

# PRESS RELEASE

# NOVEMBER 3, 2010

FAA DOCKET FAA 2009-0481

**DAVID WARTOFSKY  
OWNER OF POTOMAC AIRFIELD, NEXT TO WASHINGTON DC  
A GENERAL AVIATION PILOT, AND AIRCRAFT OWNER  
HAS PETITIONED FAA / DOT TO AMEND THE 3<sup>RD</sup> CLASS MEDICAL  
TO NO LONGER BE REQUIRED FOR PRIVATE-USE AIRCRAFT UNDER 6,000 LBS**

*'THE ACTUAL PUBLIC-SAFETY 'RISK' OF SMALL AIRCRAFT IS LESS THAN ANY SIMILAR SIZED AUTOMOBILE'*

=> DOT TRIES TO OBSCURE AND DELAY ACTION BY ACCEPTING COMMENTS UNTIL 2099

*WARTOFSKY RESPONDS BY PUSHING FOR FULL AND OPEN NOTICE OF PROPOSED RULEMAKING*

David Wartofsky, the occasionally controversial owner / operator of Potomac Airfield, closest Maryland 3 Airport to downtown Washington DC, may have begun a grass-roots firestorm. Wartofsky has filed a formal petition with the Secretary of Transportation (FAA 2009-0481), and the Transportation Committee, proposing to replace FAA's 3<sup>rd</sup> class medical with a driver's license, for private-use aircraft under 6,000 lbs.

*"The day you lose your FAA 3<sup>rd</sup> class medical, you drive home in your family SUV. What conceivable legitimate public-safety risk did the loss of your FAA 3<sup>rd</sup> class medical really address?"*

*"Every pilot's eventual loss of their 3<sup>rd</sup> class medical remains the greatest threat to aircraft ownership. For anyone over 40 years old, buying any aircraft is like playing Russian roulette with all the barrels loaded; it is just a matter of time. Without clear benefits, this rule continues to impose huge public-sector costs to manage, as well as negative impacts on the economy, when positive impacts are sorely needed."*

In his petition, Wartofsky cites absurd examples of the rules get applied. He notes the medical requirements to fly a small private family airplane are remarkably similar to those required to drive a 65,000 lb commercial passenger or cargo carrying truck; also known as a 'Commercial Driver's License (CDL).' He speculates that perhaps FAA may have simply slapped the commercial truck driver medical standards onto small family aircraft; but contends they are inappropriate for the aviation equivalent of the family car.

Wartofsky further contends that generally cooperative General Aviation pilots have been singled out for micro-management of a negligible risk, without due cause. *"Pilots will always ask how to comply; but somebody needs to ask the more fundamental question, "Why?"*

As required by law, DOT had to publish Wartofsky's petition, but then tried to bury it; delaying action by accepting comments until 2099. Wartofsky notes DOT's public comment period of nearly 100 years is "justice unfairly delayed" under the Administrative Procedures Act. *"I guess they're betting I won't be around in 100 years to follow through."*

Wartofsky encourages all pilots and aircraft owners to submit additional comments to the petition online; and to approach their representatives in Congress and Senate across the USA, to support the petition. The objective is to force a full re-evaluation of the need for a 3<sup>rd</sup> class medical for private aircraft under 6,000 lbs through an open public Notice of Proposed Rulemaking (NPRM). An NPRM could potentially bring the existing regulation under further oversight and accountability which may not have existed when it was originally written, such as Regulatory Flexibility review and Economic impact.

Links to the comment submission site on regulations.gov are available at [www.potomac-airfield.com](http://www.potomac-airfield.com)

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