. Your NPRM will not fly.

AVIATION SAFETY IS NOT AT ISSUE HERE. For 73 years aerial advertising flights have been flown over major spectator events in a most organized manner at the sanction of the FAA and FAA ATC system. To our knowledge there has never been a spectator injured as a result of aerial advertising activities at an event.

If an airman is dumb enough to fly into controlled areas, causing a concern for safety, you are not going to accomplish anything by going from NOTAMs to TFRs. Revoke the licenses that allow them the flying privileges that they abuse.

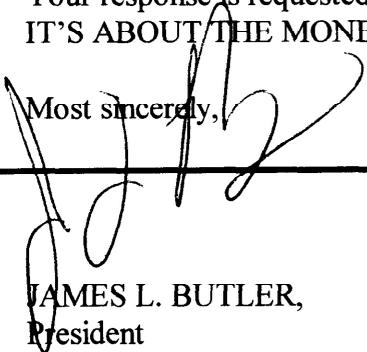
Unless you provide provisions for our entry and exit to patterns in the vicinity of major events, you will destroy an entire industry, deny our advertisers their right as guaranteed under the first amendment of the U.S. Constitution, and our right to provide them the advertising vehicle of their choosing.

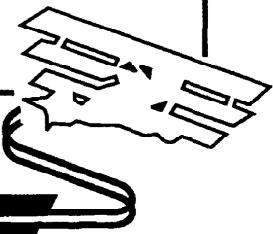
Who was the sovereign authority that certified that this proposed TFR is not expected to have a significant economic impact on a substantial number of small entities? The Regulatory Flexibility Act of 1980 requires solicitation and explanation of the rationale for your actions. I hereby request copies of all correspondence and documentation explaining your determination. You call this an inconvenience; it is the murder of an industry. Forty Million Dollars in revenues would be lost by the 400+ aerial advertising operators. Much less, the \$400 million in sales that any reasonable advertiser would expect to gain by placing their ads in front of this audience. IT'S ABOUT THE MONEY.

Extend the deadline of January 16, 2001. Give us more time to look into this so that we can notify our elected officials in the U.S. Congress, the State officials in the states which we operate, and our customers that would be denied their rights in the selection of the advertising medium that they choose.

Your response is requested in a timely manner. AVIATION SAFETY IS NOT AT ISSUE HERE; IT'S ABOUT THE MONEY.

Most sincerely,


JAMES L. BUTLER,
President


**AERIAL
SIGN** COMPANY, INC.

JAMES L. BUTLER

AVIATION ENDEAVORS

BIOGRAPHICAL SUMMARY

James L. Butler, a native of Manchester, New Hampshire and a South Floridian since 1953 is second of a three generation family of aviators. Jim has been flying aircraft since 1959, and as the President and CEO of the World's Oldest and Largest Aerial Advertising business, he is responsible for Skywriting, Banner Towing, Air show Acrobatics, Sales, Production, Maintenance and Operations.

Jim holds FAA engineering design approval's for his aerodynamically modified aircraft, as well as patents and patents pending for his innovative "Flying Billboard", "V-Board", and "SkyMural" designs.

He owns 53 aircraft ranging from vintage (1938-1961) Piper Cubs, three of only five Rawdon T-1 aircraft, Pitts, and a 1994 Russian built Sukhoi.

EXPERIENCE

- ▶ First solo Flight (16th birthday) June 15, 1959

- ▶ Commercial Pilot Certificate C# 1540944 July 28, 1961

- Graduate: Sheffield School of Aeronautics, Miami, Florida 1961

- ▶ **FLIGHT OPERATIONS:**

- ◆ **Line Pilot:**
 - Special Purpose Aircraft July 28, 1961 - Present 17,500 Hrs. PIC

- ◆ **Test Pilot:**
 - Thirty Seven (37) Aircraft Flight Tests for FAA Aircraft Certification

 - Fifty Two (52) Aircraft Flight Tests (First Flight) for FAA Certification of Major Aerodynamic Modifications.

 - World's Smallest Aircraft Carrier 1968
Twelve Flight Launches and Recoveries from a 34 foot Houseboat for testing of Aircraft Feasibility for Medical Evacuation during the Vietnam War Effort.

◆ **Pilot:**

- Current Owner/Operator of Fifty Three (53) Aircraft (With Sub-Contractors Ninety seven (97) Aircraft).
- Seventy Eight (78) different Make and Model Aircraft Flown.
- Sky Writer since 1974
- Second Generation Aerial Advertising Operator.
- President and CEO of World's Largest Aerial Advertising Business.
- President and CEO of Aerial Sign Company, Inc., Airborne Billboards, Inc., Aerial Five, Inc. Pamsa (Mexico), Pacsa (Guatemala), and Pachisa (Chile), with financial interests in other domestic banner tow operators.
- Experienced Acrobatic Instructor/Pilot:
Acrobatic Aircraft Flown include: Champion 7 Series, Pitts S-1, Pitts S-2, Great Lakes, Bellanca, Sukhoi 29, Rawdon T-1.
- Operator of Aerial Advertising Aircraft in the United States, Canada, Mexico, Guatemala, Puerto Rico, Virgin Islands, Jamaica, Trinidad and Tobago, Barbados, Venezuela, Uruguay, Argentina and Chile.
- Featured in the Guinness Book of World Records - 1991
Worlds Largest Aerial Billboard.

◆ **AIR SHOW EXPERIENCE:**

- Opening Flight Demonstrations in 1917 Fokker DR-1 "Red Baron" Triplane in the Reading International Air Show - June 1980.
- Sponsor of and Participant in Ft Lauderdale's Shell Air & Sea Show 1995 - Present

◆ **FAA AWARDS:**

- Aircraft and Powerplant Mechanic
- FAA Inspection Authorization
- FAA Partner in Safety

◆ **WORLDWIDE MEDIA COVERAGE AND FEATURE STORIES:**

- **Smithsonian Air and Space Magazine** - September, 1993
- **Advertising Age** December 20-27, 1993
- **Life Magazine** - April, 1995
- **TV Global Brazil** - May, 1995
- **fx Networks Live Breakfast Time** - June, 1995
- **CNBC's How To Succeed in Business** - July 1995
- Nationally Syndicated **DOWN THE ROAD AGAIN** - November 1995
- **THE WALL STREET JOURNAL REPORT** - December 1995
- **BBC's GOOD MORNING LONDON** - March, 1996
- **CNN's BUSINESS UNUSUAL** - May, July, 1997 September, 1998