

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Intent To Rule on Request To Release Airport Property at the Seattle-Tacoma International Airport, Seattle, Washington**

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

**ACTION:** Notice of Request to Release Airport Property.

**SUMMARY:** The FAA proposes to rule and invite public comment on the release of land at the Seattle-Tacoma International Airport under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21), now 49 U.S.C. 47107(h)(2).

**DATES:** Comments must be received on or before April 8, 2013.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Ms. Carol Suomi, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Seattle Airports District Office, 1601 Lind Avenue SW., Suite 250, Renton, Washington 98057-3356.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Allan Royal, Port of Seattle Real Estate Development, at the following address: Mr. Allan Royal, Port of Seattle Real Estate Development, P.O. Box 68727, Seattle, Washington 98168.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter Doyle, Project Manager, Federal Aviation Administration, Northwest Mountain Region, Seattle Airports District Office, 1601 Lind Avenue SW., Suite 250, Renton, Washington 98057-3356.

The request to release property may be reviewed, by appointment, in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Seattle-Tacoma International Airport under the provisions of the AIR 21 (49 U.S.C. 47107(h)(2)).

On February 22, 2013, the FAA determined that the request to release property at Seattle-Tacoma International Airport submitted by the airport meets the procedural requirements of the Federal Aviation Administration. The FAA may approve the request, in whole or in part, no later than April 8, 2013.

The following is a brief overview of the request:

The Seattle-Tacoma International Airport is proposing the release of

approximately 15,628 square feet of airport property to the City of SeaTac. This property is located on International Blvd. and 160th Street in the City of SeaTac, and is required for road improvements to mitigate traffic generated by the Rental Car Facility constructed on airport property. This mitigation measure is required by the environmental analysis to reduce the likely significant adverse environmental traffic impacts to a nonsignificant level. The value of the property is a component of the overall cost of the Rental Car Facility project.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents germane to the application in person at the Seattle-Tacoma International Airport, 17801 International Blvd., Seattle, Washington 98158.

Issued in Renton, Washington, on February 22, 2013.

**Carol Suomi,**

*Manager, Seattle Airports District Office.*

[FR Doc. 2013-05453 Filed 3-7-13; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration Aviation****Rulemaking Advisory Committee; Transport Airplane Performance and Handling Characteristics—New Task**

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

**ACTION:** Notice of new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA assigned ARAC a new task to prioritize potential topic areas for development of new or revised requirements and guidance material for airplane performance and handling characteristics in new transport category airplanes. The output of this task is intended to support FAA planning for subsequent ARAC taskings in these topic areas. This notice is to inform the public of this ARAC activity.

**FOR FURTHER INFORMATION CONTACT:** Joe Jacobsen, Airplane & Flight Crew Interface Branch, ANM-111, Transport Airplane Directorate, Federal Aviation Administration, 1601 Lind Ave. SW., Renton, Washington 98057-3356; telephone (425) 227-2011, facsimile (425) 227-1149; email [joe.jacobsen@faa.gov](mailto:joe.jacobsen@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The FAA established ARAC to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities with respect to aviation-related issues. This includes obtaining advice and recommendations on the FAA's commitments to harmonize FAA regulations with its partners in Europe, Canada, and Brazil; in this instance, on airplane performance and handling characteristics standards. ARAC will address this task under the Transport Airplane and Engine (TAE) Subcommittee, and will reestablish the Flight Test Harmonization Working Group (FTHWG) to assist in completion of this task.

The FAA has established regulations and policy in the areas of airplane performance and handling characteristics. However, existing standards do not adequately address airplane designs using fly-by-wire technology. Additionally, there are a number of issues, such as several items in the areas of takeoff and landing performance and flying qualities that may not be adequately addressed by the existing airworthiness requirements and guidance material. Finally, there are cases where guidance information provided by the airworthiness authorities is not harmonized, sometimes leading to different compliance findings.

**The Task**

The FAA tasked ARAC to consider several areas within the airplane performance and handling qualities requirements of the 14 CFR part 25 airworthiness standards and guidance for possible revision. The task includes prioritizing the list of topic areas provided in this notice based on prioritization criteria established by the FTHWG. The prioritization criteria should consider harmonization of regulatory requirements and associated guidance material for airworthiness certification of airplane designs. Recommendations may result in subsequent ARAC taskings for standards recommendations in follow-on phases. ARAC may also recommend additional topics in the general area of airplane performance and handling qualities that are not on the list provided in this notice.

The working group will provide a draft report to ARAC recommending focus areas and work plans to address those areas the FTHWG identified as high priorities for airworthiness standards development relative to new

airplane designs. This report will provide the rationale for the priority recommended as well as identify those items for which coordination with other working groups or experts outside the FTHWG may be needed. The report will also include a proposed schedule for accomplishment of the plan, including whether multiple topics can be worked simultaneously. If there is disagreement within the working group, those items should be documented, including the rationale from each party and the reasons for the disagreement. The following subject areas should be considered:

1. *Fly-by-wire (FBW) Flight Controls.*

Regulatory requirements and associated guidance material for airworthiness certification of airplane designs using FBW technology to obviate longstanding, repetitively used FBW special conditions. Specific areas include:

- a. Applicability/adaptation of Amendment 25–121 airplane performance and handling characteristics in icing conditions requirements
- b. Design maneuver requirements,\*
- c. Design dive speed,\*
- d. Side stick controls,\*
- e. Flight envelope protection, and \*
- f. Interaction of airplane systems and structure.\*

\* **Note:** These items should be considered for coordination with other working groups.

