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THE COORDINATION PROGRAM OF THE C. A. A.

By ELWOOD B. COLE*

I am always glad to take part in a discussion panel of this kind and it is particularly gratifying when the subject assigned is one which, in itself, encourages further discussion and which, because of its very nature, invites informality both in presentation and discussion.

My subject is one with which I have been deeply concerned for a number of years. I can well remember the many conferences which were held in Washington between the Bureau of Air Commerce people and several of us representing different states. Our main objective at that time was to secure some kind of direct liaison with the Bureau by means of which our problems could be presented and would be promptly considered. Various degrees of success were achieved over a period of years, and shortly after the Civil Aeronautics Authority came into being, in August, 1938, a detailed program of state coordination was presented for its consideration. The Administrator promptly indicated his approval, and this was followed by Authority action designating Members Ryan and Mason as a committee on the Uniform Aeronautical Code.

A Section was authorized in the Regulation and Enforcement Division, but due to the lack of funds was never staffed. In July, 1939, the Section was transferred to the Private Flying Development Division and I was designated as Chief. After a short time in this Division, another change was made by which the Section, as such, was abolished, and in its place a State Coordinator has been set up in the office of the Director of the Bureau of Safety Regulation, Richard S. Boutelle.

Attendance at this meeting is really the first official action of the State Coordinator, and we are all quite enthused about the possibilities of the ultimate development of state coordination. However, maximum results can be accomplished only through full cooperation on the part of the states, and now that the services of a State Coordinator are available in Washington, we hope that you will use these facilities to the utmost advantage.

During the ensuing three days we will all hear some very interesting speeches and discussions. Out of these, many ideas will develop which, I am sure, will be carried back with you to your respective states. At this time I would like to offer a few suggestions of my own as to how the states may cooperate with the Federal Government and may coordinate their efforts with those of the CAA. Time will not allow a thorough discussion of this field but I will try to touch upon a few of those points which I consider to be of primary importance.

It has been said repeatedly that those states which have functioning aeronautical bodies, such as commissions, or individuals charged with the responsibility of aeronautical promotion and regulation within the state, are in a much better position to take advantage of any federal aid which may be made available. In this regard, an interesting comment might be made on the selection of

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schools for the Civilian Pilot Training Program. For the most part, those states which have well-organized and active aeronautical bodies stood out in the first list published as having a representative group of schools selected. I believe that a similar result would show in the participation by states in any program in which federal aid or federal sponsorship took part. In view of the fact that civilian pilot training is based on a five-year program, it would seem that those states which are more or less inactive at present might benefit by showing more interest in state aeronautical matters. The extent to which such a program will expand is, of course, unknown and the possibilities are unlimited. There has already been some discussion as to the advisability of an extension of ground school training in the secondary schools. Such a plan would necessarily involve a thorough plan of cooperation with the educational departments of the various states, and its merits should be thoroughly considered by official state aeronautical groups when, and if, proposed.

In touching upon the advantages of state organization, I have mentioned the fact — and I want to repeat — that those states which have such bodies are naturally in a much better position to participate in a large scale program of national scope. One of the best examples that can be cited at this time lies in the possibility, however remote or potentially near, of a federal aid program for airports. I do not intend to discuss the Airport Survey as that is to be fully covered by others. The only point which I want to emphasize is that which I stated at Fort Worth last March, and which I have already stated here; namely, that when, as, and if funds for this purpose should be made available by Congress, then those states which are prepared to submit to Washington a well-rounded program for the development of airports within their respective borders — then those states will obviously be the first ones to receive consideration. This will be true because their plans will be received first, if for no other reason. It might even be desirable in some instances to make a study of the existing state legislation with a view to determining whether or not the necessary authority for participation in any kind of a national program exists.

The subject of legislation brings to mind a very serious matter which is receiving more attention every day. I refer now to the zoning of airports and their approaches. I know that a lot of semi-private discussions have been and will be held on this subject at this meeting, and it well deserves the serious thought of everyone here. There seem to be two general possibilities of approaching the zoning problem. One of these is through the enactment of state legislation which would actually set forth in detail the zoning requirements, including height of obstructions, areas to be covered, glide angles and the many and various other items which are included. I would like to say at this point that I do not believe this is the proper approach. The reasons for my belief are that such action would necessarily be more or less all-inclusive and would affect airports within that state by classification if not in their entirety. Any challenge to such a law, if successfully prosecuted, would affect all airports coming under the zoning clause. The industry is changing too rapidly to establish a hard and fast zoning rule that can be changed only by action of the state legislature, and similarly the inclusion of additional airports from time to time would have to be made by the same legal procedure.

