



U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

May 12, 2006

Mr. Dale Hooper
Executive Vice President
United States Ultralight Association, Inc.
P.O. Box 667
Frederick, MD 21705

Dear Mr. Hooper:

On June 14, 2005, you petitioned the Federal Aviation Administration (FAA) to amend sections §§ 21.191(i)(1), 91.319(e)(2), 61.329(a)(1)(i), and 61.431 of Title 14, Code of Federal Regulations. Those sections that you wish to amend pertain to the Sport Pilot Rule. The amendments that you request would allow a two-year extension to the dates detailed in the rule regarding the allowable time for transitioning ultralight pilots and instructors into Sport Pilot, and ultralight vehicles into Light Sport Aircraft.

The FAA has fully considered your request and finds that relief in the form of rulemaking to address the new cut-off dates would not be in the public interest. You fail to state any safety findings that would support your opinion that safety would be improved by an extension of the proposed dates. The petition to extend the dates is that of economic reasons for which no equivalent level of safety would accrue and no public benefit would result. An extension of the transition period will only drive future participants to delay their transition, undermining the overall success of the Sport Pilot initiative.

In addition, the pilot certification rules placed a beginning date on the eligibility of an ultralight operator to gain creditable flight time (September 1, 2004), prior to which, a person may obtain eligibility for creditable flight time. We can find no benefit in increasing the eligibility period for accomplishing a certification task beyond the 2007/2008 date since the period allowed for transition is 2 years and 3 months for pilots and 3 years and 3 months for flight instructors. If the period is extended, the value of pilot skills and abilities will be reduced.

AFS-05-397-P

We received numerous comments supporting the USUA petition. The overwhelming majority cited the FAA's lack of preparedness as the rationale for extending the transition period currently provided by the rule. However, we have already made significant advances in addressing these concerns. As of early 2006, 132 Sport Pilot Examiners (SPE) and 67 Designated Airworthiness Representatives (DAR) had already been appointed. For 2006, the FAA has scheduled an additional 6 SPE courses and 6 DAR courses. This aggressive schedule will significantly increase our cadre of designees. We intend to expand this schedule throughout the coming years to meet the needs of the Sport Pilot community. We are confident that these measures will address the concerns voiced by the USUA and the supporters of this petition.

For the reasons above, we are unable to consider your petition for an amendment to §§ 21.191(i)(1), 91.319(e)(2), 61.329(a)(1)(i), and 61.431. Your petition for rulemaking is denied.

Accordingly, Docket No. FAA-2005-21671 is being closed.

Sincerely,

/s/

James J. Ballough
Director, Flight Standards Service