

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 5097; Amdt. 11-2]

PART 11—GENERAL RULE MAKING PROCEDURES [NEW]

Emergency Exemptions

The purpose of this amendment is to make express provision for the processing of exemptions from air safety regulations at times of emergency when communications with Federal Aviation Agency headquarters may be interrupted.

For this purpose, a new § 11.15 is being added to this part. It authorizes the filing of exemption petitions with certain FAA field offices when, as a result of enemy attack, communications with FAA headquarters are materially impaired or altogether disrupted. The new section gives public notice of the delegated authority of the inspectors or officers in charge of these FAA field offices, at times of these emergencies, to issue exemptions upon such petitions or to deny the petitions; or to issue such exemptions on their own initiative. Exemptions so issued will be subject to review by the Director of the FAA Service in whose jurisdiction the matter falls.

Since this is a procedural regulation, notice, and public procedure thereon are not required and the amendment may be made effective less than 30 days after publication.

In consideration of the foregoing, effective May 29, 1964, Part 11 [New] of the Federal Aviation Regulations is amended by adding, in Subpart A—General, a notation “§ 11.13 reserved” and a new § 11.15 to read as follows:

§ 11.15 Emergency exemptions.

If, as a result of enemy attack on the United States, communication with Washington headquarters of FAA is or may be disrupted or materially impaired, petitions for exemptions from any rule issued under Titles III or VI of the Federal Aviation Act of 1958 (air safety rules and air traffic and airspace rules) may also be filed at the nearest FAA Regional Office, air traffic control facility or office, Air Carrier District Office, General Aviation District Office, or Flight Standards International Field Office. The procedural requirements of §§ 11.53, 11.55, and 11.71 need not be followed. Under these emergency conditions, the FAA inspectors or officers in charge of these offices may grant, in whole or in part and subject to reasonable conditions or limitations, such exemptions or may deny petitions for such exemptions; may issue such exemptions to named persons or in blanket form on their own initiative; and may limit or terminate exemptions so issued by them or by offices whose jurisdiction they may have assumed. Exemptions issued under these circumstances are at all times subject to modification and termination by the Director or Acting Director or officer in charge of the Region concerned, subject to ultimate action by the Director or Acting Director of the Service concerned.

This amendment is made under the authority of sections 303(d), 307, 313(a), 601 to 608, 610(b) and 1001 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1344, 1348, 1354, 1421-1428, 1430, 1481).

Issued in Washington, D.C., on May 22, 1964.

N. E. HALABY,
Administrator.

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