

- February 2024 -



The January KWRAA meeting was a great opportunity for members to obtain their recurrent training for the upcoming flying season. Fred Grootarz joined us to conduct a group training session using the 2024 version of the Transport Canada self-administered recurrent training program. I will include a link to the on-line training in this newsletter for anyone who missed it. Fred has been conducting this training with us each winter for about a decade now. After the training, I presented Fred with a KWRAA Appreciation Award plaque. Fred responded that he was very appreciative of it and the first time he had received recognition of his efforts from any group he has conducted the training with over the years.

- Lee Coulman Photo

President's Message

What happened to winter in Ontario? 😊

Don't get me wrong; I'm not complaining, but this extended warm spell in late January and forecasted for early February seems quite unusual. It's likely due to global warming, but an average is still an average and we will likely pay for the warm weather sooner or later with an extended cold snap.

In this issue I have focused on an issue created by a Notice of Proposed Amendment (NPA) from Transport Canada. After several readings of this document and consultations with Gary Wolf, President of RAA Canada, I believe it would be wise for all of our members to send in a short letter or e-mail to Transport Canada stating opposition to at least one of the

proposed amendments, which I explain in more detail in the newsletter.

This proposal has a number of fee increases best dealt with by COPA, but the bulk of the other proposals affect certified, owner-maintained, amateur-built, and ultralight aircraft, best dealt with by individual responses from pilots of those aircraft.

I had hoped to have the update on the ADS-B situation in Canada in this issue, but I believe this NPA takes precedence due to its limited time for response to Transport Canada. I'll do my best to get the ADS-B update into the next issue.

2024 is going to be a great year for KWRAA.

- Dan

Notice of Proposed Amendment 2024-001

Once again, the aviation community is faced with another Notice of Proposed Amendment (NPA) at the final stages of public consultation without input from pilots and owners. This one could have serious ramifications if passed “as-is”.

Whether Transport Canada's intent is to actually make changes to the existing regulations regarding operation of aircraft that meet the technical definition of an ultralight, or just to clean up the process of issuing registration marks, the wording is open to interpretation that could impact several types of aircraft and pilots.

NPA 2024-001 is available at:

<https://www.wapps.tc.gc.ca/Saf-Sec-Sur/2/NPA-APM/doc.aspx?id=12635>

There are a number of issues within this NPA that are concerning including:

1. Very large increases in most fees related to registration, transfer, etc.

As the fee increases relate to all types of aircraft, this item rests more in the purview of COPA, not RAA even though amateur builders seem to be hit the hardest, I will not dwell on this item. Additionally, the fees have not increased since 1996, so increases were inevitable. That said, I do believe the staggering size of some of the increases are unprecedented and it would be better if they were applied in a phased-in manner over a few years.

The public input phase of the fees review has long passed, so there is likely little that can be done at this point. I will have to do a little digging on this, but I don't recall any notice of this issue from COPA, who should have been in on these discussions. Canadian government agencies and manufacturers like Bombardier were there.

2. Definition of an Ultralight

Ultralights are defined as any aircraft that is 1200 lb. (544 Kg.) or less gross weight and the stall speed is 45 mph. (39 kts.) or less.

On first glance it appears that Transport Canada intends to change that definition to aircraft with a C-I registration. I believe their intent was to codify (define the process) of registering new ultralight aircraft.

If the intent is more devious, it could mean that hundreds of amateur-built, owner maintained and smaller certified aircraft registered as C-F, CF-, or C-G could no longer be flown by ultralight pilots unless they are re-registered as ultralight aircraft.

3. Private Pilot – Ultralight Aircraft (PP-UL)

Some pilots start with a PP-UL license with the intention of moving up to a Recreational Pilot or Private Pilot license later on, while others obtain the PP-UL with the sole intention of never flying anything other than basic or advanced ultralights. In any event, the PP-UL license allows the pilot to fly any aircraft that meets the definition of ultralight, regardless of how it is registered. There are some restrictions to the PP-UL such as not flying at night, never flying a Basic Ultralight with passengers, and other restrictions.

The proposed wording in NPA 2024-001 could be interpreted to restrict PP-UL licensed pilots from flying any aircraft not displaying a C-I registration mark.

4. Impact on Safety

These proposed changes to the regulations appear to be limiting the least trained pilots to flying the least safe aircraft that have no standard other than the manufacturer's recommendations on advanced ultralights.

Although there are no real statistics on Ultralight aircraft crashes, injuries and fatalities, it is likely safe to assume that the certification process for certified aircraft and the reliance on AME maintenance and sign off, as well as the use of only certified parts makes them the safest category. Several smaller certified aircraft can meet the current definition of ultralight as do many of the “owner-maintained” aircraft transferred over to that category.

