# Panel 1

# Regulatory Aspects

**Moderator**
**Roger Rapier (FAA)**

# Definition of Regulation

- A rule of order having the force of law, that is prescribed by a superior or competent authority, relating or prescribing actions of those under the authorities control.

- Attempts to produce outcomes which might not otherwise occur, produce or prevent outcomes in different places to what might otherwise occur, or produce or prevent outcomes in different timescales than would otherwise occur.

- Efficient regulations can be defined as those where total benefits exceed total costs.

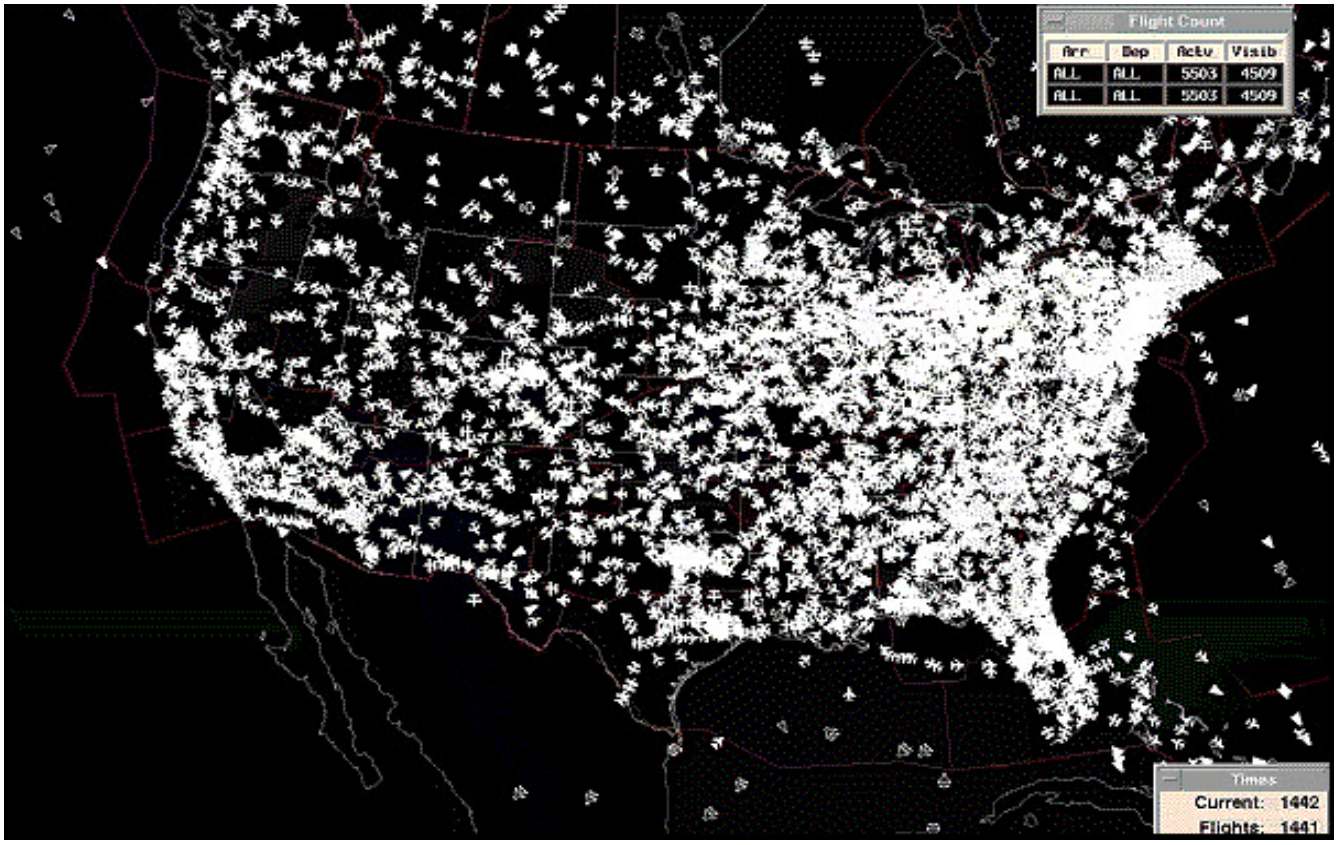
# Why Do We Need Regulations in ATM?

