

to ensure the lock sectors, modified in accordance with the requirements of Airworthiness Directive (AD)-88-12-04 [amendment 39-5934 (53 FR 18079, May 20, 1988)], cannot be overridden during mechanical or electrical operation of the latch cams.”

Safety Recommendation A-89-093: “Issue an airworthiness directive for non-plug cargo doors on all transport category airplanes requiring the installation of positive indicators to ground personnel and flight crews confirming the actual position of both the latch cams and locks, independently.”

Safety Recommendation A-89-094: “Require that fail-safe design considerations for non-plug cargo doors on present and future transport category airplanes account for conceivable human errors, in addition to electrical and mechanical malfunctions.”

Safety Recommendation A-92-21: “Require that the electrical actuating system for non-plug cargo doors on transport category aircraft provide for the removal of all electrical power from circuits on the door after closure (except for any indicating circuit power necessary to provide positive indication that the door is properly latched and locked) to eliminate the possibility of uncommanded actuator movements caused by wiring short circuits.”

The FAA responded to these Safety Recommendations by issuing various airworthiness directives, applicable to the current fleet of transport category airplanes, and requiring relevant modifications and inspections of the fuselage doors.

Subsequent to the conclusion of the harmonization activity (as discussed below) that led to this proposal, the FAA received an additional safety recommendation from the NTSB, A-02-020. The NTSB recommends that the FAA “Require all newly certificated transport category airplanes [to] have a system for each emergency exit door to relieve pressure so that they can only be opened on the ground after a safe differential pressure level is attained.” We have not yet determined the appropriate course of action with regard to this recommendation, and no regulatory action is being proposed at this time. However, we solicit comments on this recommendation and, if appropriate, will develop a supplemental Notice of Proposed Rulemaking to propose an additional provision addressing this issue.

What Are the Relevant Airworthiness Standards in the United States?

In the United States, the airworthiness standards for type certification of

transport category airplanes are contained in Title 14, Code of Federal Regulations (CFR), part 25.

Manufacturers of transport category airplanes must show that each airplane they produce of a different type design complies with the appropriate part 25 standards. These standards apply to:

- Airplanes manufactured within the U.S. for use by U.S.-registered operators, and
- Airplanes manufactured in other countries and imported to the U.S. under a bilateral airworthiness agreement.

What Are the Relevant Airworthiness Standards in Europe?

In Europe, the airworthiness standards for type certification of transport category airplanes are contained in Joint Aviation Requirements (JAR)-25, which are based on part 25. These were developed by the Joint Aviation Authorities (JAA) of Europe to provide a common set of airworthiness standards within the European aviation community. Twenty-three European countries accept airplanes type certificated to the JAR-25 standards, including airplanes manufactured in the U.S. that are type certificated to JAR-25 standards for export to Europe.

What Is “Harmonization” and How Did It Start?

Although part 25 and JAR-25 are very similar, they are not identical in every respect. When airplanes are type certificated to both sets of standards, the differences between part 25 and JAR-25 can result in substantial additional costs to manufacturers and operators. These additional costs, however, frequently do not bring about an increase in safety. In many cases, part 25 and JAR-25 may contain different requirements to accomplish the same safety intent. Consequently, manufacturers are usually burdened with meeting the requirements of both sets of standards, although the level of safety is not increased correspondingly.

Recognizing that a common set of standards would not only benefit the aviation industry economically, but also maintain the necessary high level of safety, the FAA and the JAA began an effort in 1988 to “harmonize” their respective aviation standards. The goal of the harmonization effort is to ensure that:

- Where possible, standards do not require domestic and foreign parties to manufacture or operate to different standards for each country involved; and

- The standards adopted are mutually acceptable to the FAA and the foreign aviation authorities.

The FAA and JAA have identified a number of significant regulatory differences (SRD) between the wording of part 25 and JAR-25. Both the FAA and the JAA consider “harmonization” of the two sets of standards a high priority.

What Is ARAC and What Role Does It Play in Harmonization?

After initiating the first steps towards harmonization, the FAA and JAA soon realized that traditional methods of rulemaking and accommodating different administrative procedures was neither sufficient nor adequate to make appreciable progress towards fulfilling the goal of harmonization. The FAA identified the Aviation Rulemaking Advisory Committee (ARAC) as an ideal vehicle for assisting in resolving harmonization issues, and, in 1992, the FAA tasked ARAC to undertake the entire harmonization effort.

The FAA had formally established ARAC in 1991 (56 FR 2190, January 22, 1991), to provide advice and recommendations concerning the full range of the FAA’s safety-related rulemaking activity. The FAA sought this advice to develop better rules in less overall time and using fewer FAA resources than previously needed. The committee provides the FAA firsthand information and insight from interested parties regarding potential new rules or revisions of existing rules.

There are 74 member organizations on the committee, representing a wide range of interests within the aviation community. Meetings of the committee are open to the public, except as authorized by section 10(d) of the Federal Advisory Committee Act.

The ARAC establishes working groups to develop recommendations for resolving specific airworthiness issues. Tasks assigned to working groups are published in the **Federal Register**. Although working group meetings are not generally open to the public, the FAA solicits participation in working groups from interested members of the public who possess knowledge or experience in the task areas. Working groups report directly to the ARAC, and the ARAC must accept a working group proposal before ARAC presents the proposal to the FAA as an advisory committee recommendation.

The activities of the ARAC will not, however, circumvent the public rulemaking procedures; nor is the FAA limited to the rule language “recommended” by ARAC. If the FAA accepts an ARAC recommendation, the