

[Reg. Docket No. 1584; Amdt. 159-1]

PART 159—NATIONAL CAPITAL AIRPORTS [NEW]

Miscellaneous Amendments

The purpose of this amendment is to clarify the applicability of Part 159 [New] of the Federal Aviation Regulations to the access road to Dulles International Airport, to set forth certain special motor vehicle operating rules applicable to that access road, and to clarify the effect of posted orders, instructions, and signs on Washington National Airport and Dulles International Airport, in accord with the intent of Congress.

The access road to Dulles International Airport is a limited purpose road, constructed solely to afford a safe and high speed connection to the Airport. In view of the need for fast ground transportation in connection with air transportation the access road is a vital part of the Dulles project. If this road were used by local traffic, or if traffic would enter or leave along the road at points other than those where ramps are provided to serve the needs of airport traffic, the usefulness of the road for the purpose to which it is dedicated would be impaired and might at times even be nullified. It follows that the road must be a "limited access" highway, not accessible from abutting private land but only through entrance and exit roads constructed by the Federal Aviation Agency, and that its use must be restricted to vehicles going to, or coming from, the airport, except in emergencies. In order to clarify this status of the access road and to advise the public thereof, appropriate provisions are added in new § 159.35.

Section 159.1(a) is amended to update the reference to the District of Columbia Code and to make clear that the access road is a part of Dulles Airport for the purposes of this Regulation, and that improvements on the airport land are included in the term "the Airport".

Paragraph (b) of § 159.1 and paragraph (a) of § 159.171 are amended to spell out more clearly the authority of the Director of the Bureau of National Capital Airports and the Airport Managers to issue orders and instructions and post signs, and the duty of airport users to comply therewith. In light of this amendment, present § 159.11(b) and the words "prescribed by" in § 159.17(a) (4) are repealed as redundant.

Since these amendments involve FAA management and public property and are largely clarifying in nature, and since the new express prohibitions will be implemented by posted signs, it is found that compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary and these amendments may be made effective less than 30 days after publication.

In consideration of the foregoing, effective February 4, 1963, Part 159 [New] of the Federal Aviation Regulations is amended as follows:

1. By amending § 159.1 to read as follows:

§ 159.1 Applicability.

(a) This Part prescribes the rules governing the use and occupancy of the following airports (in this Part referred to as "the Airport"):

(1) Washington National Airport as described in section 1301 of Title 7 of the District of Columbia Code, 1961 Edition, and including buildings and facilities on that airport.

(2) Dulles International Airport, consisting of the land and access road, located in Fairfax and Loudoun counties, Virginia, acquired in Civil Actions Nos. 1638M and 1902M, United States District Court for the Eastern District of Virginia, Alexandria Division, and including buildings and facilities on that airport.

(b) The Director of the Bureau of National Capital Airports and each Manager of an airport described in paragraph (a) of this section may issue such orders and instructions, and post such signs, as are necessary for administering this Part. Each person on the Airport shall comply with those orders, instructions, and signs.

§ 159.11 [Amendment]

2. By striking out the designation "(a)" at the beginning of the first paragraph of § 159.11.

3. By striking out paragraph (b) of § 159.11.

§ 159.17 [Amendment]

4. By striking out the words "prescribed and" in paragraph (a)(4) of § 159.17.

5. By adding a new § 159.35 reading as follows:

§ 159.35 Use of access road to Dulles International Airport.

(a) The access road to Dulles International Airport from the terminal building to its terminus at United States route number 66 constitutes a part of the airport property. Except in an emer-

gency, private vehicles are authorized to enter upon the road only for the purpose of going to, or leaving, the airport. Entry by such a vehicle upon the road for any other purpose is not authorized and is a trespass on United States property.

(b) Except in an emergency, no operator of a private vehicle may—

(1) Enter or leave the access road except through an entrance or exit road or ramp constructed by the Federal Aviation Agency as part of the access road system;

(2) Make a U-turn on the access road;

(3) Enter or cross the median strip of the access road;

(4) Use an exit road or ramp of the access road to enter the access road;

(5) Use an entrance road or ramp of the access road to leave the access road;

or

(6) Operate the vehicle except in accordance with speed limit signs and other operating signs posted on the access road.

6. By amending paragraph (a) of § 159.171 to read as follows:

§ 159.171 Penalties.

(a) Each person who willfully and knowingly violates a rule prescribed in this Part, or an order or instruction issued or a sign posted under this Part, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500, or imprisoned for not more than six months, or both.

These amendments are issued under the authority of section 1301 of Title 7 of the District of Columbia Code, 1961 Edition, section 2 of the Act of June 29, 1940, as amended (72 Stat. 731), and sections 4 and 8 of the Act of September 7, 1950, as amended (72 Stat. 731).

Issued in Washington, D.C., on January 30, 1963.

N. E. HALABY,
Administrator.

[F.R. Doc. 63-1240; Filed, Feb. 1, 1963;
8:52 a.m.]