Next would be the amateur-built aircraft that must meet a build standard and are inspected at least twice during construction, have well-documented logs of construction and ongoing maintenance, as well as having routine documented maintenance schedules.

All of the above-mentioned aircraft have ELT's and are subject to annual AAIR reports that also improve safety and incident reporting. None of

those things happen with basic ultralights. Therefore, it appears that the changes in this NPA seem to prevent PP-UL pilots from flying in the safest types of ultralight aircraft.

5. The impact on non C-I Ultralights

Certified aircraft, owner-maintained aircraft and amateur-built aircraft that currently meet the ultra-light standards but are registered as C-F, CF-, and C-G may find their resale value plummet as the number of potential buyers is reduced.

Those same aircraft may have to be sold, re-registered as C-I, or cease to be flown by anyone with a PP-UL license. Even if equipped with lighting, they may not be able to fly at night since ultralights cannot.

A number of these non C-I registered aircraft are classic post-WWII aircraft. If these aircraft have to be re-registered as C-I aircraft, often the historic context will be lost as many carry the CF- registration to show their vintage status. Also, who will pay to have the registrations changed and the aircraft repainted? If the NPA is left as-is, PP-UL pilots will not be able to fly them any longer.

6. True Intent of NPA 2024-001

Since being able to talk to someone at Transport Canada that has intimate knowledge of this proposed amendment is next to impossible, it is up to each of us to interpret the proposals as we see them and determine how to respond.

Hanlon's Razor states: never attribute to malice that which can be adequately explained by neglect, ignorance or incompetence. It is entirely possible and even probable that Transport Canada simply intended to clean up the registration process without realizing all of the consequences, due to a lack of pilots on staff and the lack of knowledge about why aircraft have been registered the way they are.

CAR 101.01(1) – Amend the definition of “ultra-light aircraft” to clarify that an ultra-light aircraft is one that is registered as such.

This short-sighted and restrictive definition of C-I registration eliminates hundreds of certified, owner-maintained and amateur-built aircraft currently registered as C-F, CF-, and C-G from the definition.

If the true intent was purely administrative, the fix could be as simple as deleting CAR 101.01(1) from NPA 2024-001.

If CAR 101.01(1) is re-written to have only C-I aircraft defined as ultralights rather than using the existing weight and stall parameters, it opens up a whole can of worms that impacts hundreds of owner/pilots that may no longer be able to fly their own aircraft and many more who will have their privileges restricted.

7. COPA, RAA, EAA and UPAC Involvement in the Development of This NPA

To date, there has been no known involvement by any of the recognized general aviation organizations mentioned above in regard to this NPA. Why not? The task force for addressing TC's concerns were mostly Canadian Government branches, one commercial operator, and Bombardier (a manufacturer).

COPA's most recent e-letter states, "Transport Canada did not directly engage COPA or the Ultralight Pilots Association of Canada (UPAC) in their consultation process. As a result, we are deeply concerned by this growing trend of not involving the input of groups, like COPA or UPAC, who's members are affected by Transport Canada changes to policies, rules, or standards."

8. What If it Doesn't Affect Me?

Even if you think this does not apply to you since you don't fly ultralights and you have a PPL, be aware that something like the loss of a CAT 3 medical or advancing age may limit your options in the future.

Switching to an ultralight aircraft or a PP-UL license may be the only option for you in the future, so don't discount this NPA as being unimportant to you. It may be in the future.

9. Nothing Changes Without Input

Write a short letter to Transport Canada to express your own concerns with this proposed legislation. If you are unable to draft your own, I have included a form letter in this newsletter. You can cut and paste it into your e-mail or just use bits and pieces or ideas to draft your own, but please do something.

I have included a sample letter on the next page, which you can print, sign and send to Transport Canada through e-mail or dedicated website link below, but responses are required before **February 7, 2024**, so don't delay and don't neglect it figuring someone else will do it.

Gary Wolf will be sending a detailed response to TC on behalf of RAA Canada explaining the history behind the marks and registration process and why this NPA is a mistake if it goes ahead as written.

A few KWRAA members, including Geoff Gartshore and I have drafted and sent responses to this NPA, but the more responses

TC receives, the more serious they take things and the more likely they are to correct the problems before passing new legislation that affects aviation and our rights as pilots and builders.

Comments on this Notice can be submitted until February 7, 2024 through the [Comment Submission Form for NPAs](#).

Comments may also be sent via e-mail before February 7, 2024 to TC.CARConsultations-RACConsultations.TC@tc.gc.ca

Fred Grootarz addressed the bi-annual training requirements of our chapter through a recurrent training session in January as noted on the cover page of this issue. If you were unable to attend, here is a link to the Transport Canada site where you can complete the self-

administered training session on-line. You then document this in your log book. Make sure you keep a copy in case Transport Canada or your insurer requests it in the future.

