

There are several reasons why the drug and alcohol requirements should not extend below the repair station tier.

First the cost of requiring sub-tier contractors will be greatest on the small repair station giving the large repair stations an unfair advantage. The costs for the small repair station will not arise from the testing done on their sub-tier vendors, but will rather come from the loss of those vendors. It has been my experience that when approaching a small machine shop and requiring them to have a drug and alcohol program, their response is to not do any business with you given the fact that the volume of business is small and the prospect of implementing an FAA approved D&A program seems daunting. On the contrary, a large repair station can entice the business with a large contract. This will drive many small repair stations out of certain types of work for the mere fact that they cannot find a vendor willing to do the work or can only find ones that are large and over priced.

If need to test sub-tier contractors performing a safety sensitive function to be under a D&A program, then why are not manufactures of standard parts also required to have D&A programs? In the SNPRM an example is used were an un-certificated shop who performed plating could not perform plating as a repair without a drug & alcohol program. Yet they could perform plating on a standard part as part of the manufacturing process without having one. How is this promoting safety a higher level of safety? They in fact could plate a new bushing for a standard parts manufacturer, but could not re-plate the same bushing as part of a repair.

The definition of maintenance in FAR 1.1 is "Maintenance means inspection, overhaul, repair, preservation, and the replacement of parts, but excludes preventive maintenance."

By this definition a repair station could not send a bushing to be re-plated to an un-certificated vendor with no D&A program, but could have a new bushing fabricated IAW current FAR's by having one machined by an un-certificated contractor and then plated by another and be legal given that neither contractor has performed any of the functions listed in the definition of maintenance. What logical sense does this make? Does this provide safer skies?

I also noticed that in the NPRM there were no statistics given for D&A related accidents for 121 air carriers, how is all this then saving money and lives in that area? It also stated that the main aircraft involved in accidents for 135 operators was a piper. There are for more accidents in general aviation, killing far more people than in air carrier operations each year, why do we then not require A&P mechanics working on GA aircraft to be under a D&A program? Would this not pay even more benefits than what is currently proposed?

Let me finish by saying that D&A testing is an extremely important program to have for air carriers and repair stations alike and it has paid great dividends in aviation safety. However, let us not take it to far. D&A testing has accomplished it's mission: leave it as it is!