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Docket Management Facility
The Department of Transportation
400 Seventh Street, SW, Nassif Building
Room PL-401
Washington, D. C. 20590-001

Docket Number (FAA-2—3-14830)

FAA-2003-14830-9

ATTN: The Administrator

Dear Ms. Blakey:

As an ex Army Aviator and having flown in Viet Nam, my career has allowed me to fly many different types and classes of aircraft. Most recently I have flown commercially in the Hawaiian Islands since 1985. Upon my arrival to the islands there were basic FAR 135 and 91 rules of flight. Pilots were able to make decisions about where and at what altitude to fly. Over the course of 10 years there were air tour accidents, some of which were fatal. The FAA's answer was to impose additional restrictions on Air Tour flights that have proven not to have the intended effect of increasing safety. The rule enacted as an emergency measure, has singled out Hawaiian Air Tour Pilots. The rest of the country is able to fly at 300', while carrying passenger over cities. The rules of SFAR 71 are taking away the ability of the Pilot in Command to make critical decisions based on his/her experience with ever changing weather conditions and terrain, which is unsafe.

SFAR 71 is an attempt to replace pilot knowledge and experience with a regulation that inherently impairs the pilot's ability to make good judgment calls in changing conditions. I feel I must speak out about the SFAR 71 in its present form and say that it should not be extended. This regulation has not decreased the number of fatalities and may even have contributed to some. Forcing the helicopter pilot to fly in an airplane like environment does not increase the safety of the flying public. If the facts were examined with the helicopter and the airplanes separately, we would find that the airplanes have had more fatalities at higher altitudes than the helicopters have had. I believe that we must not ignore the ability of the rotorcraft to slow down in decreased visibilities. This enables the helicopter to reverse its course safely and without forcing the aircraft higher above the ground. If the FAA felt it is an advantage for the helicopter to maintain a visual reference with the ground then why are we moving it farther from it? This rule has not helped yet! We must reexamine the helicopters unique abilities and make rules that are going to take advantage of them. I encourage the FAA to implement a working group of professional pilots from the Hawaiian Islands that have years of experience and have flown tens of thousands of accident free hours both before and after SFAR 71. I know that the considered input of professional helicopter pilots who have flown in pre and post SFAR 71 environment would be extremely important in the FAA's efforts to make the Hawaii air tour industry as safe as possible.

Sincerely

Eric Lincoln
Maui Hawaii