2. *Takeoff and Landing Performance.* Regulatory requirements and associated guidance material for airworthiness certification in the following areas listed below. (Note: This topic area excludes items addressed by the Takeoff and Landing Performance Assessment Aviation Rulemaking Committee.)

- a. Flight test methods used to determine maximum tailwind and crosswind capability. Additionally, for crosswind testing, better define intended operational use of demonstrated maximum steady and gusting crosswind performance.
- b. Wet runway stopping performance. Recent landing overruns on wet runways have raised questions regarding current wet runway stopping performance requirements and methods. Analyses indicate that the braking coefficient of friction in each case was significantly lower than expected for a wet runway (i.e., lower than the level specified in FAA regulations). Consideration should also be given to the scheduling of landing performance on wet porous friction course and grooved runway surfaces. Recommendations may include the need for additional data gathering, analysis, and possible rulemaking.

c. Go-around performance, specifically height lost in executing a go-around. While airplanes may be able to demonstrate the climb gradient capability prescribed in 14 CFR/ European Aviation Safety Agency (EASA) Certification Specification (CS) 25.121, it may not be able to achieve it quickly enough, particularly when executing a go-around close to the ground.

d. Performance standards and guidance regarding landing in abnormal configurations.

e. Guidance regarding the function and use of the amber band on airspeed tapes. Manufacturers' philosophies differ regarding the meaning of the amber band in an airspeed tape display, as do U.S. and European regulatory authorities' policies regarding acceptance of target airspeeds within the amber band.

f. Guidance on piloting procedures used to evaluate airplane tail clearance during certification flight tests for takeoff performance.

g. Landing distance performance for autoland and landing distance performance using heads-up-displays (HUD). Use of autoland or HUD may invalidate landing distance performance determined for compliance to 14 CFR/ CS 25.125.

h. Steep approach landing performance. Current airplane certification standards are not harmonized among the U.S., Canadian, Brazilian, and European airworthiness authorities.

i. Narrow runway operations. Current airplane certification standards do not identify minimum runway widths for which the standards apply.

j. Reduced and derated takeoff thrust procedures. Updates to existing guidance material may be appropriate to limit the number of derates permitted for a specific airframe/engine combination.

k. Guidance material for pressure error measurement during takeoff until out of ground effect to ensure proper data reduction for calculation of takeoff distance performance.

l. Guidance material addressing the adverse effects on stall speed in ground effect.

3. *Handling Characteristics.*

Regulatory requirements and associated guidance material for airworthiness certification in the following areas:

- a. Guidance material for assessing handling qualities. Advisory Circular 25–7C, "Flight Test Guide for Certification of Transport Category Airplanes," provides an FAA Handling Quality Rating Method (HQRМ) that is intended to provide a systematic way of

determining appropriate minimum handling qualities requirements and evaluating those handling qualities for failure conditions affecting an airplane's flying qualities. The FAA handling quality rating system is not universally accepted within industry, nor is it accepted by EASA.

b. Guidance for assessing susceptibility to pilot-induced oscillations/airplane-pilot coupling (PIO/APC). Guidance provided in AC 25–7C for evaluating PIO/APC is also not well accepted by airplane manufacturers, is not harmonized with EASA, and has been superseded to some extent in recent certification programs. Modified guidance is needed to both simplify and standardize the methods for evaluating an airplane's susceptibility to PIO/APC.

### Schedule

The required completion date for the recommendation report is 9 months after the FAA publishes the task in the **Federal Register**. After receiving the report, the FAA will consider the recommendations and determine subsequent development tasks. The FAA expects to publish additional ARAC taskings for follow on phases to develop recommendations for the selected standards and guidance.

### ARAC Acceptance of Task

ARAC accepted the task and assigned it to the FTHWG under the TAE Subcommittee. The working group serves as staff to ARAC and assists in the analysis of assigned tasks. ARAC must review and approve the working group's recommendations. If ARAC accepts the working group's recommendations, it will forward them to the FAA.

### Working Group Activity

The FTHWG must comply with the procedures adopted by ARAC. As part of the procedures, the working group must:

1. Develop a prioritized list of subject areas (as provided in this notice or added by the FTHWG) to focus subsequent efforts and standards development in follow-on phases for consideration by ARAC.

2. Based on the priorities from item 1 above, recommend a work plan and phasing for completion of each prioritized task for review and approval by ARAC.

3. Provide a status report at each meeting of ARAC.

4. Provide a final recommendation report to ARAC for review and approval.

### Participation in the Working Group

The FTHWG is composed of technical experts having expertise in the subject matter and an interest in the assigned task. A working group member need not be a representative or a member of ARAC.

