PART 25—AIRWORTHINESS

Category Airplanes

1. The authority citation for Part 25 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702 and 44704.

2. Add §25.1302 to Subpart F to read as follows:

§25.1302 Installed systems and equipment for use by the flightcrew.

This section applies to installed systems and equipment intended for flightcrew members’ use in operating the airplane from their normally seated positions on the flight deck. The applicant must show that these systems and installed equipment, individually and in combination with other such systems and equipment, are designed so that qualified flightcrew members trained in their use can safely perform all of the tasks associated with the systems and equipment’s intended function. Such installed equipment and systems must meet the following requirements:

(a) Flight deck controls must be installed to allow accomplishment of all the tasks required to safely perform the equipment’s intended function including providing information to the flightcrew that is necessary to accomplish the defined tasks.

(b) Flight deck controls and information intended for the flightcrew’s use must:

1. Be provided in a clear and unambiguous manner at a resolution and precision appropriate to the task.

2. Be accessible and usable by the flightcrew in a manner consistent with the urgency, frequency, and duration of their tasks, and

3. Enable flightcrew awareness, if awareness is required for safe operation, of the effects on the airplane or systems resulting from flightcrew actions.

(c) Operationally-relevant behavior of the installed equipment must be:

1. Predictable and unambiguous, and

2. Designed to enable the flightcrew to intervene in a manner appropriate to the task.

(d) To the extent practicable, installed equipment must incorporate means to enable the flightcrew to manage errors resulting from the kinds of flightcrew interactions with the equipment that can be reasonably expected in service. This paragraph does not apply to any of the following:

1. Skill-related errors associated with manual control of the airplane;

2. Errors that result from decisions, actions, or omissions committed with malicious intent;

3. Errors arising from a crewmember’s reckless decisions, actions, or omissions reflecting a substantial disregard for safety; and

4. Errors resulting from acts or threats of violence, including actions taken under duress.

Issued in Washington, DC on January 26, 2011.

Dorenda D. Baker,
Director, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 27 and 29

FAA Public Forum To Conduct Regulatory Review

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public meeting.

SUMMARY: The FAA announces an informal meeting to discuss the FAA rotorcraft rules, 14 CFR parts 27 and 29, and to gather any relevant information that will help with drafting any future rule changes.

DATES: The public meeting will be held on March 8, 2011, from 1 to 5 p.m. (ET).

ADDRESSES: The meeting is in conjunction with the Helicopter Association International (HAI) Heli-Expo at the Orange County Convention Center, Room S.310, South Concourse, 9899 International Drive, Orlando, Florida. Attendees are not required to register for the Heli-Expo conference to participate in this public forum.

FOR FURTHER INFORMATION CONTACT: Fred Stellar, Rotorcraft Standards Staff, ASW–110, 2601 Meacham Boulevard, Fort Worth, TX 76137; telephone (817) 222–5179; or by e-mail at fred.stellar@faa.gov.

SUPPLEMENTARY INFORMATION: The meeting is announced pursuant to 49 U.S.C. 40113 and 49 U.S.C. 44701 to take actions the FAA considers necessary in order to enhance safety in air commerce and the DOT policies and procedures to seek public participation in that process.

Purpose of the Public Meeting

The purpose of this informal meeting is to gather information that may drive regulatory changes. The FAA will review and consider all material presented by participants at the public meeting. FAA will use the information to analyze the need and scope for potential rule changes to enhance rotorcraft safety. The goal is to reduce the accident/incident rate for rotorcraft through promulgation of minimum safety standards in line with today’s technology and helicopter operations. The FAA will have management and technical specialists available from the Aircraft Certification Service to entertain questions and discuss issues presented by the audience. Attendance is open to all interested persons, but will be limited to the space available.

Public Meeting Procedures

At this meeting, we will outline our approach to conduct a comprehensive review of 14 CFR parts 27 and 29 rules for rotorcraft airworthiness. We will give a brief presentation discussing the primary safety concerns driving potential revision of rotorcraft rules. Following the brief presentation, the audience will be encouraged to comment or make suggestions regarding potential changes to the regulations governing rotorcraft airworthiness. An FAA representative will facilitate the meeting per the following procedures:
The meeting will be informal and non-adversarial. No individual will be subject to cross examination by any other participant. FAA representatives on the panel may ask questions to clarify statements and to ensure an accurate record. Any statement made during the meeting by a panel member should not be construed as an official position of the government.

