

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 13

[Docket No. 28764; Amdt. No. 13-28]

RIN 2105-AC63

Inflation Adjustment of Civil Monetary Penalties; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, correction.

SUMMARY: This document contains a correction to the final rule published in the Federal Register on December 20, 1996, (61 FR 67444). That final rule implements the Federal Civil Penalties Inflation Adjustment Act of 1990, as

amended by the Debt Collection Improvement Act of 1996.

EFFECTIVE DATE: January 29, 1997.

FOR FURTHER INFORMATION CONTACT: Joyce Redos, (202) 267-7158.

SUPPLEMENTARY INFORMATION:

Need for Correction

In the final rule document (FR Doc. 96-32258) published in the Federal Register on December 20, 1996, (61 FR 67444), the chart entitled, Minimum and Maximum Civil Penalties Adjusted for Inflation, Effective January 21, 1997, is corrected to read as follows:

List of Subjects in 14 CFR Part 13

Administrative practice and procedure, Air transportation, Investigations, Law enforcement, Penalties.

The Amendments

Accordingly, 14 CFR part 13 is corrected by making the following correcting amendments:

PART 13—INVESTIGATIVE AND ENFORCEMENT PROCEDURES

1. The authority citation for part 13 is revised to read as follows:

Authority: 18 U.S.C. 6002; 28 U.S.C. 2461 (note); 49 U.S.C. 106(g), 5121-5124, 40113-40114, 44103-44106, 44702-44703, 44709-44710, 44713, 46101-46110, 46301-46316, 46501-46502, 46504-46507, 47106, 47111, 47122, 47306, 47531-47532.

§ 13.305 [Amended]

2. In § 13.305(d), the chart is revised to read as follows:

MINIMUM AND MAXIMUM CIVIL PENALTIES—ADJUSTED FOR INFLATION, EFFECTIVE JANUARY 21, 1997

| United States Code citation | Civil monetary penalty description | Minimum penalty amount as of 10/23/96 | New adjusted minimum penalty amount | Maximum penalty amount as of 10/26/96 | New adjusted maximum penalty amount |
|---------------------------------------|--|---------------------------------------|-------------------------------------|---|---|
| 49 U.S.C. 5123(a) (changed 1990). | Violations of hazardous materials transportation law or regulations. | \$250 per violation per day | \$250 per violation per day | \$25,000 per violation per day. | \$27,500 per violation per day. |
| 49 U.S.C. 46301(a)(1) (1958). | Violations of FAA statute or regulations by a person. | N/A | N/A | \$1,000 per violation per day or per flight. | \$1,100 per violation per day or per flight. |
| 49 U.S.C. 46301(a)(2) (changed 1987). | Violations of FAA statute or regulations by a person operating an aircraft for the transportation of passengers or property for compensation. | N/A | N/A | \$10,000 per violation per day or per flight. | \$11,000 per violation per day or per flight. |
| 49 U.S.C. 46301(a)(3)(A) (1974). | Violations of FAA statute or regulations involving the transportation of hazardous materials by air. | N/A | N/A | \$10,000 per violation per day or per flight. | \$11,000 per violation per day or per flight. |
| 49 U.S.C. 463(a)(3)(B) (1988). | Violations of FAA statute or regulations involving the registration or recordation under chapter 441 of aircraft not used to provide air transportation. | N/A | N/A | \$10,000 per violation per day or per flight. | \$11,000 per violation per day or per flight. |
| 49 U.S.C. 46301(b) (1987). | Tampering with a smoke alarm device. | N/A | N/A | \$2,000 per violation | \$2,200 per violation. |
| 49 U.S.C. 46302 (1984) | Knowingly providing false information about alleged violations involving the special aircraft jurisdiction of the United States. | N/A | N/A | \$10,000 per violation | \$11,000 per violation. |
| 49 U.S.C. 46303 (1984) | Carrying a concealed deadly or dangerous weapon. | N/A | N/A | \$10,000 per violation | \$11,000 per violation. |

Issued in Washington, DC on January 23, 1997.

Donald P. Byrne,
Assistant Chief Counsel.

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14 CFR Part 27

[Docket No. 97-ASW-1; Special Condition 27-ASW-4]

Special Condition: McDonnell Douglas Helicopter Systems Model MD-600N Helicopter

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special condition; request for comments.

SUMMARY: This special condition is issued for McDonnell Douglas Helicopter Systems (MDHS) Model MD-600N helicopter. This helicopter will have a novel or unusual design feature associated with the Full Authority Digital Engine Control (FADEC). The applicable airworthiness regulations do not contain appropriate safety standards to protect systems that perform critical functions from the effects of high-intensity radiated fields (HIRF). This special condition contains additional