## Consider the United States National Airspace System

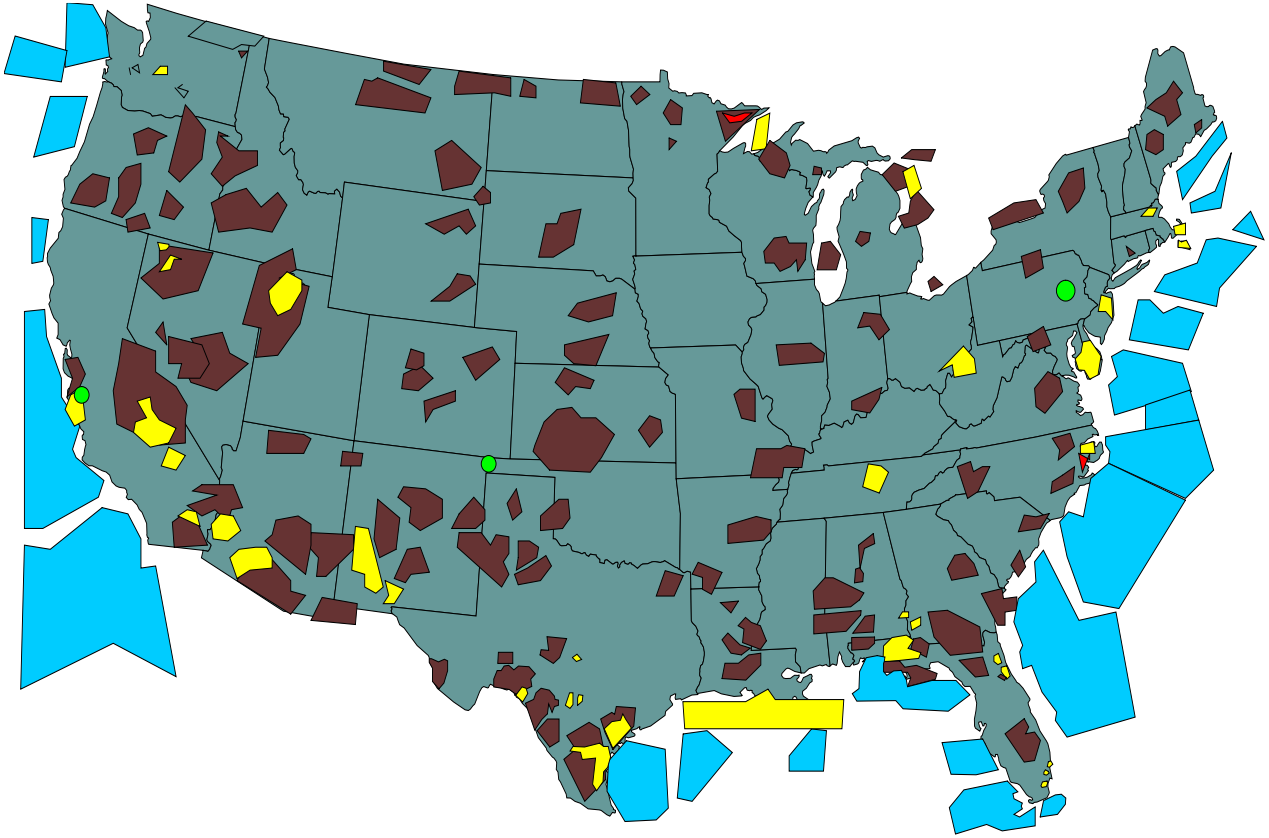
# United States NAS -- Busy

The FAA controls the most heavily used airspace system in the world.

