



European Aviation Safety Agency – Rulemaking Directorate

Comment-Response Document 2013-05

Regular update of CS-LSA

CRD TO NPA 2013-05 — RMT.0003 (LSA.001) — 29/07/2013
Related Decision 2013/015/R

EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on NPA 2013-05 (published on 04 April 2013) and the responses, provided thereto by the Agency.

Based on the comments and responses, Decision 2013/015/R was developed.

The NPA 2013-05 proposed to introduce revisions of the existing referenced ASTM Standards in the CS-LSA. One of the revisions of the referenced ASTM standards introduces a change that addresses the safety recommendation of an accident that occurred on June 25th 2011 and shows the efficiency of the revision process of ASTM standards followed by the shortened process used by the Agency to introduce such a revised standard into CS-LSA.

Secondly, it proposes to introduce a new ASTM Standard for Certification Specifications for the design and manufacture of electric propulsion units.

Because the ASTM standards are consensus standards that are developed through a balloting and review process that allows stakeholders to participate in their development, the EASA consultation and adoption of ASTM standards was shortened to one month.

Supportive comments from several aviation authorities on the content of the NPA and no adverse comments regarding the shortened consultation time indicate that the taken course of action is acceptable for the adoption of a consensus standard.

With respect to harmonisation with the FAA, the referenced ASTM standards are also used by the FAA in the US Light Sport Aircraft Rules and are published in a Notice of Availability (NOA) on the Federal Registry. The FAA emphasised in their comment that the European regulatory system is different from the US system. Although the content of these technical consensus standards is as much as possible harmonised differences are to be expected when an application for a US Primary Category type certification is done for a product that has a European TC on a pure CS-LSA basis.

Applicability		Process map	
Affected regulations and decisions:	CS-LSA ED Decision 2011/005/R	Concept Paper:	No
Affected stakeholders:	Applicants for a new TC or significant major changes to aeroplanes applying CS-LSA	Rulemaking group:	No
Driver/origin:	Level playing field	RIA type:	Light
Reference:	N/A	Technical consultation during NPA drafting:	No
		Publication date of the NPA:	2013/Q1
		Duration of NPA consultation:	1 month
		Review group:	No
		Focussed consultation:	No
		Publication date of the Decision:	2013/Q3

Table of contents

1. Summary of comments and responses	3
2. Individual comments (and responses)	3
2.1. Table of comments and responses	3
2.2. Attachments	5

1. Summary of comments and responses

Only 7 comments were received on NPA 2013-05 that contained no contentious issues. The proposed changes were supported and regarded as an improvement for harmonisation.

The individual comments and responses are provided below.

2. Individual comments (and responses)

In responding to comments, a standard terminology has been applied to attest the Agency's position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

2.1. Table of comments and responses

(General Comments)		-
comment	1	comment by: <i>DGAC France</i>
	DGAC France has no specific comment on this CRD	
response	Noted	
comment	2	comment by: <i>Light Aircraft Association UK</i>
	These comments are made by LAA UK. We support the suggested changes, although we have a few editorial observations (see separate comments).	
response	Noted	
comment	5	comment by: <i>Luftfahrt-Bundesamt</i>
	The LBA has no comments on NPA 2013-05.	
response	Noted	
comment	6	comment by: <i>UK CAA</i>
	Please be advised that there are no comments from the UK CAA on NPA 2013-05, Regular update of CS-LSA.	
response	Noted	
comment	7	comment by: <i>FAA</i>
	Attachment #1	
	Please see attached comment.	

