

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-33-AD]

Airworthiness Directives; Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH Seat Restraint Systems

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise an existing airworthiness directive (AD), applicable to Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft, that currently requires an inspection to ensure the locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. This action would allow an owner/operator (pilot) to determine if the locking mechanism is engaging properly, but would still require replacing the buckle-half of the seat restraint system, if necessary. This proposal is prompted by a determination made by the FAA that pilots may perform the one-time check, and that only affected seat restraint systems manufactured between March, 1997 and November, 1998 need to be checked. The actions specified by the proposed AD are intended to prevent failure of the seat restraint system due to the buckle assembly locking mechanism not engaging properly, which could result in the seat restraint

system failing to properly secure the occupant during turbulence or landing.

DATES: Comments must be received by November 1, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-33-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Rob Romero, Aerospace Engineer, Airplane Certification Office, ASW-150, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5102, fax (817) 222-5960.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-SW-33-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-33-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

On December 3, 1998, the FAA issued AD 98-25-10, Amendment 39-10936 (63 FR 67775, December 9, 1998), to require, within 10 hours time-in-service (TIS), a one-time inspection to ensure the locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. That action was prompted by manufacturer's reports of two failures of the seat restraint system that occurred in the field. That condition, if not corrected, could result in the seat restraint system failing to properly secure the occupant during turbulence or landing. Since the issuance of that AD, the FAA has re-evaluated its previous position and determined that ensuring the locking mechanism is engaging properly may be accomplished by a pilot. Additionally, since the issuance of that AD, the manufacturer has notified the FAA that only model-numbered seat restraint systems manufactured between March, 1997 and November, 1998 are affected, as opposed to those same model-numbered seat restraint systems manufactured during other years. In December, 1998, the FAA received a comment requesting the inclusion of the address of the manufacturer so that defective buckles could be returned for replacement. Defective buckles should be sent to Aircraft Belts, Inc., 2000 Anders Lane, Kemah, Texas 77565.

Since an unsafe condition has been identified that is likely to exist or develop on other Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems of the same type design, the proposed AD would revise AD 98-25-10 to require, within 10 hours TIS, a check to ensure the locking mechanism is engaging properly, and replacing the buckle-half of the seat restraint system, if necessary. The visual check required by this AD may be performed by an owner/operator (pilot), but must be entered into the aircraft records showing compliance

with this AD in accordance with sections 43.11 and 91.417(a)(2)(v) of the Federal Aviation Regulations (14 CFR sections 43.11 and 91.417(a)(2)(v)). This AD allows a pilot to perform this check because it involves only a visual check to ensure the locking mechanism is engaging properly and also allows a pilot to replace any buckle half since it is such a simple procedure.

The FAA estimates that 12,278 seat restraint systems would be affected by this proposed AD, that it would take approximately one-half work hour to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$10 per buckle half. The manufacturer has stated that it will provide the buckle half to owner/operators at no cost. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$368,340.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft

regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40114, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39–10936 (63 FR 67775, December 9, 1998), and by adding a new airworthiness directive (AD), to read as follows:

Aircraft Belts, Inc.: Docket No. 98–SW–33–AD. Revises AD 98–25–10, Amendment 39–10936.

Applicability: Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems manufactured between March 1997 and November 1998 that are installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft, certificated in any category.

Note 1: This AD applies to each seat restraint system identified in the preceding

applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For seat restraint systems that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required within 10 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent failure of the seat restraint system due to the buckle assembly (buckle) locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing, accomplish the following:

Note 2: The part number (P/N) of the seat restraint system is on the identification label located on each end of the seat restraint system near the anchor point (Example: P/N MD A2626–E010). The model is designated by the first two letters of the P/N.

(a) Visually check all affected seat restraint systems to determine if the locking mechanism is engaging properly in accordance with the following:

(1) Open the lift lever of the buckle fully until it will not open any further. This will cause the locking mechanism to pivot on the pivot pin.

(2) Allow the spring to close the lift lever slowly until the lift lever is back to its at-rest position.

(3) After the lever is completely closed, examine the slot in the bottom of the buckle. The locking mechanism should be firmly seated against the edge of the slot as shown in Figure 1.

