US, Department of Transportation
Room Plaza 401
400 Seventh St., S.W.
Washington, DC 20590-0001

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

To whom it may concern:

As an aerial advertising operator, I object to the 91.145 NPRM concerning sports events.

The proposals by various sporting organizations should be seen for what they are: a shallow attempt to use the FAA to create an artificial barrier to advertising competition and freedom of expression, by controlling or limiting access to airspace they have no legitimate right to.

Banner towing around sporting events is a historically safe operation. At least ICAS presented some data on intrusions into practice / air-show airspace. Where is the FAA's stadium event data? How about the NMAC database? NASA form responses? Where are the numbers and supporting statistics? Where are the briefs from FAA employees who have handled the organization of major sporting event traffic in the past? Where is the justification for the FAA's statement of merit?

Another major problem with the NPRM is the potential for abuse. The following comments are not directed at all the good people working at the FAA. There are FSDO employees who would rather limit than coordinate. Some have made it clear they have 'little time' for general aviation matters and have proven their unwillingness to reasonably cooperate. Limiting is easier than coordinating. Further, some have made clear their disdain for aerial advertising in general. If a rule is to be published it should be clear, its aim should be to promote procedures rather than limitations. The current NPRM only promotes limitations and abuse. The FAA, as evidenced by the lack of supporting analysis in the NPRM, has no justification for greater limitations. Greater limitations should not be allowed to occur through vague wording [i.e. 91.145(a)(12)]. Provisions added which give any power to event officials is an abdication of the FAA's authority, and will guarantee abuse.

The NPRM proposes a certificate of waiver as a means of entry for other traffic. This process is entirely unsuitable, creates more potential for abuse, and is incompatible with short notice aerial advertising contracts. FAA Form 7711-2 requires the FAA to collect information from a waiver applicant; the FAA's response to the Paperwork Reduction Act requirements is flawed.

Event advertising is a major source of income for aerial advertising companies.
If the FAA decides that a substantial number of small entities will not be affected by this NPRM, I will look forward to reading the FAA's 'factual basis' and 'clear reasoning'.
The FAA has in its possession ALL the names of organizations operating under a 91.311 certificate of waiver, which could be readily counted.