response	<p>Noted</p> <p>The FAA has expressed in their comment that the aim of this regular update of CS-LSA to include amended ASTM standards is a positive development to harmonisation of the certification specifications used for type certification.</p> <p>At the same time, however, it should be understood that differences between the European Certification Specification (CS-LSA) and the US Primary Category certification basis can exist. In the validation of a type certificate a comparison of the certification basis will be made, and, if applicable, differences could lead to additional requirements. An EASA type certificate using CS-LSA as the sole certification basis will not guarantee that there are no additional requirements necessary to meet a US Primary Category certification basis.</p> <p>Making a comparison between the certification basis in a validation process is a normal practice in the type certification process and has no impact on the content of the CS-LSA revision.</p> <p>EASA supports the FAA position to continue harmonisation of FAA and EASA requirements for GA aircraft under the applicable ASTM committees, the Part 23 reorganisation, and through other means.</p>
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D. Proposed revision of CS-LSA - Book 1 - Subpart B – Standard Specification for Design and Performance of a Light Sport Aeroplane

p. 19-23

comment	<p>3</p> <p style="text-align: right;">comment by: <i>Light Aircraft Association UK</i></p> <p>Paragraph A1.6.1.5 has been modified to include the requirement "and should be of yellow/red colour". If this is a recommendation ("should"), then it should be included in AMC material. Wherever it appears, it needs to be clearer. Should it read "and should be of yellow or red colour" or "and should be of yellow and red colour"? In other codes, red controls are exclusively for emergency devices.</p>
response	<p>Partially accepted.</p> <p>The colour of the control is a requirement and for that reason the sentence has been changed, and reads 'must be'.</p> <p>It has also been decided to prescribe only a yellow colour for this control since the operation is not considered to be an emergency operation.</p> <p>A clarification has also been added to the AMC1 to ASTM F2245-12d Annex 1.1 to explain that it does not cover cable retraction devices.</p>

D. Proposed revision of CS-LSA - Book 1 - Subpart H – Engine and Electric Propulsion Units (EPU)

p. 27

comment	<p>4</p> <p style="text-align: right;">comment by: <i>Light Aircraft Association UK</i></p> <p>Paragraph CS-LSA.37 (EPU). The references quoted here don't correlate with F2840-11.</p> <p>Where it states "delete 1.4", presumably it should read "delete 1.2".</p> <p>Where it states "delete 10", it's not clear what paragraph it relates to, as there is no '10'.</p>
response	<p>Accepted</p> <p>The error in the reference numbers are corrected. 1.2, 8 and 9 are the deleted paragraphs.</p>

2.2. Attachments

Attachment #1 to comment [#7](#)

FAA COMMENT TO EASA NPA 2013-05

The United States Department of Transportation, Federal Aviation Administration would like to commend the European Aviation Safety Agency (EASA) for undertaking this important safety initiative. We agree with the approach to update CS-LSA as the consensus standards it references are improved over time. This is consistent with the FAA system of accepting LSA consensus standards on a regular basis to assure new products are manufactured according to the latest the industry developed and approved safety standards.

Overall, FAA has no issue with any of the language in the NPA. It appears EASA is trying its best to harmonize LSA requirements and actions with FAA, such as referencing newly accepted standards as they are published. EASA states that it is actively participating in the consensus process, which is critical to reaching globally accepted standards.

The revised standards incorporated in this NPA eliminate 17 additional EASA requirements, bringing EASA requirements closer to harmonization with those of FAA. Also, the addition of the electric propulsion standard under CS-LSA will capture the operational experience in Europe, and may be helpful to our future rulemaking efforts to include electric propulsion in LSA. The FAA perceives both of these items to be moving in the right direction.

The FAA would like to offer some suggestions regarding applicants seeking a type certificate in the US under CFR part 21.24 for Primary Category instead of entering the U.S. market under CFR part 21.190 for LSA. A type certificate based on CS-LSA in Europe may not be equal to a Primary Category type certificate in the U.S, since CS-LSA is based on the ASTM standards, and Primary Category has typically included additional requirements in the US for structures and equipment. While we agree that harmonization is the goal, we do not expect to issue a Primary Category type certificate solely based on LSA standards unless the standards are revised to address these additional requirements. Conversely, this also applies to companies seeking a Primary Category type certificate in the U.S. before they go to Europe to apply for a DOA and POA using CS-LSA.

There are several areas to consider that may include additions to CS-LSA requirements for those wishing to certificate in the Primary Category. These include flutter, structures, equipment, and means of compliance for some of our items. The FAA encourages continued efforts to harmonize FAA and EASA requirements for GA aircraft under the applicable ASTM committees, the part 23 Reorganization, and through other means.