[Transport Canada - Recurrent Training Program](#)

AAIR Reports

2022 and 2023 AAIR reports should be due now, but as of February 1, I have not been notified by Transport Canada in spite of their self-imposed deadline of early January.

I will remind everyone once I have received notification that the portal is open. If anyone has received notification, please let me know and I will forward the information to the other members.

Re: Transport Canada NPA 2024-001

To whom it may concern:

I am writing to express my concerns in general about NPA 2024-001, and specifically the proposed amendments to CAR 101.01(1).

Whether by intent or not, there will be serious ramifications to the general aviation community as a result of the possible change of the definition of an "ultralight aircraft" to be only those registered as C-I.

Historically, any aircraft 1200 lb. or less, having a stall speed of 45 mph or less **IS** an ultralight aircraft.

Since there are hundreds of ultralight aircraft currently registered under the CF-, C-F, and C-G designations that do not fall within the proposed definition of ultralight aircraft, pilots with a PP-UL license will no longer be able to fly the aforementioned aircraft even if they have been doing so for the last 20 years. If they own the plane, the impact is even worse for them.

If the intention is to have all of the aforementioned CF-, C-F, and C-G aircraft 1200 lb. or less transfer over to the C-I registry, it creates a very costly bureaucratic nightmare for Transport Canada and the owners of said aircraft just for the sake of a different definition of ultralight. It will take thousands of hours to transfer everything over and require repainting of registrations on all of these aircraft, some of which have historic significance and carry CF- registration to note that it is a vintage aircraft.

Regardless, aircraft carrying the CF-, C-F, and C-G registrations that meet the current ultralight definition are small certified, owner-maintained and amateur-built aircraft that are constructed to recognized standards or a build standard and have undergone inspections during construction and annually as recognized by the appropriate CAR's. They are also subject to routine inspections and maintenance schedules, have ELT's installed, require AAIR reports, and are subject to airworthiness directives, likely making them some of the safest aircraft compared to many C-I registered ultralights. Some of these aircraft are night-flight capable by PPL and CPL pilots, but if transferred to the C-I category, they would lose that capability and dramatically decrease in resale value.

From a safety perspective, forcing the least-experienced and least-trained pilots (PP-UL) to fly aircraft that will no longer have to meet the standards of certified, owner-maintained, or amateur-built aircraft reduces the safety level. If these aircraft are left with their existing registrations and the definition changes as proposed, PP-UL pilots will lose the ability to fly them and forced to fly potentially less-safe ultralights. Either way it creates a reduction in safety.

As for fee increases, I believe they disproportionately impact amateur-built aircraft builders. Early discussions surrounded only registration fees, but a number of other fees have been unfairly added to this NPA without consultation of the affected parties.

I recommend the following:

- Remove CAR 101.01(1) changes from the NPA and leave the definition of ultralight where it belongs, in the aircraft standards, not simply defining them solely through registration marks.
- Involve COPA, UPAC, EAA, and the RAA (which represents all of the amateur-built aircraft in Canada) in any future discussions involving General Aviation and especially before regulatory changes which affect them are proposed.

Thank you,

Upcoming Events in 2024:

- *Highlighted lines are KWRAA Events**
- *Bolded Lines are KWRAA Fly-ins* (More details on fly-ins coming in the new year.)*
- *Fly-in Data Sheets are available on the KWRAA website at www.kwraa.net*

February 15	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
March 21	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
Mar 28-Apr 2	-	Sun-n-Fun 2023
April 18	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
May 16	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
June	-	KWRAA Fly-Ins - TBD
July	-	KWRAA Fly-Ins - TBD
July 24-July 30	-	Oshkosh Air Venture 2023
August	-	KWRAA Fly-Ins - TBD
August 18-20	-	UPAC Convention 2023
August 31	-	Damascus Field Fly-in CDF6 - (date to be confirmed)
September 19	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
October 17	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
November 21	-	KWRAA Monthly Meeting – Cadet Youth Dev. Centre at CYKF
November 29	-	KWRAA Christmas Party – Runways Café at CYKF

* KWRAA events are fly-in and/or drive-in.

KWRAA monthly meetings will be on the **third Thursday night of each month** next year unless we hear otherwise from the Cadet Youth Development staff, since we are using their building and working around their schedule for our KWRAA meetings.

If you know of other aviation events in Southern Ontario advise me and I will append the list.

KWRAA Executive Contact Information:

Due to an increase in spam emails, please reach out to me directly for the latest contact information for the KWRAA Executive members. Thank you, Dan Oldridge (519) 651-0651.
