

Advance copy pending issuance  
of Change to FAR Part 135

**Title 14—AERONAUTICS AND  
SPACE**

**Chapter I—Federal Aviation Administration, Department of Transportation**

[Docket No. 9026; Amdt. 135-11]

**PART 135—AIR TAXI OPERATORS  
AND COMMERCIAL OPERATORS  
OF SMALL AIRCRAFT**

**Deviation Authority**

The purpose of this amendment to Part 135 of the Federal Aviation Regulations is to correct an inadvertent omission which was made in Amendment 135-9, published in the FEDERAL REGISTER on September 16, 1969 (34 F.R. 14423), and clarify existing regulations by explicitly declaring which persons are authorized to be granted deviation authority under § 135.2(e).

Section 135.2(e) states that the Administrator may authorize a deviation in operations specifications issued to an applicant under § 135.2(a) for large aircraft, from compliance with certain specified equipment requirements prescribed in Part 121 of the Federal Aviation Regulations. It has come to our attention that reference to §§ 121.312 "Materials for compartment interiors," 121.313 "Miscellaneous equipment," and 121.343 "Flight recorders," was inadvertently omitted from that section and this amendment corrects that omission. In so doing, this amendment excludes § 121.312 from those sections from which deviation will not be authorized after November 15, 1970, and will permit deviation from compliance with § 121.312 to be authorized until the first major overhaul of the aircraft cabin or refurbishing of the cabin interior is accomplished.

The preamble of Amendment 135-9 explicitly states that the deviation authority set out in § 135.2(e) will be granted only to those ATCO certificate holders who have Part 135 operating authority on the effective date of the amendment to use large aircraft in air taxi operations. However, that limita-

tion is not clearly expressed in the wording of § 135.2(e). Accordingly, § 135.2(e) is being amended to clarify the limitation intended.

Since this amendment merely corrects an inadvertent omission, clarifies existing regulations, 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 on less than 30 days notice.

In consideration of the foregoing, § 135.2 of the Federal Aviation Regulations is amended effective November 15, 1969, as follows:

**§ 135.2 Air taxi operations with large aircraft.**

\* \* \* \* \*

(e) The Administrator may authorize a deviation in operations specifications issued to an applicant under paragraph (a) of this section who is an ATCO certificate holder having authority on November 15, 1969, to operate large aircraft. However, the authority to deviate may only be granted for large aircraft identified in the operations specifications by registration number and from compliance with the requirements of §§ 121.310 (c) through (j) of this chapter "Additional emergency equipment," 121.312 of this chapter, "Materials for compartment interiors," 121.313 of this chapter, "Miscellaneous equipment," 121.343 of this chapter "Flight recorders," 121.357 of this chapter "Airborne weather radar equipment requirements," and 121.359 of this chapter "Cockpit voice recorders." Except as to § 121.312, these deviations will not be authorized in operations beyond November 15, 1970. Deviation from compliance with § 121.312 may be authorized until the date of the first major overhaul of the aircraft cabin or refurbishing of the cabin interior.

(Secs. 313(a), 601, 604, 605, Federal Aviation Act of 1958, 49 U.S.C. 1364(a), 1421, 1424, 1425; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 14, 1969.

J. H. SHAFFER,  
Administrator.

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