

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7054, Amdt. Nos. 91-28, 121-19,
129-4]

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 121—CERTIFICATION AND OP- ERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

PART 129—OPERATIONS OF FOREIGN AIR CARRIERS

Airborne Distance Measuring Equip- ment; Civil Aircraft (Including For- eign Civil Aircraft) Within Alaska and Hawaii

The purpose of this amendment is to extend the airborne distance measuring equipment (DME) requirements, now in effect in the 48 contiguous States and the District of Columbia, to civil aircraft (including foreign civil aircraft) operating in the VOR air navigation system in the States of Hawaii and Alaska.

This amendment was proposed as a notice of proposed rule making (Notice 65-38) issued on December 6, 1965, and published in the FEDERAL REGISTER on December 10, 1965 (30 F.R. 15296). The basis for this amendment is fully discussed in that notice and in previous amendments cited therein.

All of the comments received in response to Notice 65-38 concurred in the adoption of this amendment.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all matter presented.

In consideration of the foregoing, and for the reasons set forth in Notice 65-38, Parts 91, 121, and 129 of the Federal Aviation Regulations are amended, effective July 1, 1966, as follows:

§ 91.33 [Amended]

1. Section 91.33(e) is amended by inserting after the words "U.S. registered civil aircraft" the words "in the State of Alaska after March 31, 1968, in the State of Hawaii after April 30, 1967 or,".

§ 91.43 [Amended]

2. The first sentence of paragraph (e) of § 91.43 is amended to read as follows: "If VOR navigation equipment is required under paragraph (c) (1) (ii) of this section, no person may operate a foreign civil aircraft, in the State of Alaska after March 31, 1968, in the State of Hawaii after April 30, 1967, or in the 48 contiguous States or in the District of Columbia after December 31, 1966, at and above 24,000 feet MSL, unless the aircraft is equipped with distance measuring equipment (DME) capable of receiving and indicating distance information from the VORTAC facilities to be used."

3. Section 121.349(c) is amended to read as follows:

§ 121.349 Radio equipment for opera- tions under VFR over routes not nav- igated by pilotage or for operations under IFR over the top.

(c) Whenever VOR navigational receivers are required by paragraph (a) or (b) of this section, at least one approved distance measuring equipment unit (DME), capable of receiving and indicating distance information from VORTAC facilities, must be installed on each airplane, when operated in the 48 contiguous States and the District of Columbia. This paragraph also applies to each airplane operated at and above 24,000 feet MSL, in the State of Alaska after March 31, 1968, in the State of Hawaii after April 30, 1967, and to each of the following airplanes regardless of the altitude flown when operated within the States of Alaska or Hawaii after the indicated dates:

(1) Turbine engine powered aircraft: Within Alaska—March 31, 1968; within Hawaii—April 30, 1967.

(2) Pressurized reciprocating engine powered airplanes: Within Alaska—September 30, 1968; within Hawaii—De-

cember 31, 1967.

(3) Other large airplanes: Within Alaska—March 31, 1969; within Hawaii—April 30, 1968.

4. Section 129.17(b) is amended to read as follows:

§ 129.17 Radio equipment.

(b) Whenever VOR navigational equipment is required by paragraph (a) of this section, at least one distance measuring equipment unit (DME), capable of receiving and indicating distance information from the VORTAC facilities to be used, must be installed on each airplane when operated at or above 24,000 feet MSL, within the 48 contiguous States and the District of Columbia, after December 31, 1966, within the State of Alaska after March 31, 1968, or within the State of Hawaii after April 30, 1967, and must be installed on each of the following airplanes, regardless of the altitude flown when operated within the indicated geographical area after the indicated dates:

(1) Within the 48 contiguous States and the District of Columbia—

(i) Turbine engine powered airplanes and pressurized reciprocating engine powered airplanes—December 31, 1966;

(ii) Other large airplanes—December 31, 1967.

(2) Within the State of Alaska—

(i) Turbine engine powered airplanes—March 31, 1968;

(ii) Pressurized reciprocating engine powered airplanes—September 30, 1968;

(iii) Other large airplanes—March 31, 1969.

(3) Within the State of Hawaii—

(i) Turbine engine powered airplanes—April 30, 1967;

(ii) Pressurized reciprocating engine powered airplanes—December 31, 1967;

(iii) Other large airplanes—April 30, 1968.

(Secs. 307, 313(a), 601, 604, 605, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1421, 1424, 1425))

Issued in Washington, D.C., on April 15, 1966.

D. D. THOMAS,
Acting Administrator.

(As published in the Federal Register /31 F.R. 6265/ on April 23, 1966)