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DEPARTMENT OF TRANSPORTATION
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FAA-2003-14698- 17

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street, SW
Washington, DC 20590-0001.

Dear Mr. Gallant:

I am an instrument rated private pilot with over 220 hours of flight time. I believe this rule is a beginning to improving the use of RNAV within the US NAS. The new definitions of *Air Traffic Service route*, *Area navigation*, and *Area navigation route* also seem well worded and necessary for the implementation of non-ground based navigation particularly the GPS. I agree with the FAA comment that the new definitions are not confusing and further praise the FAA on implementing this ICAO definition as another step in harmonizing international air transportation. However, there are some items in this proposed rule that need to be examined, clarified, and/or changed.

The rule states that "This final rule merely revises or adds definitions, incorporates by reference two orders concerning TERPS and Flight Procedures and Airspace, and enables the use of advanced RNAV navigation routes that the FAA has been developing." However, upon closer examination there are some complexities that arise in this rule that go beyond this simple summarized purpose. The complexities involve organizational and accessibility of information problems. If the issues brought up in this comment are not clarified or changed, safety may be compromised.

Part 71

In this proposal 14 CFR 71.75 will be removed and some, but not all, of that information will be added to 71.11. The removal of 71.75 may make it more difficult for pilots to determine the protected airspace dimensions of Federal Airways. Since the dimensions of Federal Airways are extremely important in navigation, the information contained in 71.75 needs to remain plainly written in 71.11. Instead, the new rule includes references to FAA Order 8260.3, which many pilots are unfamiliar with and will require more time and hassle to find information regarding the dimensions of federal airways. The information in 71.75 pertaining to Federal Airway dimensions and changeover points was stressed during my part 141 ground school training, and I'm certain it was also in the test-bank for my previous FAA knowledge test.

As I pilot, I appreciate any effort to remove unnecessary information from the FARs. I also appreciate that, as it is currently written, 71.75 possibly limits the specification of new types of ATS routes. However, I believe the protected airspace dimensions stated in 71.75 as they apply to colored and VOR Federal Airways needs to be added to 71.11. As new types of ATS routes, such as GPS routes, are developed then the new protected airspace dimensions for each new type of route should be added in a subsequent new paragraph of 71.11. If this information can no longer be found in the FARs and becomes somewhat hidden in FAA Order 8260.3, there may be confusion and safety may be compromised, as pilots will not be familiar with protected airspace dimensions for the navigation routes they use.

I agree with American Trans Air's comment about moving regulatory material into FAA Orders. As a pilot, I do not understand why information that was previously

stated directly in the FARs is being moved to FAA Orders. Since the FAA insists on incorporating FAA Orders by reference into the FARs, it needs to inform the aviation industry what exactly the FAA Orders are and who needs to know the information they contain. Since FAA Orders are in the FARs the description of them should also be found in the FARs.

Part 95.1

Since Part 95 is titled “IFR ALTITUDES,” it should include all IFR altitudes. For example, the revision to 95.1 should include the definition for minimum descent altitude found in 14CFR1.1 to ensure all IFR altitude descriptions are located in the same area. Furthermore, if all IFR altitudes descriptions are located in part 95, the applicability stated in 95.1 should be changed to incorporate the description of all IFR altitudes and not just IFR altitudes that pertain to ATS or other direct routes.

The proposed 95.1 applicability includes the phrase “In addition, it designates mountainous areas and changeover points.” While it is true that IFR obstacle clearance altitudes increase over designated mountainous areas, the same does not apply to changeover points. Neither of these terms, especially changeover point, fit in part 95.1 because they are not IFR altitudes.

If these terms are not removed or even if just COP is removed, there should be yet another change in 95.1. Since the proposed revision includes a description of IFR altitude acronyms and changeover points in 95.1, logically a description of “mountainous areas” should also be included.

Any questions can be directed to Adam Gregory at (660) 543-8255 ext 2588.