

ARSA Regulatory Compliance Training—Questions

Part **11**: General Rulemaking Procedures

Level 1: For anyone working in aviation

§ 11.73 How does FAA process petitions for rulemaking?

After we have determined the disposition of your petition, we will contact you in writing about our decision. The FAA may respond to your petition for rulemaking in one of the following ways:

- (a) If we determine that your petition justifies our taking the action you suggest, we may issue an NPRM or ANPRM. We will do so no later than 6 months after the date we receive your petition. In making our decision, we consider:
 - (1) The immediacy of the safety or security concerns you raise;
 - (2) The priority of other issues the FAA must deal with; and
 - (3) The resources we have available to address these issues.
- (b) If we have issued an ANPRM or NPRM on the subject matter of your petition, we will consider your arguments for a rule change as a comment in connection with the rulemaking proceeding. We will not treat your petition as a separate action.
- (c) If we have begun a rulemaking project in the subject area of your petition, we will consider your comments and arguments for a rule change as part of that project. We will not treat your petition as a separate action.
- (d) If we have tasked ARAC to study the general subject area of your petition, we will ask ARAC to review and evaluate your proposed action. We will not treat your petition as a separate action.
- (e) If we determine that the issues you identify in your petition may have merit, but do not address an immediate safety concern or cannot be addressed because of other priorities and resource constraints, we may dismiss your petition. Your comments and arguments for a rule change will be placed in a database, which we will examine when we consider future rulemaking.

Question 1: *If the FAA is going to respond by issuing an NPRM or ANPRM, it will do so no later than 6 months after receiving the petition.*

A: True.
B: False.

Question 2: *If there is already a rulemaking project or ARAC has been tasked to study the general subject area, a new petition will not be treated as a separate action.*

A: True.
B: False.

Question 3: *In considering petitions for rulemaking, the FAA weighs the potential business impacts on industry stakeholders.*

A: True.
B: False.

Question 4: *Once a petition is dismissed, its comments and arguments are discarded.*

A: True.
B: False.

Name and/or
Identification

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

Date

Date Test was
Completed

Score

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

Hours

Time Credited for Test

Approved by

Signature of Supervisor or Person Administering Test

ARSA Regulatory Compliance Training—Answers

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Question 1: *If the FAA is going to respond by issuing an NPRM or ANPRM, it will do so no later than 6 months after receiving the petition.*

- A: True. See, § 11.73(a).
- B: False.

Question 3: *In considering petitions for rulemaking, the FAA weighs the potential business impacts on industry stakeholders.*

- A: True.
- B: False. Section 11.73(a)(1)-(3) explains that FAA considers immediacy of safety concerns, priority of other issues, and agency resources in making decisions to issue an ANPRM or NPRM.

Question 2: *If there is already a rulemaking project or ARAC has been tasked to study the general subject area, a new petition will not be treated as a separate action.*

- A: True. See, §§ 11.73(c) and 11.73(d).
- B: False.

Question 4: *Once a petition is dismissed, its comments and arguments are discarded.*

- A: True.
- B: False. Section 11.73(e) explains that comments and arguments are placed in a database to be considered for future rulemaking actions.