If you have expertise in the subject matter and wish to become a member of the working group, write to the person listed under the caption **FOR FURTHER INFORMATION CONTACT** expressing that desire. Describe your interest in the task and state the expertise you would bring to the working group. We must receive all requests by April 5, 2013. ARAC and the FAA will review the requests and advise you whether or not your request is approved.

If you are chosen for membership on the working group, you must represent your aviation community segment and actively participate in the working group by attending all meetings and providing written comments when requested to do so. You must devote the resources necessary to support the working group in meeting any assigned deadlines. You must keep your management chain and those you may represent advised of working group activities and decisions to ensure that the proposed technical solutions do not conflict with your sponsoring organization's position when the subject being negotiated is presented to ARAC for approval. Once the working group has begun deliberations, members will not be added or substituted without the approval of the FAA and the Working Group Co-Chairs.

The Secretary of Transportation determined that the formation and use of ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law. ARAC and the TAE Subcommittee meetings are open to the public. Meetings of the Flight Test Harmonization Working Group will not be open to the public, except to the extent individuals with an interest and expertise are selected to participate. The FAA will make no public announcement of working group meetings.

Issued in Washington, DC, on March 1, 2013.

**Lirio Liu,**

*Designated Federal Officer, Aviation Rulemaking Advisory Committee.*

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### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0086]

#### Group Lotus plc; Grant of Petition for a Temporary Exemption From an Advanced Air Bag Requirement of FMVSS No. 208

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice of grant of a petition for a temporary exemption from a provision of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*.

**SUMMARY:** This notice grants the petition of Group Lotus plc (Lotus) for a temporary exemption of the front passenger position of its Evora model from one advanced air bag requirement of FMVSS No. 208, i.e., the higher maximum speed (56 km/h (35 mph)) belted test requirement using 5th percentile adult female dummies. The agency finds that achieving compliance with that requirement would cause substantial economic hardship to Lotus and that the company has tried to comply with the requirement in good faith.

**DATES:** The exemption remains in effect until March 8, 2014.

**FOR FURTHER INFORMATION CONTACT:** David Jasinski, Office of the Chief Counsel, NCC-112, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., West Building 4th Floor, Room W41-326, Washington, DC 20590. Telephone: (202) 366-2992; Fax: (202) 366-3820.

#### SUPPLEMENTARY INFORMATION:

#### I. Advanced Air Bag Requirements and Small Volume Manufacturers

In 2000, NHTSA published a final rule upgrading the requirements for air bags in passenger cars and light trucks, requiring what are commonly known as "advanced air bags."<sup>1</sup> The upgrade was designed to meet the twin goals of improving protection for occupants of all sizes, belted and unbelted, in moderate-to-high-speed crashes, and of minimizing the risks posed by air bags to infants, children, and other occupants, especially in low-speed crashes. Prior to this rule, crash tests under FMVSS No. 208 used only one size dummy, a 50th percentile adult male dummy. However, the advanced air bag rule specified the use of both

50th percentile adult male and 5th percentile adult female dummies for the standard's crash tests.

The requirements for the vehicle performance in an unbelted 32 km/h (20 mph) to 40 km/h (25 mph) rigid barrier crash test and the belted rigid barrier crash test with a maximum test speed of 48 km/h (30 mph) for both the 50th percentile male dummy and the 5th percentile female dummy were phased in, beginning with the 2004 model year. Small volume manufacturers were not subject to these advanced air bag requirements until the end of the phase-in period, which was September 1, 2006.

A second phase-in period required vehicles to be certified as meeting the belted rigid barrier test requirements at speeds up to 56 km/h (35 mph) using the 50th percentile adult male dummy. This requirement was phased in, beginning with the 2008 model year. Small volume manufacturers were not subject to this requirement until the end of the phase-in period, which was September 1, 2010.

The 2000 final rule did not include a higher speed belted rigid barrier test for a 5th percentile adult female dummy. Instead, NHTSA initiated testing to examine the practicability of such a requirement.<sup>2</sup>

On August 31, 2006, NHTSA published a final rule that increased the maximum test speed for the belted rigid barrier test using the 5th percentile adult female test dummy from 48 km/h (30 mph) to 56 km/h (35 mph).<sup>3</sup> This new requirement was phased in, beginning with the 2010 model year. Small manufacturers were not subject to this requirement until the completion of the phase in period, which was September 1, 2012.

In recent years, NHTSA has addressed a number of petitions for exemption from some of the initial advanced air bag requirements of FMVSS No. 208. The majority of these requests came from small manufacturers, each of which petitioned on the basis that achieving compliance would cause it substantial economic hardship and that it has tried in good faith to comply with the standard. In recognition of the more limited resources and capabilities of small manufacturers, authority to grant exemptions based on substantial economic hardship and good faith efforts was given the agency in 1972 to enable it to give those manufacturers additional time to comply with the Federal safety standards.

<sup>2</sup> See 65 FR 30690.

<sup>3</sup> See 71 FR 51768.

<sup>1</sup> See 65 FR 30680 (May 12, 2000).