

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 11416; Amdt. No. 103-11]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS QUANTITY LIMITATIONS

Quantity Limitations

The purpose of this amendment to Part 103 of the Federal Aviation Regulations is to permit magnetized materials to be transported in weights in excess of 50 pounds when such material is carried in inaccessible cargo pits or bins on an aircraft subject to that part.

Section 103.19(c) of the Federal Aviation Regulations prohibits the carriage of more than 50 pounds net weight of any article subject to Part 103 (other than an article specified in paragraphs (a) and (b) of that section) in any inaccessible cargo pit or bin on an aircraft.

The Air Transport Association (ATA) has petitioned the FAA to amend § 103.19(c) and specifically exempt magnetized materials from the weight limitation imposed by paragraph (c) of that section.

Sections 103.29 and 103.31(d) prescribe requirements for the shipment by air of magnetized materials to insure that they are properly marked and packaged, and that their effect upon the magnetic compass or compass master unit of the instrument equipment is taken into account. We agree with the petitioner that §§ 103.29 and 103.31(d) are adequate to insure the safe operation of an aircraft

carrying magnetized materials, since they are not hazardous materials and are not inherently dangerous.

Part 103 does not impose any net weight limitation on magnetized materials when carried in an accessible location in an aircraft and safety considerations do not justify imposing such a limitation when they are carried in an inaccessible cargo pit or bin. In our opinion, therefore, the applicability of the weight limitation of § 103.19(c) to magnetized materials is unnecessary and contrary to the intent of that regulation.

Accordingly, the FAA has determined that an amendment to § 103.19(c) excluding magnetized materials from its applicability is appropriate and will not adversely affect safety.

Since this amendment removes an unnecessary and unintended restriction, I find that notice and public procedure hereon are unnecessary and good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing, § 103.19(c) of the Federal Aviation Regulations is amended to read as follows, effective November 17, 1971:

§ 103.19 Quantity limitations.

(c) No person may carry more than 50 pounds net weight of any article that is subject to this part (other than an article specified in paragraph (a) or (b) of this section and magnetized materials) in any inaccessible cargo pit or bin of any aircraft.

(Secs. 313(a), 601, 604, Federal Aviation Act of 1958, 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, and 1424; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 9, 1971.

K. M. SMITH,
Acting Administrator.

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