

## Supporting Statement A

### ***Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft OMB Control No. 2120-0730***

#### **Summary of Change:**

Burden hours and costs have increased from the 2017 calculations due to:

- an increase in the number of SLSA aircraft registrations, and
- the wages used to estimate cost burden are updated to reflect a more accurate estimate of wages for respondents.

#### **1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

Title 49, United States Code, Sections 44701 and 44702, specifically empower the Secretary of Transportation to prescribe reasonable rules and regulations and minimum standards governing, in the interest of safety, the inspection, servicing, and overhaul of aircraft, aircraft engines, propellers, and appliances, including provision of examinations and reports the Secretary may accept in lieu of those made by its officers and employees.

14 CFR § 91.327(b)(4) states that no person may operate an aircraft that has a special airworthiness certificate in the light-sport category (SLSA) unless the owner or operator complies with each safety directive applicable to the aircraft that corrects an existing unsafe condition. This regulation is the basis for the following recordkeeping and retention requirements:

- 14 CFR § 91.417(a)(2)(v) states each registered owner or operator shall retain records containing the current status of applicable safety directives including, for each, the method of compliance, the safety directive number and revision date. If the safety directive involves recurring action, the time and date when the next action is required.
- 14 CFR § 91.417(b)(2) states the records of safety directive status will be retained and transferred with the aircraft at the time the aircraft is sold.
- 14 CFR § 91.417(c) states the owner or operator shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

SLSA manufacturers will issue Safety Directives to correct unsafe conditions on their aircraft. To keep the SLSA airworthiness certificate effective, owners/operators must comply with all Safety Directives applicable to their aircraft as required by 14 CFR § 91.327(b)(4).

This information collection described within this ICR is necessary to determine if unsafe conditions have been corrected on SLSA, which assists in ensuring that the SLSA is in a condition safe for flight, prior to its operation within the national airspace.

This collection of information supports the Department of Transportation's strategic goal for *Safety: Reduce Transportation-Related Fatalities and Serious Injuries Across the Transportation System*.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

This collection encompasses a mandatory recordkeeping requirement, requiring aircraft owners or operators to keep records of compliance with any applicable safety directives issued to an aircraft that has a special airworthiness certificate in the light-sport category (SLSA).

Collection frequency is on an as-needed basis. On occasion, an SLSA manufacturer will issue Safety Directives to correct unsafe conditions on their aircraft. Owners or operators must comply with the instructions of the safety directive, record compliance, and retain that record or compliance. The information required to be recorded and retained within the SLSA aircraft records includes the following:

- The method of compliance,
- The safety directive number and revision date.
- If the safety directive involves recurring action, the time and date when the next action is required.

Respondents include SLSA owners, operators, mechanics, and SLSA repairmen.

The information collected as described within this ICR, is used by FAA safety inspectors, aircraft owners, and aircraft maintenance personnel to determine if the aircraft is safe for flight, prior to operation of the SLSA. The information is also used by FAA safety inspectors and FAA designees to determine if the aircraft can be issued an airworthiness certificate, and by the FAA and National Transportation Safety Board (NTSB) when investigating accidents to determine if there were any known unsafe conditions that contributed to the cause of the accident.

The information collected is not disseminated directly to the public. The records of SLSA safety directive compliance are retained by the aircraft owner/operator. The owner/operator must keep the records for the life of the SLSA aircraft and transfer them to the new owner at the time the aircraft is sold. The owner or operator must make the records available for inspection by the Administrator or any authorized representative of the NTSB.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

The information collected as described within this ICR is not submitted to the FAA electronically or otherwise.

Title 14 CFR does not state the format in which required records must be kept. The aircraft owner/operator has the authority to determine record format. Record format must allow the making of the record available to the FAA or NTSB upon, as required by § 91.417(c).

The FAA has published guidance material within Advisory Circular (AC) 120-78 describing an acceptable means for aircraft owners/operators to use electronic signatures and electronic recordkeeping.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

This ICR describes only the specific recordkeeping requirement to keep the status of applicable safety directives for aircraft that have a special airworthiness certificate in the light-sport category (SLSA). Aircraft owners/operators have recordkeeping requirements within Title 14 CFR that are in addition to, but do not duplicate, the requirements of this ICR. The additional recordkeeping requirements include:

- 14 CFR part 39 contains reporting burden related to Airworthiness Directives (AD), and the requirement to make an aircraft record entry, relative to completion of maintenance work directed by an AD. The collection of this information is approved within ICR 2120-0056.
- 14 CFR part 43 contains requirements on when a maintenance record must be made, and what information must be included in those maintenance records. The collection of this information is described within ICR 2120-0020.
- 14 CFR 91.417 imposes maintenance record retention requirements for the records made under part 43. These requirements are separate and additional to part 43 requirements, but are not duplicative. The collection of this information is described within ICR 2120-0005.
- IC 2120-0690 describes other burden related to light-sport airmen and aircraft, but does not duplicate the burden described in this IC relating to safety directives.

