



## **Safety Continuum: Regional flexibility vs Global Harmonization**

*Panel 6*

*Hal Jensen*

### **Major Discussion Points**

- Moderator – Alain Leroy (EASA) opened by stating this panel was a bit of a continuation of a theme heard at the last conference and expected the audience to hear updates and current status on this issue. He also encouraged the audience to express their concerns on the safety continuum today and in the future.
  - Panellist – Dorenda Baker (FAA) opened with an overview on safety continuum in which she explained the current regulation based on traditional aircraft type discriminators and the need to move to a level of certification rigor proportional to the level of assumed risk. She explained that there is no one optimum level of compliance rigor for all aircraft types and their uses.
  - Panellist – Margaret Jenny (RTCA) explained that RTCA strives to develop performance standards rather than design standards. She emphasized the emphasis to identify the intended use of the subject equipment or article prior to working the standard. Also important to note is that standards are “minimum” performance so that a wide range of designs can be accommodated for implementation into the fleet. The standards are often the basis for showing compliance.
  - Panellist – Dave Turnbull emphasized the need for flexibility that many older regulatory schemes do not easily accommodate. He sees the FAA's Part 23 ARC as a step in the right direction and a need to consider extending it to other areas like rotorcraft. There must be a balance between a more tiered compliance approach based on specific standards and the standardization that categories provides.
  - Panellist – Gilles Garouste noted that a new safety continuum can help to bring new technologies to market. He did express concern when an agency adopts a particular standard as the only way of showing compliance and forcing it on all applications regardless of complexity. He also felt the safety continuum conflicts with CPR and finally that standards need to be developed with an idea that they be accepted globally.
-

### **Questions and Comments from the Floor**

Alain Leroy posed the question to the panel of whether the safety continuum is compatible with CPR? Dave Turnbull believes they can be compatible when the safety continuum is discreetly defined and we get back to the intent of CPR which may have gone off track. Dorenda Baker added that CPR needs some revision to reduce the subjectivity under which it is often applied. Margaret Jenny believed that standards to define more discreet intermediate steps and tailor compliance to the product will aid in achieving these objectives. Alain Leroy echoed that CPR has not always been applied in a reasonable manner and that a proper balance between safety and certification costs and resource expenditure must be struck.

A question was raised (company unknown) related to the Part 23 ARC discussion regarding how to create a level playing field between applicants and also standardize global acceptance? Dorenda Baker believes one key is making clear the criteria within the ARC on applicability of the performance requirements to the specific aircraft. The industry Part 23 ARC co-chair offered that there is an effort to remove methods of compliance out of the rules and into standards and develop the rules based on performance. New technologies should require new standards to be developed rather than the current approach of using special conditions. Dave Turnbull agreed that cross regulatory communication is key to enhancing global acceptance but is an ever-increasing challenge in light of regulators being asked to do more with declining resources. It is also a challenge to develop one cert basis that works for all regulators.

### **Outcomes/Additional Ideas**

Applicants should become familiar with Part 23 ARC objectives and work to adopt this philosophy as appropriate to their products.

It was suggested that early discussions – even informal ones – between the applicant and the regulator can be key to ensuring acceptability between regulators.

Concurrent certifications can be more effective than sequential certifications in achieving global acceptance.

Further development of standards between RTCA and EUROCAE should also help global approval of specific products.

---