The second approach to zoning is one which in my mind is the most feasible and would accomplish the desired results. I believe that the states should concern themselves only with enabling legislation, thereby providing the authority for their political subdivisions to pass necessary zoning ordinances affecting their local airports. This, of course, would require that a recommended uniform ordi-

nance, based on a determination of requirements made by the CAA, be made available by the states to the municipalities concerned. A job of selling would undoubtedly be necessary in many instances but the result would be that the zoning itself would only be made effective by the communities in which the need for such action arose, and any subsequent changes or additions required could be readily accomplished.

In order to provide the necessary enabling legislation which I have just mentioned, it has been suggested that the Uniform Airports Act be amended to include zoning and that such an amendment be prepared and submitted to the Conference of Commissioners on Uniform States Laws and to the American Bar Association for adoption. Further study on this matter will be undertaken by the State Coordinator in the immediate future. I would also like to point out at this time that a very comprehensive study of zoning ordinances and statutes now in existence has recently been made by the Airport Section of the Authority, the results of which are available in Report No. 6, "Survey of State Airport Zoning Legislation."

As time goes on, the need for uniformity in state legislation becomes more apparent. The Uniform Aeronautical Regulatory Acts which appear in the back of Bulletin No. 18 are still adaptable in their present form. The Conference Act of 1935 is a little more adaptable at the present time in that it does not contain references to the Department of Commerce. The N.A.S.A.O. Act of 1934 would have to be revised to meet the Civil Aeronautics Act of 1938, but such changes are minor in character and could be accomplished without a great deal of difficulty. The Uniform Airports Act has been adopted by many states in its present form and I believe the next two years will see the adoption of these uniform statutes by many of those states which are now lacking in legislation, and also by some of the states whose legislation is in need of amending to take care of the transition from the Bureau of Air Commerce to the CAA. This is a matter which is deserving of more attention than has been given during the past year, and I recommend a study of your existing laws with a view to determining just what changes should be made in order to bring them up to date.

During the period from December, 1938, until July 1, 1939, such matters of state coordination as arose were referred to me while I was then serving as Technical Assistant to the Director of Regional Offices. It was possible for me to attend a few meetings in the field, and some very definite assistance was rendered several states by means of correspondence. We found that the best way to accomplish results was for those states contemplating new legislation to submit such material to Washington for comment prior to its introduction in the state legislature. This was done in several cases and the suggestions made were accepted for the most part and some very definite results were achieved. Under the new arrangement it is hoped that the State Coordinator will be able to get into the field much oftener than in the past, and that many matters which may arise can be gone into personally rather than through correspondence.

Before I stop there is one matter which I would like to bring to your attention. This concerns the registration of aircraft and airman certificates by the states. This has been a controversial point for some years, and while I personally have always favored registration and found it to be of a distinct advantage to me in state work, I fully appreciate the hesitancy of other state officials in placing their stamp of approval on this activity. To those of you who now register the certificates I want to point out a very important service you will be rendering those pilots who are registered with you. With the discontinuance of renewal notices from the CAA, the states are now able to

fill in that gap and by means of state registration will be able to notify the pilots and aircraft owners of the expiration dates of their certificates. This may seem to be a minor item but it is one which will be received with approval by the industry within your state.

It was my misfortune to miss the last two meetings of the N.A.S.A.O. at Miami in 1937 and Omaha in 1938. It is my good fortune to attend the New Orleans meeting and I firmly believe that you people who are engaged in matters of aeronautical importance within your respective states are firmly convinced that the CAA has a sincere interest in your problems. Certainly I have never attended an N.A.S.A.O. meeting with such a representation of the Washington group. It is gratifying to me and I know it must be to you to know of this interest, and I fully believe that it is very much your responsibility to see that it is kept alive. This can be done only through full cooperation on the part of all of us and as the means of effecting such cooperation, the office of State Coordinator has been created. Yours truly respectfully tenders his services.