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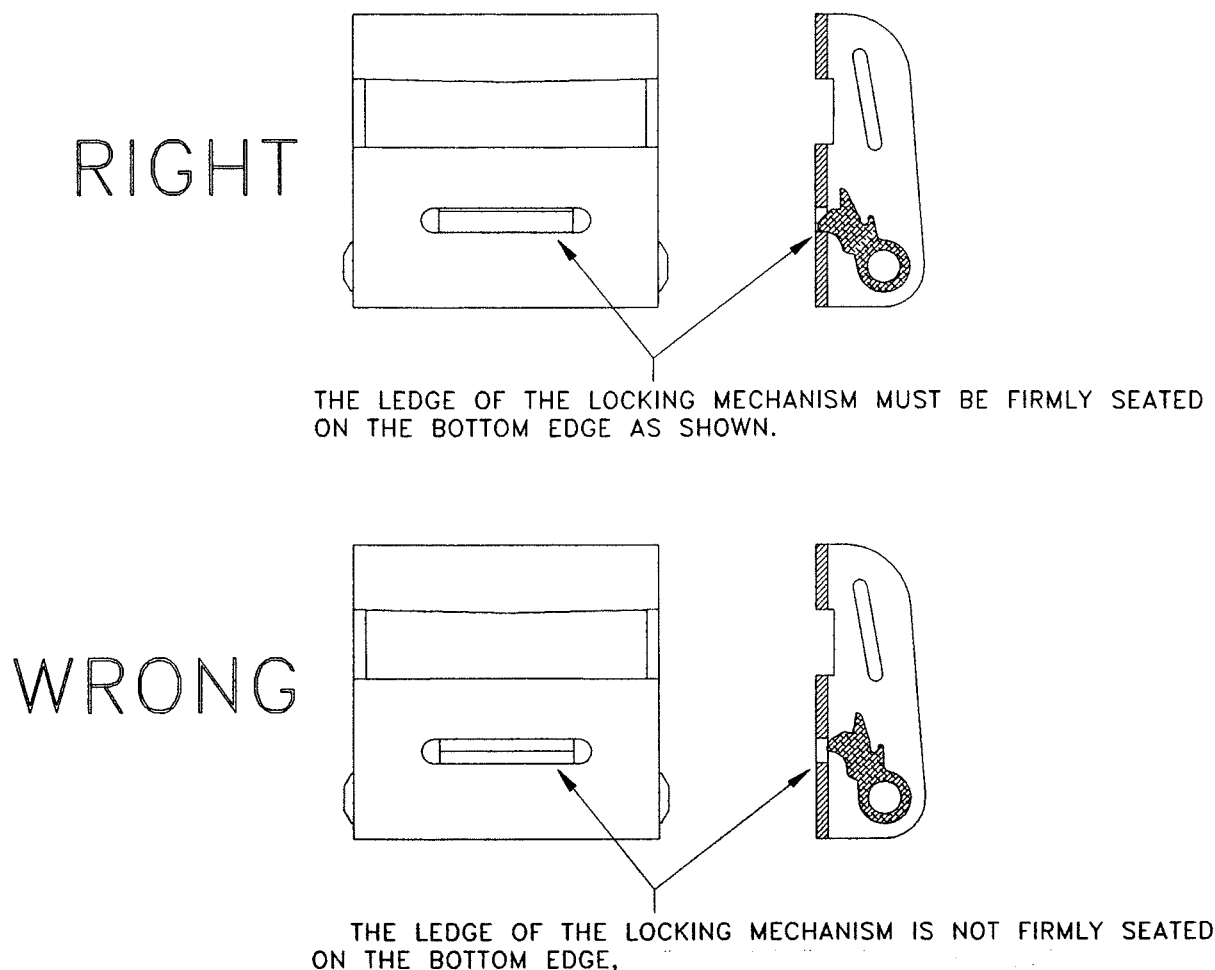


Figure 1

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(b) If the locking mechanism does not seat properly, replace the buckle with an airworthy buckle.

(c) The requirements of this AD may be performed by an owner/operator (pilot) holding at least a private pilot certificate, and must be entered into the aircraft records showing compliance with this AD in accordance with §§ 43.11 and 91.417(a)(2)(v) of the Federal Aviation Regulations (14 CFR sections 43.11 and 91.417(a)(2)(v)).

Note 3: If the seat restraint systems' locking mechanisms are found to be functioning properly after the visual check described in paragraph (a) of this AD, the following is an example of a maintenance record entry that may be used:

"AD (number), paragraph (a) complied with by visual check. Seat belt buckle locking mechanism(s) found serviceable. (Date) (Aircraft total time-in-service). (Signature)

(Certificate number and type of certificate held)"

If any of the seat restraint systems' locking mechanisms are found to malfunction after the visual check described in paragraph (a), the following is an example of a maintenance record entry that may be used:

"AD (number), paragraphs (a) and (b) complied with by visual check and replacement of seat belt buckle locking mechanism(s) on (seat location(s)) with airworthy buckle(s). (Date) (Aircraft total time-in-service). (Signature) (Certificate number and type of certificate held)"

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Airplane Certification Office, FAA. Operators shall submit their requests through a FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Airplane Certification Office.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Airplane Certification Office.

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on July 27, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-22774 Filed 8-31-99; 8:45 am]

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