All other FAA public-use reports have been reviewed and no duplication has been found. Also, we do not know of any other collections which require the keeping of applicable safety directive compliance records by SLSA owners/operators.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

The recordkeeping requirement described within this ICR should not impact small businesses. The recordkeeping requirements are applicable to owners or operators having SLSA and do not change based on whether the owner/operator is a small business or small entity concern. If the recordkeeping requirements impact a particular entity in some manner, the entity could request a regulatory exemption under 14 CFR part 11.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Not having the recordkeeping requirement for SLSA aircraft would impact the ability to determine if an unsafe condition has been corrected on an aircraft, and consequently the inability to determine if the aircraft is safe for flight.

The information collection is conducted on an as-needed basis, only following the issuance of a safety directive by an aircraft manufacturer who has designed and manufactured an SLSA aircraft in accordance with a consensus standard.

**7. Explain any special circumstances.**

This information collection is conducted in a manner consistent with OMB guidelines, however the following special circumstance related to the retention of the records exists based on the requirement of 5 CFR 1320.5(d)(2)(iv):

- 5 CFR 1320.5(d)(2)(iv) limits certain record retention to three years. 14 CFR § 91.417(b)(2) states the retention requirements placed upon aircraft owners/operators, of the maintenance records described in that section. SLSA safety directive compliance records must be retained (for the life of the aircraft) and transferred with the aircraft at the time the aircraft is sold.
  - o The records which are required to be retained for the life of the aircraft, and transferred to the new owner upon sale of the aircraft, have been identified as those critical to determining the safety of flight of the SLSA aircraft throughout its operational life.
  - o If these records were not retained for the life of the aircraft the ability to determine safety of flight would be negatively impacted.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A 60 day notice was published in the Federal Register on November 15, 2019 (84 FR 62563).

- 1 comment was posted to the docket, but included no content or attachments. Therefore, no change has been made to the collection.

A 30 day notice was published in the Federal Register on January 31, 2020 (85 FR 5768).

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payment or gifts are provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

Respondents are given no assurance of confidentiality.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no questions of a sensitive nature related to this information collection.

**12. Provide estimates of the hour burden of the collection of information.**

FAA regulations require owners and operators of SLSA to retain and transfer the current status of applicable safety directives. In 2017 there were 2628 SLSA registered. As of Oct 31, 2019 there were **2800 SLSA** registered in the FAA registry database. That is an average growth rate of 86 registrations per year, since 2017. Averaging a growth rate of 90 additional SLSA registrations per year until 2022 results in an average of **2935** SLSA owners responding to this collection.

Year	# SLSA Registered (*projected)
Oct 31 2019	2800
2020	2890*
2021	2980*
2022	3070*
<b>Average # SLSA Registered</b>	<b>2935</b>

Owners and operators of SLSAs would be burdened by this recordkeeping requirement only when safety directives have been issued on their SLSA. The FAA estimates that, on average, it would take an SLSA owner or operator 2 hours per year to comply with the requirement.

For the requested approval period, the average burden per year would be **5,870 hours**, as shown in the table below.

Summary (Annual numbers)	Recordkeeping
# of Respondents	2935
# of Responses per respondent	1
Time per Response (hours)	2

<b>Total # of responses</b>	2935
<b>Total burden (hours)</b>	5870

While the burden of this ICR falls on various entities, the FAA believes that aircraft mechanics will perform most of the reporting requirements. The wage rate of \$31.36 per hour came from the Department of Labor, Bureau of Labor Statistics (BLS), May 2018, Aircraft Mechanics and Service Technicians #49-3011. In addition, we add an employee benefit (such as health benefits, vacation, sick time, etc.) overhead of 31.4% to estimate total costs for each employee.

Hourly wage (1)	Benefit Overhead (2) (31.4%)	Total
\$31.36	\$9.85	\$41.21
(1) <a href="https://www.bls.gov/oes/current/oes493011.htm">https://www.bls.gov/oes/current/oes493011.htm</a>		
(2) <a href="https://www.bls.gov/news.release/pdf/ecec.pdf">https://www.bls.gov/news.release/pdf/ecec.pdf</a>		

### Burden Summary

The total burden for 2935 respondents, taking 2 hours per response is 5870 hours and \$241,903, annually.

Status of applicable Safety Directives-SLSA					
# of Respondents	# Responses per Respondent	Hours per Response	Hour Burden	Cost per Hour	Cost Burden
2935	1	2	5870	\$41.21	\$241,903

### 13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no additional start-up costs associated with this collection not already included in item number 12.

### 14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

There is no burden on the Federal Government related to making these record entries, therefore no additional burden is shown.

### 15. Explain the reasons for any program changes or adjustments.

The information collection burden hours and costs have been adjusted since the 2017 supporting statement due to the following reasons:

- The number of SLSA aircraft used in the burden is based on current SLSA registration and a multiplier of SLSA registration growth rate for the previous 3 years.

- The wages used to estimate cost burden have been updated to reflect a more accurate estimate of wages for respondents.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The results of this collection are not published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

FAA is not seeking such approval.

**18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

No exception to the certification statement of OMB Form 83-I is requested.