

**14 CFR Part 171**

[Docket No. 10116. Amdt 171-13]

**Non-Federal Navigation Facilities;  
Distance Measuring Equipment  
Requirements for Non-Federal  
Navigational Facilities**

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** In 1970, the FAA published a rule that established minimum requirements for the approval and operation of distance measuring equipment (DME) that is not operated and maintained by the FAA. The final rule contained an error in a reference to Annex 10 to the Convention on International Civil Aviation that contains the Specification for UHF Distance Measuring Equipment (DME). This action corrects that reference. This corrective amendment is necessary to properly reference the performance requirements of a DME.

**EFFECTIVE DATE:** November 27, 1985.

**FOR FURTHER INFORMATION CONTACT:**  
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**SUPPLEMENTARY INFORMATION:** On August 11, 1970, the FAA published Amendment 171-7 to Part 171 of the Federal Aviation Regulations (14 CFR Part 171), (35 FR 12709). The rule, at § 171-157(a), contained an incorrect reference to a section of Annex 10 to the Convention on International Civil Aviation. This amendment corrects that reference and informs non-Federal sponsors that Annex 10 to the Convention on International Civil Aviation now also includes the specification for a precision DME. Because this action is necessary to correct an improper legal reference in a regulation and to prescribe the originally intended regulatory requirements of FAR § 171.157(a), and since this action is only corrective in nature, I find that notice and public procedure regarding this action are impractical and unnecessary. Further, since it would not be in the public interest to delay making necessary corrections to a legal reference contained in the regulation, good cause exists for making the amendment effective upon its publication.

The FAA has determined that this document involves a regulation which (1) is not considered to be major under the procedures and criteria prescribed

by Executive Order 12291, and (2) is not considered to be significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and (3) does not require a regulatory evaluation because the impact is so minimal. Furthermore, because there is no identifiable economic impact from the rule, it is certified that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 171**

Navigation facilities, Aviation safety.

**Adoption of the Amendment**

For the reasons set forth above, Part 171 of the Federal Aviation Regulations (14 CFR Part 171) is amended as follows:

**PART 171--[AMENDED]**

1. The authority citation for Part 171 is revised to read as follows:

Authority: 49 U.S.C. 1343, 1348, 1354(a), 1421, and 1426; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

**§ 171.157 [Amended]**

2. In § 171.157, paragraph (a) is amended by removing the term "3.5.1" and replacing it with "3.5".

Issued in Washington, D.C., on November 20, 1985.

Donald D. Engen,  
Administrator.

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