TFMS Capture of Air Traffic in U.S. Airspace



# USA SPECIAL USE AIRSPACE



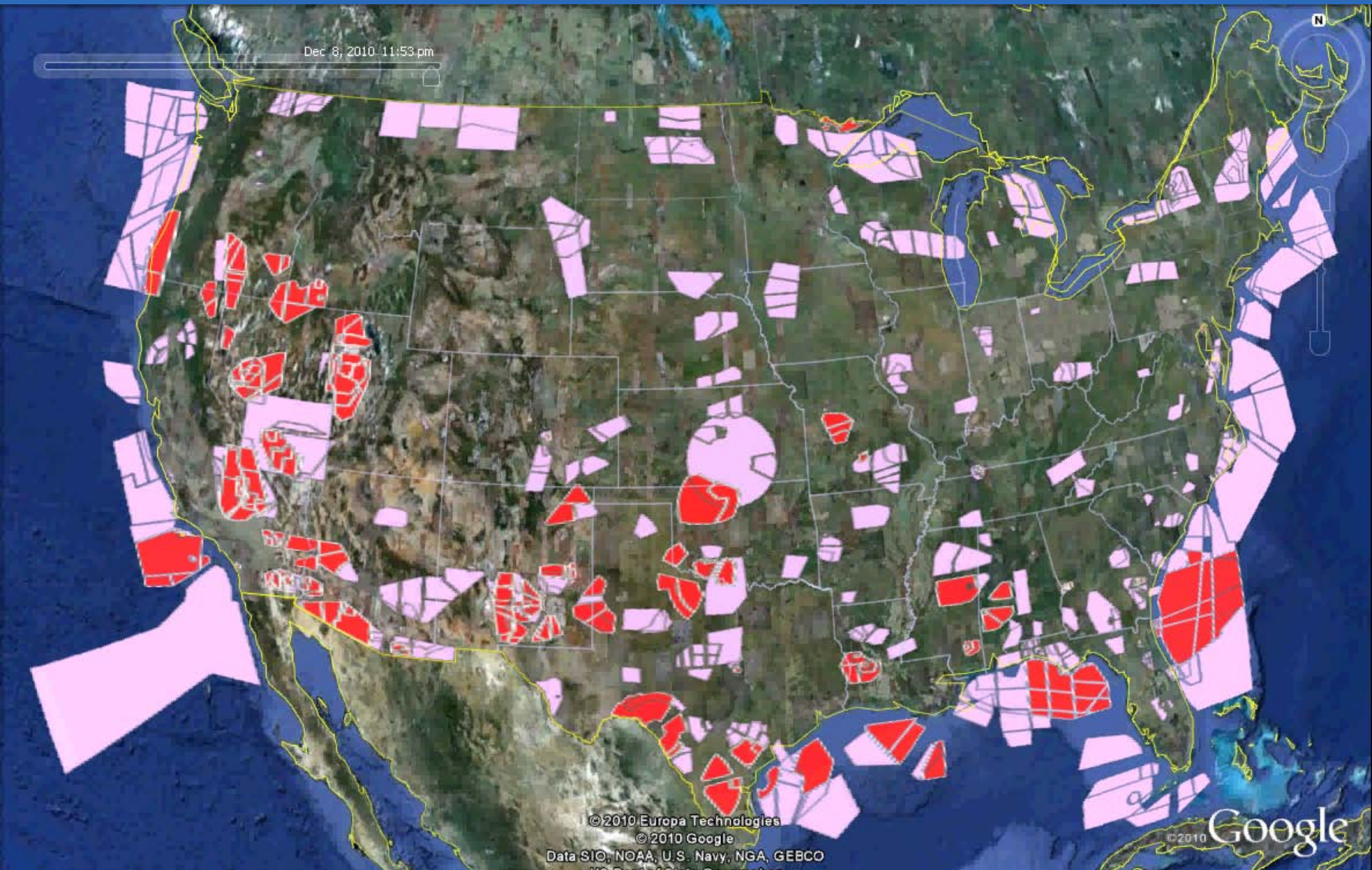
# Types of USA Special Use Airspace

| AREA | RULEMAKING | CHARTED |
|---|---|---|
| Prohibited | Yes | Yes |
| Restricted | Yes | Yes |
| Military Operations | No | Yes |
| Warning | No | Yes |
| Alert | No | Yes |
| Controlled Firing | No | No |
| National Security Area | No | Yes |

