

Aviation Group Client Update

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NTSB PUBLISHES PLAN TO UPDATE REGULATIONS

Today, the National Transportation Safety Board (NTSB) published a [Notification](#) of its plan to update all NTSB regulations. On June 25, 2012, the NTSB published a request for information stating it was undertaking a review of all its regulations. Since publishing the request for information, the NTSB has reviewed all parts of its regulations: 49 CFR Parts 800–850. Based upon its review and the comments received from the public, the NTSB has identified the following upcoming changes:

- **Phase I: Review of Parts Requiring Comment**—The NTSB has carefully reviewed the following regulatory parts, and plans to publish a notice of proposed rulemaking (NPRM) updating these parts within three months: Parts 801, 802, 803, 804, 806, 807, 825, 830, 831, 835, 837, 840, and 845. The NTSB further identified one part of its regulations that may contain “significant regulations” (as defined in Executive Order 12866, “Regulatory Planning and Review”): 49 CFR Part 831, Accident/Incident Investigation Procedures.
- **Phase II: Changes Not Requiring Public Comment**—The NTSB will issue changes to 49 CFR Part 800, which solely consists of internal agency procedures that are not relevant to the NTSB’s work with the public, its parties, or any other agency.
- **Phase III: Changes Requiring Consultation with Other Agencies**—The NTSB plans to address with the United States Coast Guard any changes to 49 CFR Part 850, and prepare such changes on a distinct timeline, rather than contemporaneously with all other updates from Phases I and II of this project.

Following the comprehensive review and publication of the NPRM and final rule documents discussed above, the NTSB will undertake a biennial review of 49 CFR Part 831 to ensure no regulations are outmoded, ineffective, insufficient, or excessively burdensome, and make its findings available for public comment.

We will continue to monitor rulemaking activity at the NTSB. If you have any questions about the NTSB’s Retrospective Analysis of Existing Rules, please contact our office.

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