

[Docket No. 12885; Amdt. No. 93-38]

**PART 93—SPECIAL AIR TRAFFIC RULES
AND AIRPORT TRAFFIC PATTERNS**

**Subpart I—Locations at Which Special VFR
Weather Minimums Do Not Apply**

**KANSAS CITY, MO., MUNICIPAL AIRPORT
CONTROL ZONE**

The purpose of this amendment to Part 93 of the Federal Aviation Regulations is to amend § 93.113 to permit Special VFR operations in the Kansas City, Missouri, Municipal Airport Control Zone.

This amendment is based upon a notice of proposed rulemaking (Notice 73-18) issued on June 6, 1973, and published in the FEDERAL REGISTER on June 14, 1973 (38 FR 15631). Interested persons have been afforded the opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

Comments were received from industry representatives, general aviation users, pilot organizations, business concerns, and a governmental agency. All but one commentator concurred with the Notice. One commentator, although concurring with the Notice, suggested that FAA take simultaneous action to establish a Special VFR prohibition at Kansas City International Airport in view of the fact that air carrier operations have moved from Municipal to International Airport and that " * * * these same aircraft are entitled to the same optimum levels of safety and efficiency at International that they previously enjoyed at Municipal." The prohibition of Special VFR within the Kansas City International Airport Control Zone is not within the scope of Notice No. 73-18. However, that comment has merit and is under consideration in a separate study.

Another commentator conditioned its concurrence with the Notice, " * * * providing there are no air carrier operations at Kansas City Municipal Airport." The FAA believes that the reduction in air carrier traffic that has occurred at the Kansas City Municipal Airport is sufficient to justify removing the Special VFR prohibition at that airport.

The one nonconcurring commentator expressed opposition to the Notice " * * * due to the high volume of traffic and the availability of other airports nearby." Nonetheless, there has been a significant reduction in the volume of traffic at Kansas City Municipal Airport since air carrier operations were moved to International Airport. These operations are no longer a factor in the air traffic mix within the Control Zone for Kansas City Municipal Airport. Because of this significant reduction in air carrier and other traffic volume, the FAA, as stated above, believes that continuation of the current prohibition against the use of Special VFR in § 93.113 would be an unnecessary burden on the users of Kansas City Municipal Airport. Accordingly, Kansas City Municipal Airport is deleted from the listing of Control Zones in § 93.113, thereby permitting the Special VFR Weather Minimums of § 91.107 to be applied to appropriate operations in that control zone.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, § 93.113 of Part 93 of the Federal Aviation Regulations is amended, effective January 3, 1974, by deleting the words "15. Kansas City, Mo. (Kansas City Municipal Airport)" and inserting the words "[15. Reserved]" in place thereof.

Issued in Washington, D.C., on November 29, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

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