

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

(Docket No. 12762; SFAR No. 30-2)

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT**PART 123—CERTIFICATION AND OPERATIONS: AIR TRAVEL CLUBS USING LARGE AIRPLANES****PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT****Special Federal Aviation Regulation No. 30; Ground Proximity Warning System**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment extends the expiration date of a special regulation which allows certain airplanes to be operated without a ground proximity warning system or a ground proximity warning-glide slope deviation system. The extension will avoid the imposition of an undue financial burden on airplane operators pending a determination of whether the equipment requirements should be revised.

EFFECTIVE DATE: June 30, 1978.**FOR FURTHER INFORMATION CONTACT:**

Mr. Donald A. Schroeder (AFS-901), Safety Regulations Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591, telephone 202-755-8715.

SUPPLEMENTAL INFORMATION: SFAR No. 30 provides that airplanes

having a maximum passenger capacity of 30 seats or less, a maximum payload capacity of 7,500 pounds or less, and a maximum zero fuel weight of 35,000 pounds or less may be operated under Parts 121, 123, and 135 of the Federal Aviation regulations without a ground proximity warning system or a ground proximity warning-glide slope deviation system. SFAR No. 30 was adopted to provide this relief on an interim basis pending the determination of whether or not new standards should be developed for operations conducted with these airplanes. The expiration date of SFAR No. 30, as amended by SFAR No. 30-1 (41 FR 53319; December 6, 1976), is June 30, 1978.

The FAA announced a regulatory review program, public notice of which was given in Notice 76-18, published in the *FEDERAL REGISTER* on September 13, 1976 (41 FR 38778), which involved a comprehensive review and upgrading of Part 135, including requirements applicable to "commuter air carrier" operations.

This program includes consideration of new standards and rules, including equipment requirements for the ground proximity warning system or ground proximity warning-glide slope deviation system, for certain aircraft operated by air taxi operators certificated by the FAA, including aircraft described in SFAR 30. A notice of proposed rulemaking (Notice 77-17) was published in the *FEDERAL REGISTER* on August 29, 1977 (42 FR 43490), as part of the Part 135—Regulatory Review Program. This program will not be concluded by the June 30, 1978, termination date of SFAR No. 30.

If SFAR No. 30 were to expire prior to the completion of the rulemaking action generated by the Part 135—Regulatory Review Program, an undue financial burden could be placed on certain operators of airplanes meeting the criteria specified in SFAR No. 30 because they would be required to purchase and install equipment which might not be required when the Part 135—Regulatory Review Program is

completed. Thus, the FAA believes that it is not in the public interest to require the installation of a ground proximity warning system or a ground proximity warning-glide slope deviation system in the airplanes described in SFAR No. 30 pending a determination of whether or not new standards should be developed.

The extension of SFAR No. 30 to June 30, 1979, should provide the FAA sufficient time to determine what regulatory changes are necessary.

DRAFTING INFORMATION

The principal authors of this document are Donald A. Schroeder, Flight Standards Service, and Richard C. Beitel, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Since this amendment continues in effect the provisions of a currently effective special Federal Aviation regulation and imposes no additional burden on any person, I find that notice and public procedure are unnecessary and that good cause exists for making this amendment effective in less than 30 days.

Accordingly, special Federal Aviation regulation No. 30, as amended by SFAR No. 30-1, is amended, effective June 30, 1978, by deleting the words "June 30, 1978," and inserting in their place the words "June 30, 1979."

(Secs. 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424), and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

NOTE.—The Federal Aviation Administration has determined that this document is not significant in accordance with the criteria required by Executive Order 12044 and set forth in interim Department of Transportation guidelines.

Issued in Washington, D.C., on June 22, 1978.

QUENTIN S. TAYLOR,
Acting Administrator.

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(As published in the Federal Register (43 F.R. 28176) on June 29, 1978)