

# ARSA Regulatory Compliance Training—Questions

Part **11**: General Rulemaking Procedures

Level 1: For anyone working in aviation

## § 11.27 Are there other ways FAA collects specific rulemaking recommendations before we issue an NPRM?

Yes, the FAA obtains advice and recommendations from rulemaking advisory committees. One of these committees is the [Aviation Rulemaking Advisory Committee \(ARAC\)](#), which is a formal standing committee comprised of representatives of aviation associations and industry, consumer groups, and interested individuals. In conducting its activities, ARAC complies with the [Federal Advisory Committee Act](#) and the direction of FAA. We task ARAC with providing us with recommended rulemaking actions dealing with specific areas and problems. If we accept an ARAC recommendation to change an FAA rule, we ordinarily publish an NPRM using the procedures in this part. The FAA may establish other rulemaking advisory committees as needed to focus on specific issues for a limited period of time.

## § 11.29 May FAA change its regulations without first issuing an ANPRM or NPRM?

The FAA normally adds or changes a regulation by issuing a final rule after an NPRM. However, FAA may adopt, amend, or repeal regulations without first issuing an ANPRM or NPRM in the following situations:

- (a) We may issue a final rule without first requesting public comment if, for good cause, we find that an NPRM is impracticable, unnecessary, or contrary to the public interest. We place that finding and a brief statement of the reasons for it in the final rule. For example, we may issue a final rule in response to a safety emergency.
- (b) If an NPRM would be unnecessary because we do not expect to receive adverse comment, we may issue a direct final rule.

**Question 1:** ARAC is the FAA’s only way to obtain advice and recommendations before issuing an NPRM.

- A: True.
- B: False.

**Question 2:** ARAC is only required to comply with the direction of the FAA.

- A: True.
- B: False.

**Question 3:** If the FAA accepts an ARAC recommendation, it will not publish an NPRM but will place a brief statement in the final rule explaining the committee’s advice.

- A: True.
- B: False.

**Question 4:** The FAA may issue a direct final rule, without first issuing an ANPRM or NPRM, if it does not expect to receive adverse comment.

- A: True.
- B: False.

Name and/or Identification \_\_\_\_\_

Clearly Print the Name and/or Identification of the Person Taking the Test

Date \_\_\_\_\_

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Score \_\_\_\_\_

Enter as x (number correct) of y (number of questions)

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# ARSA Regulatory Compliance Training—Answers

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Level 1: For anyone working in aviation

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- (b) If an NPRM would be unnecessary because we do not expect to receive adverse comment, we may issue a direct final rule.

**Question 1:** *ARAC is the FAA's only way to obtain advice and recommendations before issuing an NPRM.*

- A: True.
- B: **False.** § [11.27](#) allows the FAA to establish other rulemaking advisory committees as needed to focus on specific issues for a limited period of time.

**Question 3:** *If the FAA accepts an ARAC recommendation, it will not publish an NPRM but will place a brief statement in the final rule explaining the committee's advice.*

- A: True.
- B: **False.** Though the FAA may choose not to issue an NPRM under circumstances described in § [11.29](#), which *could* be an ARAC-recommended action, § [11.27](#) states the agency will ordinary publish an NPRM after accepting a committee recommendation.

**Question 2:** *ARAC is only required to comply with the direction of the FAA.*

- A: True.
- B: **False.** § [11.27](#) explains that ARAC also complies with the Federal Advisory Committee Act, a 1972 law emphasizing open meetings, chartering, public involvement and reporting.

**Question 4:** *The FAA may issue a direct final rule, without first issuing an ANPRM or NPRM, if it does not expect to receive adverse comment.*

- A: **True.** See § [11.29\(b\)](#).
- B: False.