

May 2, 2011

U.S. Department of Transportation,
1200 New Jersey Avenue, SE
Washington, DC 20590

**RE: DOCKET #FAA-2010-1018, Petition for Exemption; Summary of
Petition Received, NetJets Aviation, Inc.**

The National Air Transportation Association (NATA), the voice of aviation business, is the public policy group representing the interests of aviation businesses before Congress, federal agencies and state governments. NATA's 2,000 member companies own, operate, and service aircraft. These companies provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air transportation, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry providing services to the general public, airlines, general aviation, and the military.

NetJets Aviation Inc. (NetJets) has petitioned the Federal Aviation Administration (FAA) for a permanent exemption from the regulations contained in Title 14 of the Code of Federal Regulations, Part 43.3(g) (14 CFR 43.3(g)), that prohibit pilots from performing preventative maintenance, specifically updates to flight management system navigational databases, on aircraft used in operations under 14 CFR Part 135. NATA fully supports this request for exemption and asks that it be approved by the FAA without further delay.

Part 11 of Title 14 of the Code of Federal Regulations (14 CFR Part 11) sets forth the requirements for a petition for exemption from regulations. In the pertinent parts, 14 CFR Part 11 requires that the petitioners document:

- Reasons for the petition for exemption
- Why granting of the petition would be in the public interest
- Reasons why granting the exemption would not adversely affect safety, or how the exemption would provide an equivalent level of safety

Reason for Petition

NATA believes that NetJets has fully explained the reasoning behind the request for exemption from 14 CFR 43.3(g). NATA concurs with the reasoning set forth in the petition. Aircraft flight management systems have experienced significant technological advances that have resulted in "simple user-friendly procedures for updating navigational databases" since the promulgation of 14 CFR 43.3(g). These technological advances are directly applicable to the aircraft and avionics systems used by NetJets.

Public Benefit

NATA supports NetJets' assertion that approval of this petition will result in:

- Reduced flight delays, airspace congestion, and carbon and other pollutant emissions
- Reduction in maintenance positioning flights for the sole purpose of updating navigation databases
- Allowance for operations that utilize RNAV procedures that cannot be performed without a current navigation database
- Reduced cost to the general public for air transportation

It is NATA's opinion that NetJets has conclusively demonstrated that granting this petition of exemption will provide benefits to the public.

Safety

At the center of any request for relief from regulatory provisions is the requirement that the petitioner demonstrate that a grant of exemption will not adversely affect safety or that an equivalent level of safety will be maintained. In its petition, NetJets points to the fundamental technological changes that have occurred with respect to flight management update procedures, its own pilot training and procedures for coordination with company maintenance personnel as evidence that an equivalent level of safety will be maintained if this exemption request is granted. NATA concurs with NetJets' assessment.

Conclusion

With NetJets having fully demonstrated that its request for exemption from specific requirements of 14 CFR 43.3(g) provides benefits to the public and maintains an equivalent level of safety, NATA sees no reason why this petition should not be granted by the FAA. Due to the overall value provided to the public by granting this petition, NATA specifically asks that this petition be granted without delay.

Additionally, NATA believes that there may be other similarly situated aircraft operators who may petition for exemption from 14 CFR 43.3(g) on similar grounds. NATA recommends that, if the FAA receives additional similar petitions, those petitions should be granted and that the FAA should conduct an assessment to ensure that 14 CFR 43.3(g) is fully applicable to the current technological state of aircraft flight management and other aircraft systems. The greatest public benefit occurs when the FAA as an agency and its regulations are responsive to technological advances that make air transportation safer and more efficient.

Respectfully,



Michael France
Director, Regulatory Affairs