

SUBCHAPTER I—AIRPORTS [NEW]
 [Reg. Docket No. 1696; Amdt. 151-9]
**PART 151—FEDERAL AID TO
 AIRPORTS [NEW]**

In-Runway Lighting

The purpose of this amendment is to set forth the conditions under which installation of in-runway lighting will be required as part of an airport project. This action is taken on the basis of rule making Notice No. 63-16, dated April 10, 1963, 28 F.R. 3738.

The majority of the comments received in response to the notice generally approved the proposed change. The Air Line Pilots Association urged a rearrangement of wording to reflect a change in approach. It urged that in-runway lighting be assumed to be a requirement at all airports where it is necessary to conduct instrument approaches and that special studies be conducted only at those very unusual and relatively few locations in the United States where the weather is such that instrument approaches are almost never contemplated. However, the change conforms the regulation more closely to section 9(d) of the Federal Airport Act as amended by Public Law 87-255, which contemplates that the Administrator will make a determination whether in-runway lighting is required for the safe and efficient use by aircraft of particular airports.

Republic Aviation Corporation commented that it would be desirable to limit FAA's prerogative to require in-runway lighting in connection with any airport development project, even those projects which are largely or wholly unrelated to the safe and efficient use of the airport. This suggestion was not adopted because the overriding concern of FAA is whether in-runway lighting is necessary for the safety of operations at the airport regardless of the type of airport development proposed for the project.

Language improvements were made in subdivisions (a) to (d) of § 151.13(b) (2)(i) with respect to the requirement for in-runway lighting in cases where FAA has programed the installation of a precision approach system. The revised language expresses clearly that in these instances the requirement applies only where FAA programs the installation with funds already appropriated by the Congress.

On the occasion of this amendment an inadvertent error of designation is being corrected by redesignating present paragraphs (c) and (d) of § 151.13 as subparagraphs (3) and (4) of paragraph (b). These paragraphs are, of course, subject to the introductory statement of paragraph (b).

This amendment is made under the authority of section 9 of the Federal Airport Act, as amended (49 U.S.C. 1108).

In consideration of the foregoing, Part 151 [New] of the Federal Aviation Regulations (14 CFR Part 151 [New]) is amended, effective November 26, 1963, by—

1. Amending § 151.13(b) (2) to read as follows:

§ 151.13 Federal-aid Airport Program; policy affecting landing aid requirements.

(b) * * *

(2) In-runway lighting is required as part of a project:

(i) If the project includes:

(a) Construction of a new runway designated by the FAA as an instrument landing runway for which the installation of an IFR precision approach system including ALS and ILS, has been programed by the FAA with funds then available therefor;

(b) An extension of 3,000 feet or more (usable for landing purposes) of the approach end of a designated instrument landing runway equipped, or programed by the FAA, with funds then available therefor, to be equipped, with an IFR precision approach system including ALS and ILS;

(c) Reconstruction of a designated instrument landing runway equipped, or programed by the FAA, with funds then available therefor, to be equipped with an IFR precision approach system including ALS and ILS, if the reconstruction requires the closing of the runway; or

(d) Any other airport development on an airport whose designated instrument landing runway is equipped, or programed by the FAA, with funds then available therefor, to be equipped with an IFR precision approach system including ALS and ILS; and

(ii) Only if a study of the airport shows that in-runway lighting is required for the safe and efficient use of the airport by aircraft, after the Administrator considers the following:

(a) The type and volume of flight activity;

(b) Other existing or planned navigational aids;

(c) Airport environmental factors such as local weather conditions and adjacent geographic profiles;

(d) Approach and departure paths;

(e) Effect on landing and takeoff minima; and

(f) In the case of projects under paragraph (b) (2) (i) (d) of this section, whether installing in-runway lighting requires closing the runway for so long a time that the adverse effect on safety of its closing would outweigh the contribution to safety that would be gained by the in-runway lights or whether it would unduly interfere with the efficiency of aircraft operations.

2. Redesignating present paragraphs (c) and (d) of § 151.13 as subparagraphs (3) and (4), respectively, and deleting their respective paragraph headings *High intensity runway lighting and Runway distance markers*.

Issued in Washington, D.C., on November 19, 1963.

N. E. HALABY,
 Administrator.

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Airports