

Letter to CASA regarding ABE and ABAA Medical Certification



SPORT AIRCRAFT ASSOCIATION OF AUSTRALIA

Mr Rob Lawrie

SAAA Hon National President

15th July 2016

Mr Mark Skidmore

Director of Aviation Safety

Civil Aviation Safety Authority

GPO Box 2005, Canberra ACT 2601

RE: Request for an immediate exemption from the requirement to hold Medical Certification in ABE and ABAA Aircraft

Dear Mr Skidmore,

The purpose of this letter is to formally request CASA to grant an immediate exemption to pilots of VH registered ABE and ABAA aircraft from the need to hold a CASA issued medical certificate to fly as in command. We propose that such pilots of sport recreational aircraft would be responsible to self-certify their medical fitness, with identical conditions imposed upon their flight operations as those currently imposed on similar sport aircraft within Australian airspace.

The present situation is inequitable as the same pilot, who is rejected by the CASA medical certification process, may fly the same aircraft in Australian airspace under an "alternate regulator". This situation may reasonably be argued to result in a number of negative safety outcomes.

We suggest that the exemption apply to operations conducted by PPL and RPL holders with the following limitations unless accompanied by a safety pilot with appropriately qualified safety pilot:

- Single engine ABE or ABAA aircraft
- Day VFR flight only and limited to 1 occupied passenger seat
- Not to perform aerobatics
- Flight not above 10,000 feet AMSL
- The aircraft must operate with a revised MTOW of 600 kg for the operation, or 650 kg if the aircraft has floats (although our preference is for a higher limit such as 900-1,500 kg)
- Pilots may self-certify that their health is to a standard required for the issue of a private motor vehicle driver's license in Australia. The driver's license is to be carried upon the pilot's person. All relevant restrictions placed upon that license would be applicable. I.e. vision correction.

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- Pilots suffering from epilepsy, diabetes, heart conditions, mental illnesses or aged 75 or over would require an annual statement from their GP that they meet the standard to drive a private motor vehicle, in accordance with the Austroad medical assessment.

We request that the exemption would transition to amendments to the regulations in due course, and in accordance with a schedule acceptable to CASA.

Why are we requesting this exemption?

The SAAA believe that medical certification is the primary concern of our members.

We need a solution that is immediate and allows our members to continue to fly their aircraft, many of whom have spent countless years and thousands of hours constructing them. As such our members have a considerable investment and emotional attachment to their aircraft. The majority also hold considerable aviation experience and have demonstrated their ability to operate safely.

Whilst other data may indicate to you that flying hours have increased, our own data indicates that membership participation is declining, with many stating medical considerations as the reason for sale of their aircraft.

It is evident that NAAs around the world are considering the need for medical certification requirements for private operations. While we feel this provides further validity to our request, this is not the subject of this letter. We are asking for equal access to Australian Airspace, now, under identical conditions that are already available to other airspace users. As such the burden upon the parties to prove a safety case should be considerably reduced.

It is quite clear from the statistics we have been able to obtain that self-certification of medical fitness in Australia has not contributed to unsafe outcomes in comparison to other GA and sports aviation pilots operating under a CASA Class 2 Medical Certificate:

- We are informed that there have been approximately 3-4 cases of medical incapacitation in over 450,000 landings by RAAus members. In fact many pilots rejected by traditional medical certification processes have transferred their aviation activities and now operate under these reduced medical standards
- Similarly very few motor vehicle accidents are attributed to incapacitation of drivers
- It is often claimed that flying an aircraft is dissimilar from driving a motor vehicle in that you cannot just pull to the side of the road if you feel unwell. However, from what we can establish approximately 70% of the reports of pilot incapacitation are related to RPT operations and of them, the majority are incidents of food poisoning. Our members simply do not have to fly if they feel unwell. There are no commercial pressures at play and they are flying for recreation – so if it not pleasant they generally just won't do it
- SAAA's insurance partners, QBE, advise that there are very few claims relating to medical issues. They also note that they are able to continue supporting our members with insurances under the exemption requested in this letter. We anticipate the situation would be the same for other insurers.

We would be pleased to work with CAA to present additional safety data if required.

We note that the SAAA have supported CASA for many years in enhancements to the AVMED system. Unfortunately the RAMPC which was suggested to be a "driver's license medical" has not met our member's needs. This is because:

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- The scheme requires the applicant to submit to an assessment from their GP to issue a certificate. This is not the same as self-certification of medical fitness afforded to other airspace users
- RAMPC is more restrictive than the CASA Class 2 Medical. This does not accord with the view of industry, where the RAMPC medical standard was to be that of an unrestricted private motor vehicle license. By way of example, an otherwise healthy private pilot with a history of prostate cancer is ineligible to obtain a RAMPC. That pilot is unlikely to have difficulty obtaining a Class 2 Medical Certificate. Similar issues apply where CASA has chosen to modify the Austroads standard. In fact the standard to hold a RAMPC is now virtually unchanged from the CASA Class 2 with additional restrictions imposed due to AVMED's reduced involvement in the process
- The operational restrictions placed on the pilot by RAMPC are so significant that it is difficult to believe any pilot who would pass the RAMPC criteria would do so, in preference to submitting to the CASA Class 2 Medical Certificate. Given the restrictions CASA has put in place and the medical standard requested the RAMPC should have no operational restrictions over a CASA Class 2 Medical Certificate
- RAMPC still requires CASA involvement and the issue of a certificate. This is in contrast to activities elsewhere in the world, such as the PBOR2 in the USA. This process simply adds an unnecessary delay, complexity and cost burdens to our members.

Implementation

The SAAA stands ready to work in partnership with CASA, in order to develop any necessary enhancements to support this program. This commitment extends to investment of funds and engagement of specialists as required.

It is not our preference, but if necessary, the SAAA offers to implement a system where pilots may self-certify their medical fitness to us. We would maintain a register of the same, and issue a serialised certificate to the pilot for a nominal charge. The register might be made searchable via the SAAA website in order to support confirmation of the validity of an individual certificate.

In accordance with SAAA's policy to transition to a services based organisation while providing increased safety services to all ABE owners, we confirm that these services will remain available to both SAAA members and non-members at an acceptable commercial rate. Our initial assessment indicates that a processing fee of no more than \$30 inc GST is achievable. We may choose to partner with other aviation organisations to operate the scheme.

SAAA looks forward to meeting with CASA stakeholders to discuss this important opportunity.

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Alternate Solution

An alternate solution would be acceptable for CASA to revise the RAMPC to make it suitable for our members to access. This option would be of significant benefit to other GA participants, however RAMPC still does not meet our member's expectation of self-certification of medical fitness and equal access to Australian airspace. For this alternate solution to be acceptable to our members RAMPC would need to allow self-certification of medical fitness at least for aircraft up to an equivalent MTOW.

For and on behalf of SAAA National Council,

A handwritten signature in black ink that reads "Rob Lawrie". The script is cursive and fluid, with the first letters of "Rob" and "Lawrie" being capitalized and prominent.

Rob Lawrie

Hon National President