(2) There will be no admission fees or other charges to attend or to participate in the public meeting. The meeting will be open to all persons, subject to availability of space in the meeting room. The FAA will make every effort to accommodate all persons wishing to attend.

(3) Speakers may be limited to 5–10 minute statements.

(4) The meeting will be recorded by a court reporter.

Issued in Fort Worth, Texas on January 27, 2011.

Kimberly K. Smith,
Manager, Rotorcraft Directorate, Aircraft Certification Service.

ADDRESSES:

1. The meeting will be informal and non-adversarial. No individual will be subject to cross examination by any other participant. FAA representatives on the panel may ask questions to clarify statements and to ensure an accurate record. Any statement made during the meeting by a panel member should not be construed as an official position of the government.

2. There will be no admission fees or other charges to attend or to participate in the public meeting. The meeting will be open to all persons, subject to availability of space in the meeting room. The FAA will make every effort to accommodate all persons wishing to attend.

3. Speakers may be limited to 5–10 minute statements.

4. The meeting will be recorded by a court reporter.

I. Introduction

On July 21, 2010, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act. Title VII of the Dodd-Frank Act is charged with proposing rules to implement new statutory provisions enacted by Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"). The Dodd-Frank Act provides that swaps in an agricultural commodity (as defined by the Commission) are prohibited unless entered into pursuant to a rule, regulation or order of the Commission adopted pursuant to Commodity Exchange Act ("CEA" or "Act"). The Dodd-Frank Act also includes options (other than an option on a futures contract) in its definition of swaps. Broadly speaking, the rules proposed herein would implement regulations whereby swaps in agricultural commodities and all commodity options (including options on both agricultural and non-agricultural commodities), other than options on futures, may transact subject to the same rules as all other swaps. The proposed rules for swaps in an agricultural commodity would repeal and replace the Commission’s regulations concerning the exemption of swap agreements. Because the Dodd-Frank Act defines commodity options (other than options on futures) as swaps, the proposed rules for options would substantially amend the Commission’s regulations regarding commodity option transactions. Also, current regulations on domestic exchange-traded commodity option transactions apply not only to exchange-traded options on futures (which are excluded from the Dodd-Frank definition of a swap), but also to exchange-traded options on physical commodities (which are within the Dodd-Frank swap definition). Therefore, the proposed rules would remove references to options on physical commodities from the Commission’s regulations for exchange-traded options on futures.

DATES: Written comments must be received on or before April 4, 2011.

ADDRESS: You may submit comments, identified by RIN number 3038–AD21, by any of the following methods:

• Agency Web site, via its Comments Online process: http://
  rules.cftc.gov. Follow the instructions for submitting comments through the Web site.
  • Mail: David A. Stawick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.
  • Hand Delivery/Courier: Same as mail above.
  • Federal eRulemaking Portal: http://
  www.regulations.gov. Follow the instructions for submitting comments. Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to http://
  www.cftc.gov. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s Regulations. The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from http://
  www.cftc.gov that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the rulemaking will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT:

Donald Heitman, Senior Special Counsel, (202) 418–5041,
 Heather Miller, Attorney Advisor, (202) 418–5021,
 rmiller@cftc.gov, Division of Market Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

1. Introduction

On July 21, 2010, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act. Title VII of the Dodd-Frank Act is charged with proposing rules to implement new statutory provisions enacted by Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"). The Dodd-Frank Act provides that swaps in an agricultural commodity (as defined by the Commission) are prohibited unless entered into pursuant to a rule, regulation or order of the Commission adopted pursuant to CEA section 4(c).


3. Pursuant to section 701 of the Dodd-Frank Act, Title VII may be cited as the “Wall Street Transparency and Accountability Act of 2010.”

4. As discussed below, in accordance with the mandate of the Dodd-Frank Act, the Commission has recently proposed a definition of the term “agricultural commodity.” See 75 FR 65586, Oct. 26, 2010.