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Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 12472; Amdt. No. 91-109]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Experimental Aircraft; Operating Limitations

The purpose of this amendment to Part 91 of the Federal Aviation Regulations is to clarify the regulation currently prescribed in § 91.42(c) for the operation of an aircraft that has an experimental certificate.

The current regulation prohibits the operation of an experimental aircraft over a densely populated area or in a congested airway with one exception. This amendment more clearly expresses the intent of the regulation regarding that exception, which is to permit an experimental aircraft to be operated over a densely populated area or in a congested airway only when conducting a takeoff or landing for which the FAA has issued special operating limitations and when conducting the takeoff or landing in accordance with the terms and conditions of those operating limitations.

Since this amendment is clarifying in nature, I find that notice and public procedure thereon is unnecessary and that good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, Part 91 of the Federal Aviation Regulations is amended, effective January 10, 1973, by amending § 91.42(c) to read as follows:

§ 91.42 Aircraft having experimental certificates; operating limitations.

* * * * *

(c) Unless otherwise authorized by the Administrator in special operating limitations, no person may operate an aircraft that has an experimental certificate over a densely populated area or in a congested airway. The Administrator may issue special operating limitations for particular aircraft to permit takeoffs and landings to be conducted over a densely populated area or in a congested airway, in accordance with terms and conditions specified in the authorization in the interest of safety in air commerce.

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(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1424; sec. 8(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on January 3, 1973.

J. H. SHAFFER,
Administrator.

(As published in the Federal Register
/38 F.R. 1175/ on January 10, 1973)

FS-73-141-R