

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Admin- istration, Department of Transpor- tation

[Docket No. 8619; Amdt. 91-59]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Flights by Foreign Civil Aircraft Without DME

The purpose of this amendment to Part 91 of the Federal Aviation Regulations is to permit the conduct of certain flights above 24,000 feet by foreign civil aircraft that are not equipped with distance measuring equipment (DME).

This amendment is based on a notice of proposed rule making (Notice 67-57), issued on December 28, 1967, and published in the FEDERAL REGISTER on January 5, 1968 (33 F.R. 151). The basis for this amendment is fully discussed in that notice. Comments received in response to the notice agreed with the proposal.

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 stated in Notice 67-57, section 91.43 of the Federal Aviation

Regulations is amended, effective October 11, 1968, by adding a flush paragraph following paragraph (e) to read as follows:

§ 91.43 Special rules for foreign civil aircraft.

(e) * * *

However, paragraph (e) does not apply to foreign civil aircraft that are not equipped with DME when operated for the following purposes, and if ATC is notified prior to each takeoff:

(1) Ferry flights to and from a place in the United States where repairs or alterations are to be made.

(2) Ferry flights to a new country of registry.

(3) Flight of a new aircraft of U.S. manufacture for the purpose of—

(i) Flight testing the aircraft;

(ii) Training foreign flight crews in the operation of the aircraft; or

(iii) Ferrying the aircraft for export delivery outside the United States.

(4) Ferry, demonstration, and test flights of an aircraft brought to the United States for the purpose of demonstration or testing the whole or any part thereof.

(Secs. 307, 313(a), and 601 of the Federal Aviation Act of 1958, 49 U.S.C. 1348, 1354(a), and 1421)

Issued in Washington, D.C., on Sep-
tember 5, 1968.

D. D. THOMAS,
Acting Administrator.

(As published in the Federal Register 33 F.R. 12825 on Sept. 11, 1968