DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 1 and 25

[Docket No. 27705; Amendment Nos. 1–40 and 25–841

RIN 2120-AF25

Revision of Certain Flight Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes

AGENCY: Federal Aviation Administration, DOT. **ACTION:** Final rule.

SUMMARY: The Federal Aviation Administration (FAA) is amending part 25 of the Federal Aviation Regulations (FAR) to harmonize certain flight requirements with the European Joint Aviation Requirements 25 (JAR-25). This action responds to a petition from the Aerospace Industries Association of America, Inc. and the Association Europeenne des Constructeurs de Materiel Aerospatial. These changes are intended to benefit the public interest by standardizing certain requirements, concepts, and procedures contained in the airworthiness standards for transport category airplanes.

EFFECTIVE DATE: July 10, 1995.

FOR FURTHER INFORMATION CONTACT: Donald K. Stimson, Flight Test and Systems Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, FAA, 1601 Lind Avenue SW., Renton, WA 98055–4056; telephone (206) 227–1129, facsimile (206) 227–1320.

SUPPLEMENTARY INFORMATION:

Background

These amendments are based on Notice of Proposed Rulemaking (NPRM) 94–15, which was published in the Federal Register on April 22, 1994 (59 FR 19296). In that notice, the FAA proposed amendments to 14 CFR parts 1 and 25 to harmonize certain airworthiness standards for transport category airplanes with the European Joint Aviation Requirements 25 (JAR– 25). Harmonizing the U.S. and European airworthiness standards benefits the public interest by reducing the costs associated with showing compliance to disparate standards, while maintaining a high level of safety.

NPRM 94–15 was developed in response to a petition for rulemaking from the Aerospace Industries Association of America, Inc. (AIA) and the Association Europeenne des

Constructeurs de Materiel Aerospatial (AECMA). In their petition, AIA and AECMA requested changes to \$\\$ 25.143(c), 25.143(f), 25.149, and 25.201 to standardize certain requirements, concepts, and procedures for certification flight testing and to enhance reciprocity between the FAA and JAA. In addition, AIA and AECMA recommended changes to FAA Advisory Circular (AC) 25–7, "Flight Test Guide for Certification of Transport Category Airplanes," to ensure that the harmonized standards would be interpreted and applied consistently. A copy of that petition is included in the docket.

The proposals published in NPRM 94–15 would harmonize not only the sections of part 25 and JAR–25 addressed in the petition, but also related sections. These proposals were developed by the Aviation Rulemaking Advisory Committee (ARAC) and forwarded to the FAA as an ARAC recommendation. The FAA accepted the recommendation and published NPRM 94–15 for public comment in accordance with the normal rulemaking process.

The Aviation Rulemaking Advisory Committee

The ARAC was formally established by the FAA on January 22, 1991 (56 FR 2190), to provide advice and recommendations concerning the full range of the FAA's safety-related rulemaking activity. This advice was sought to develop better rules in less overall time using fewer FAA resources than are currently needed. The committee provides the opportunity for the FAA to obtain firsthand information and insight from interested parties regarding proposed new rules or revisions of existing rules.

There are over 60 member organizations on the committee, representing a wide range of interests within the aviation community. Meetings of the committee are open to the public, except as authorized by section 10(d) of the Federal Advisory Committee Act.

The ARAC establishes working groups to develop proposals to recommend to the FAA for resolving specific issues. Tasks assigned to working groups are published in the **Federal Register**. Although working group meetings are not generally open to the public, all interested parties are invited to participate as working group members. Working groups report directly to the ARAC, and the ARAC must concur with a working group proposal before that proposal can be presented to the FAA as

an advisory committee recommendation.

The activities of the ARAC will not, however, circumvent the public rulemaking procedures. After an ARAC recommendation is received and it is found acceptable by the FAA, the agency proceeds with the normal public rulemaking procedures. Any ARAC participation in a rulemaking package will be fully disclosed in the public docket.

Discussion of the Proposals

In NPRM 94–15, the FAA proposed amending certain sections of the FAR, as recommended by the ARAC, to harmonize these sections with JAR–25. Concurrently, the JAA circulated Notice of Proposed Amendment (NPA) 25B–261, which proposed revising JAR–25, as necessary, to ensure harmonization in those areas for which the amendments proposed in NPRM 94–15 differ from the current JAR–25.

The FAA proposed to: (1) Introduce the term "go-around power or thrust setting" to clarify certain part 25 flight requirements; (2) revise the maximum control forces permitted for demonstrating compliance with the controllability and maneuverability requirements; (3) provide requirements for stick force and stick force gradient in maneuvering flight; (4) revise and clarify the requirements defining minimum control speed during approach and landing; (5) clarify the procedural and airplane configuration requirements for demonstrating stalls and revise the list of acceptable flight characteristics used to define the occurrence of stall; and (6) require that stall characteristics be demonstrated for turning flight stalls at deceleration rates up to 3 knots per second.

Revisions were also proposed for AC 25–7 to ensure consistent application of these proposed revised standards. Public comments concerning the revisions to AC 25–7 were invited by separate notice in the same issue of the **Federal Register** as NPRM 94–15 (59 FR 19303)

Proposal 1. Certain part 25 flight requirements involving flight conditions other than takeoff (i.e., §§ 25.119, 25.121(d), 25.145(b)(3), 25.145(b)(4), 25.145(b)(5), 25.145(c)(1), 25.149(f)(6), and 25.149(g)(7)(ii)) specify using the maximum available takeoff power or thrust as being representative of the appropriate maximum in-flight power or thrust. In practice, however, the power or thrust setting used to obtain the maximum in-flight power or thrust (commonly referred to as the go-around power or thrust setting) usually differs from the setting used for takeoff. In the