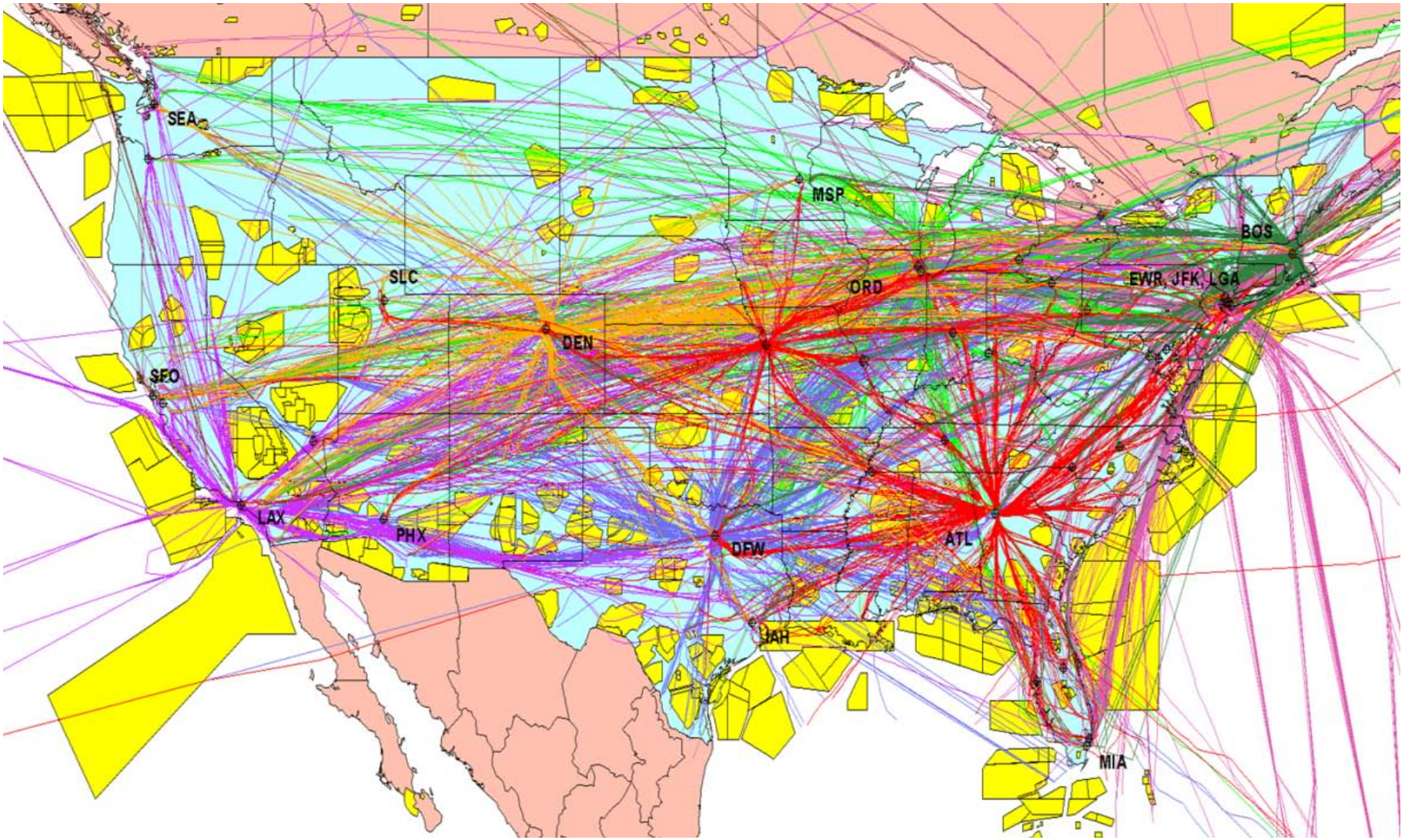
# Regulatory Aspects of United States Airspace

- U.S. Law: Title 49 United States Code (49 U.S.C.)
- Code of Federal Regulations (CFR)
  - Title 14 Aeronautics and Space
    - Implements Title 49
    - Part 71 – Controlled Airspace Designations
    - Part 73 – Special Use Airspace
    - Part 91 – General Operating and Flight Rules
    - Part 93 - Special Air Traffic Rules
    - Part 99 – Security Control of Air Traffic

# SPECIAL USE AIRSPACE ACTIVATION



# NAS TRAFFIC and SPECIAL USE AIRSPACE
# Goal: Optimum ATM



# Panel 1 Group Protocols

1) Divide into three groups
2) Assign two questions per group
3) Appoint a rapporteur/spokesman
4) Discuss questions
5) Reassemble at announced time
6) Group reports

# Proposition:

**Regulation concerning Air Traffic Management (ATM) should be an integrated process, consisting of the development of a set of constructive laws, rules and standards that affect the ATM System.**

**These regulatory processes should be planned and adapted to support the pursuit of optimum ATM in dynamic environments.**

# Question 1

**Do you agree with this proposition?**

**If so, please explain why?**

**If you do not agree that ATM regulation should be an integrated process that includes planning and adaptation, please explain why?**

# Question 2:

**How can the regulatory process be planned and adapted to support the pursuit of optimum ATM in a dynamic environment?**

# Question 3:

**If developing ATM regulation in an integrated process, what questions should regulators ask themselves to optimize regulatory benefits?**

# Question 4:

**If you were developing regulation to optimize civil/military use of airspace, how would you answer the questions we just listed?**

# Question 5:

**ATM regulation should be concerned with optimum use of all ATM resources available to the State.**

**How do available airspace, the location of the State relative to other States (environment), and ATM services available for control of air traffic factor into regulation regarding ATM in your State?**

# Question 6:

**How can ATM regulation positively motivate and affect civil/military cooperation in ATM in ways that improve shared use of resources?**