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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Advisory Circular (AC) 20-DO-254, RTCA, INC., Document No. (RTCA/DO)-254, Design Assurance Guidance For Airborne Electronic Hardware.

**AGENCY:** Federal Aviation Administration (DOT).

**ACTION:** Notice of availability and request for public comment.

**SUMMARY:** This notice announces the availability of and requests comments on a proposed Advisory Circular (AC) 20-DO-254, Design Assurance Guidance for Airborne Electronic Hardware. This proposed AC provides guidance for manufacturers of aircraft products appliances incorporating custom micro-coded components in the design of their aircraft systems and equipment. In it, we recommend how you get design and airworthiness approval for your equipment.

**DATES:** Comments must be received on or before August 2, 2004.

**ADDRESSES:** Send all comments on the proposed AC to: Federal Aviation Administration (FAA), Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, AIR-120, 800 Independence Avenue, SW., Washington, DC 20591. ATTN: Mr. John Lewis. Or deliver comments to: Federal Aviation Administration, Room 815, 800 Independence Avenue, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Lewis, AIR-120, Room 815, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, 800 Independence Avenue, SW., Washington, DC 20591. Telephone (202) 493-4841, FAX: (202) 267-5340. Or, via e-mail at: [john.lewis@faa.gov](mailto:john.lewis@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to comment on the proposed AC listed in this notice by submitting such written data, views, or arguments as they desire to the above specified address.

Comments received on the proposed AC may be examined, before and after the comment closing date, in Room 815, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591, weekdays except Federal holidays, between 8:30 a.m. and 4:30 p.m. All communications received on or before the closing date will be considered by the Director of the Aircraft Certification Service before issuing the final Advisory Circular.

### Background

When following the guidance and procedures outlined in RTCA/DO-254, Design Assurance Guidance For Airborne Electronic Hardware, dated April 19, 2000, you are assured that the hardware design will perform its intended functions in its specified environment, and will meet its airworthiness requirements. RTCA/DO-254 distinguishes between complex and simple electronic hardware; recognizes five levels of failure effects ranging from catastrophic to no effect; and provides guidance for each hardware design assurance level. Although the guidance in RTCA/DO-254 is applicable to five categories of hardware items (e.g., Line Replaceable Units (LRUs), Circuit Board Assemblies, etc.), this AC recognizes the guidance in RTCA/DO-254 is applying specifically to custom micro-coded components, rather than LRUs and other types of electronic hardware items described in RTCA/DO-254.

### How to Obtain Copies

You may get a copy of the proposed AC from the Internet at: [www.airweb.faa.gov/rgl](http://www.airweb.faa.gov/rgl). Once on the RGL Web site, select "Advisory Circular", then select the document by number. See section entitled **FOR FURTHER INFORMATION CONTACT** for the complete address if requesting a copy by mail. You may inspect the RTCA document at the FAA office location listed under **ADDRESSES**. Note however, RTCA documents are copyrighted and may not be reproduced without the written consent of RTCA, Inc. You may purchase copies of RTCA, Inc. documents from: RTCA, Inc., 1828 L Street, NW., Suite 815, Washington, DC 20036, or directly from their Web site: <http://www.rtca.org>.

Dated: Issued in Washington, DC, on June 29, 2004.

**Susan J. M. Cabler,**

*Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2001-9852]

#### High Density Airports; Notice of Extension of the Lottery Allocation at LaGuardia Airport

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of extension of the lottery allocation for takeoff and landing times at LaGuardia Airport.

**SUMMARY:** This notice announced a twelve month extension of the current slot exemption allocation at LaGuardia Airport (LaGuardia) through October 29, 2005. This action maintains the current operating environment at LaGuardia pending the adoption of a long-term solution for demand management, which the FAA and the Department of Transportation (Department) are undertaking in anticipation of the expiration of the High Density Rule at LaGuardia on January 1, 2007.

**DATES:** Effective upon July 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Lorelei Peter, Operations and Air Traffic Law Branch, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone number 202-267-3134.

#### SUPPLEMENTARY INFORMATION:

##### Background

The FAA has broad authority under Title 49 of the United States Code (U.S.C.), Subtitle VII, to regulate and control the use of the navigable airspace of the United States. In particular, 49 U.S.C. § 40103 authorizes the agency to develop plans and policies regarding the use of the navigable airspace and to assign by rule, regulation, or order the use of that airspace under such terms, conditions, and limitations as may be deemed necessary to ensure the safe and efficient use of the navigable airspace. Section 40103 also authorizes and directs the FAA to prescribe air traffic rules and regulations governing the efficient use of the navigable airspace.

In 1968, the FAA promulgated the High Density Traffic Airports Rule (High Density Rule), 14 CFR part 93, subpart K, to reduce delays at five congested airports: John F. Kennedy International Airport (JFK), LaGuardia, O'Hare International Airport (O'Hare), Ronald Reagan Washington National Airport, and Newark International Airport (Newark) (33 FR 17896; December 3, 1968). The regulation limited the

number of instrument flight rules (IFR) operations at each airport during certain hours of each day. It did so by allocating operational authority to air carriers in the form of a "slot," for each IFR takeoff or landing during a specified 30- or 60-minute period. The FAA lifted the restrictions at Newark in the early 1970s.

##### "AIR-21"

On April 5, 2000, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) became law. Section 231 of AIR-21 significantly amended 49 U.S.C. 41714 and added a new section 41715. 49 U.S.C. § 41715 eliminated slots at O'Hare as of July 1, 2002, and will eliminate slots at LaGuardia and JFK on January 1, 2007. AIR-21 also included new provisions 49 U.S.C. 41716, 41717, and 41718 that enabled air carriers meeting specified criteria to obtain exemptions from the slot requirements of 14 CFR part 93, subparts K and S. As a result of this legislation, the Department issued eight orders implementing the slot exemptions authorized by the statute. DOT Order 2000-4-11 implemented 49 U.S.C. 41716(a) by providing that, under specific conditions, a slot exemption must be granted to any air carrier using Stage 3 aircraft with fewer than 71 seats for nonstop service between LaGuardia and an airport that was designated as a small hub or nonhub airport in 1997. The exemption must be granted if: (1) The air carrier was not providing nonstop service between the small hub or nonhub airport and LaGuardia during the week of November 1, 1999; (2) the proposed service between the small hub or nonhub airports and LaGuardia exceeds the number of flights provided between the airports during the week of November 1, 1999; or (3) if the air transportation pursuant to the exemption would be provided with a regional jet in replacement of turboprop service that was provided during the week of November 1, 1999.

Under AIR-21 and the related DOT Orders, an air carrier meeting one of the statutory criteria automatically received approval for a slot exemption, provided that the air carrier filed various certifications and a written request for authority to begin service. The air carrier was required to certify that the aircraft used to provide the proposed service would be Stage 3 compliant and would have fewer than 71 seats. The air carrier was further required to certify that the airport receiving service to or from LaGuardia was designated a small hub or nonhub airport in 1997. In addition, the air carrier was required to certify that the proposed service, when