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FEDERAL AND STATE COORDINATION

RICHARD S. BOUTELLE*

This paper is almost identical in title with those I presented at both the 1933 and 1934 annual meetings of the Association. Most of the recommendations made in those papers have been fulfilled; several have not. I will not review the latter, but proceed to discuss certain new phases of state and federal promotion and regulation which I feel may warrant your attention. The paper has two main divisions; first, I mention those ways in which the federal government has assisted and can assist in the further expansion of the aviation industry in collaboration with state aviation bodies, and second, I suggest certain lines of action for state agencies to pursue toward the same end.

The Bureau has in the past year appointed additional medical examiners in localities where the service was warranted but previously not available, in some instances at the suggestion of State officials. The procedure in regard to medical examinations has also been simplified.

You are all familiar with the role the Bureau has played in the broad program of airport development, under the CWA and the FERA. This program has been, in fact, so intensive that most State officials have had time for little else during the past year. The new WPA program will, in all probability, continue to make demands on your time, but this will undoubtedly be well worth while, considering the results which must ensue. The Airports Section of the Bureau of Air Commerce under the direction of Mr. Wynne, has charge of this program. Mr. Wynne will later discuss this subject with you in more detail.

It may be well to again remind you that supervising and all other inspectors located throughout the various states are at all times available for any type of assistance of which you find yourself in need. In the Washington Office, our Information Section will at your request furnish you with almost any statistics which you might require, whether on regular or miscellaneous operations, on miles flown and passengers carried, etc. In the event that our regular sources of information cannot supply in any particular case, or if you are not certain to whom your request should be

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addressed, do not hesitate to communicate with me directly. You may be assured that I will make every effort to supply your wants.

From the best information available, there are 39 states requiring that all aircraft operated, and airmen operating, within those states either be licensed or eligible for license by the Federal Government. In 1930, 21 states had enacted such a law. These state laws have been in effect from 1 to 5 years, yet the August, 1935, statistics of the Bureau show 1638 identified aircraft, or 20 percent out of a total of 8100 licensed and identified aircraft in the above 39 states.

The obvious inference which might be deduced from the above is that state laws are not enforced. While undoubtedly many of the aircraft listed as identified are out of commission, nevertheless a large number are probably being flown in violation of the pertinent state law. The Bureau has no statistics on unlicensed airmen, but presumably there are many operating in violation of the state law.

In view of all the above, it would appear that more rigid enforcement would be distinctly in order. While it is realized that there are difficulties in the way of this, it should be remembered that these laws were enacted under the premise that aviation would receive its greatest promotional stimulus from a record of safe operation. Airplanes bearing a federal NC license are airworthy. Identified aircraft may or may not be, but certainly most of them are not. Of this class, many are in such a condition of disrepair as to preclude receiving a license, even though new airplanes of the same type are eligible for license under an approved type certificate. Other identified aircraft may appear nearly new, but if their airworthiness has never been substantiated by submission to the Bureau of the required technical data, it cannot be assumed that they are airworthy, and, as a matter of fact, probably in most instances they are not.

Few people seem to understand that the technical data which must be submitted to the Bureau to show compliance with our airworthiness requirements consist of no more material than any reputable firm or individual would need to compile in order to properly design an airplane, or to properly engineer an alteration or a repair. Thus if he proceeds in the only manner by which he can assure himself as to airworthiness, the submittal of the resulting data to the Bureau is a matter of small expense, in return for which he has the advantage of a check on his computations by an independent agency. If he does not prepare analyses and draw-

ings, the probability that the resulting structure, repair, or alteration is airworthy is remote. It should be obvious to anyone that operation of unlicensed aircraft must result in a lower safety record and that the same may be said of operation of any aircraft by pilots not qualified for a federal license.

During the last year the Bureau has completed a comprehensive program and gone to considerable expense in order to bring up-to-date existing sectional airways maps and to develop maps of regions not previously covered. The Bureau cannot expect to receive funds to periodically recheck these maps. Of course, the basic details of the maps will not change, but it would be appreciated, if, when your attention is called to changing local conditions which affect the accuracy of existing maps, you would advise the Bureau promptly of the facts in the particular case.

The Bureau has recently issued a new booklet giving information on all existing airports and emergency landing fields of record. State officials can assist by advising the Bureau of any discrepancy in the information contained therein and also of any changes which make obsolete any information in the booklet. In order that the Bureau may possibly be of assistance, it is suggested that the states keep it informed of all activities pertaining to aviation, in so far as it is practicable.

The past year has seen many state legislatures in session, at which much legislation pertaining to aviation was considered. No doubt a portion was helpful, but unquestionably in those cases where the legislation was of such a nature as to lead to the necessity for the imposition of taxes to be borne directly by the aviation industry, precedents have been established which it would be unwise for other states to follow. It is well known that the aviation industry is a young and struggling one, which at this time exists mainly by virtue of government aid. Such aid, which is warranted in view of the potentialities of the industry in the scheme of national defense should an emergency be forced upon us, can readily be nullified by state aviation tax burdens with the result that the industry cannot progress and probably would retrogress. It would be pointless for the federal government to increase its expenditures for aid to offset such a contingency, since this would be the equivalent of robbing Peter to pay Paul, namely, simply a vicious circle in which the tax-paying public pays the ultimate cost. In short, both federal and state governments should avoid any taxes or regulations which tend to prevent continued progress and expansion of this vital industry.