

BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

)	Docket Management System
In the Matter of)	U.S. Department of Transportation
)	Room Plaza 401
)	400 Seventh Street, NW
IMPROVED SEATS IN AIR CARRIER TRANSPORT CATEGORY AIRPLANES)	Washington, DC 20590-0001
)	Docket Number:
SUPPLEMENTAL NOTICE OF PROPOSED RULEMAKING)	FAA 2002-13464

COMMENTS OF

THE ASSOCIATION OF ASIA PACIFIC AIRLINES

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Dated: 3 March 2003

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The Association of Asia Pacific Airlines (AAPA) files these comments on the Federal Aviation Administration (FAA) Supplemental Notice of Proposed Rulemaking on Improved Seats in Air Carrier Transport Category Airplanes, Docket No. FAA-2002-13464.

I. THE ASSOCIATION OF ASIA PACIFIC AIRLINES

The AAPA is the trade association of 17 major airlines based in the Asia Pacific region. The association was founded in 1966 to provide a forum for examining international air transport issues and for developing action plans on matters of mutual concern. Its members include Air New Zealand, All Nippon Airways, Asiana Airlines, Cathay Pacific Airways, China Airlines, Dragonair, EVA Air, Garuda Indonesia, Japan Airlines, Korean Air, Malaysia Airlines, Philippine Airlines, Qantas Airways, Royal Brunei Airlines, Singapore Airlines, Thai Airways International and Vietnam Airlines.

II. BACKGROUND

The AAPA appreciates the opportunity to comment on the FAA Supplemental Notice of Proposed Rulemaking regarding Improved Seats in Air Carrier Transport Category Airplanes, which would require that all passenger and flight attendant seats in transport

category airplanes used in part 121 passenger-carrying operations meet increased crashworthiness standards.

AAPA would note that many commercial aircraft now have 16g compatible seats. This has included such seats being put in new aircraft as well as replacing seats in existing aircraft. AAPA would urge that any changes made by the FAA to this ongoing transition to increased passenger protection and post-crash survivability be well-justified and supported by sound analysis.

III. FAA'S ANALYSIS OVERSTATES POTENTIAL BENEFITS

AAPA would contend that the FAA has overstated the additional safety benefits that would result from the proposed rule. Among the flaws are that the FAA did not account for the declining accident rate and takes credit for undemonstrated certification streamlining.

The FAA analysis also does not give adequate credit to carriers for their investment in 16g compatible seats. Many passenger seats on commercial airlines have, in effect, been upgraded to include all requirements except for Front Row Head Injury Criteria. Airlines will continue this investment to ensure commonality of aircraft components and because seat suppliers use 16g technology on most, if not all seats manufactured.

In addition, the FAA analysis does not account for the large cost impact that air carriers would experience should the proposed rule be made final. The new proposed Front Row Head Injury Requirements would, for example, require costly recertification and seat removal that is not adequately supported, including not specifying the percentage of casualties and injuries that would occur due to not having the criteria in place. The FAA does not adequately justify the number reduced passenger injuries and fatalities that would be attributable to surviving cabin attendants. And the FAA's estimates for cabin attendant seat replacement are overly optimistic since these seats usually remain with the aircraft for its entire useful life.

IV. FAA CAN ENSURE IMPROVED SAFETY IN A MORE COST-EFFECTIVE MANNER

The FAA could amend its proposed rule to better balance cost with expected benefits while ensuring a high-level of safety. Among the changes that AAPA would suggest are to: (1) require that newly designed aircraft and aircraft manufactured four years after the rule's effective date comply with 25.562, (2) existing aircraft comply only with 25.562 structural requirements and be exempted from Front Row Head Injury Criteria, (3) require that existing aircraft seats must be 16g compatible within 14 years from the rule's effective date, (4) exempt Cabin Attendant Seats from the requirements. AAPA would also suggest that the FAA seriously consider allowing the industry to continue to implement 16g and 16g-compatible seats on a voluntary basis and discontinue the current rulemaking.

V. CONCLUSIONS

An efficient and effective safety regime that includes better aircraft seats requires cooperation between government and industry. The AAPA is committed to working with the FAA and our industry partners to this end. The AAPA would also caution the FAA not to impose requirements on the industry that are not particularly useful, well-justified, or as efficient and effective as otherwise possible.

Respectfully submitted,



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