

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 125

[Docket No. 19779; Amdt. No. 125-2]

Airplanes; Certification and Operations; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment corrects errors made when the final Part 125 regulation was printed in the *Federal Register* (45 FR 67214; October 9, 1980). This amendment is required to ensure that ambiguity resulting from those errors is eliminated.

EFFECTIVE DATE: April 30, 1981.

FOR FURTHER INFORMATION CONTACT:

Jean Casciano, Regulatory Projects Branch (AVS-24), Safety Regulations Staff, Associate Administrator for Aviation Standards, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 755-8716.

SUPPLEMENTARY INFORMATION: When Notice of Proposed Rulemaking No. 79-19 was published (44 FR 66324; November 19, 1979), proposed § 125.247(e) read "No person may operate any airplane unless the installed engines have been maintained in accordance with the overhaul periods recommended by the manufacturer or a program approved by the Administrator . . ." (emphasis supplied). However, when the manuscript copy of the final rule was sent to the *Federal Register* for printing, the words "a program" were

inadvertently omitted and § 125.247(d)(1) (the subparagraphs were restructured), as submitted and as published, read "The installed engines have been maintained in accordance with the overhaul periods recommended by the manufacturer or approved by the Administrator; and". The words "a program" are necessary to express the concept that a program approved by the Administrator is a satisfactory alternative to compliance with the overhaul periods recommended by the manufacturer.

In addition, when the final rule was sent to the *Federal Register* for printing, § 125.381(c)(2) stated "Is on final approach segment using a nonprecision approach procedure, or . . ." However, when the rule was printed, editorial marks were misread and the final rule was printed to read "Is on final approach using a segment/nonprecision approach procedure, or . . ." It is necessary to correct this ambiguity so the codification document provision is the same as the provision in the amendment signed by the Administrator.

Need for Immediate Adoption

Since this amendment corrects errors, eliminates ambiguity, and imposes no additional burden on any person, I find that notice and public procedure are unnecessary and contrary to the public interest and that good cause exists for making it effective in less than 30 days.

Adoption of the Amendment

Accordingly, Part 125 of the Federal Aviation Regulations (14 CFR Part 125) is amended as follows, effective April 30, 1981.

PART 125—CERTIFICATION AND OPERATIONS: AIRPLANES HAVING A SEATING CAPACITY OF 20 OR MORE PASSENGERS OR A MAXIMUM PAYLOAD CAPACITY OF 6,000 POUNDS OR MORE

1. By revising § 125.247(d)(1) to read as follows:

§ 125.247 Inspection programs and maintenance.

* * * * *

(d) * * *

(1) The installed engines have been maintained in accordance with the overhaul periods recommended by the manufacturer or a program approved by the Administrator; and

* * * * *

(2) By revising § 125.381(c)(2) to read as follows:

§ 125.381 Takeoff and landing weather minimums: IFR.

* * * * *

(c) * * *

(2) Is on final approach segment using a nonprecision approach procedure, or

* * * * *

(Secs. 313, 601 through 610, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1421-1430, and 1502); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The FAA has determined that this document involves a regulation which is not a major rule under Executive Order 12291 or a significant regulation under the DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an amendment that corrects an inadvertent omission and an editorial error and does not make a substantive change, the anticipated impact is so minimal that it does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C., on April 6, 1981.

Charles E. Weithoner,

Acting Administrator.

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[As published in the Federal Register (46 FR 24409) on April 30, 1981]

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