Sections 121.704(e), 125.410(e), 127.314(e), and 135.416(e)

These proposed sections would include the current provisions of §§ 121.703(f), 127.313(f), and 135.415(f), which relieve a holder of a Type Certificate, Supplemental Type Certificate, Parts Manufacturer Approval (PMA), a TSO Authorization, or the licensee of a Type Certificate from reporting any failure, malfunction, or defect under this section if reports are submitted on the same failure, malfunction, or defect under § 21.3 or under the accident reporting provisions of Part 830 of the NTSB regulations. Proposed § 125.410(e) would include a similar provision.

Sections 121.704(f), 125.410(f), 127.314(f), and 135.416(f)

These proposed sections would allow parts 121, 125, 127, and 135 certificate holders to delegate to a certificated repair station the task of reporting the detection of a failure, malfunction, or defect discovered by the repair station. Currently, when a repair station finds a failure, malfunction, or defect, this information is reported by both the repair station under § 145.63(a) or § 145.79(c), as appropriate, and the part 121, 125, 127, or 135 certificate holder. This proposed section would eliminate duplicate reporting of the same failures or defects but would not relieve the certificate holder of the responsibility for ensuring that the report is submitted to the FAA. In addition, the proposed rule would require that the certificate holder receive a copy of the report submitted by the repair station.

Sections 121.705, 127.315, and 135.417

Under the proposal, §§ 121.705(a), 127.315(a), and 135.417(a) would remain in effect, requiring that operators report to the Administrator interruptions to flights, unscheduled changes of aircraft en route, or unscheduled stops or diversions from routes, caused by known or suspected mechanical difficulties or malfunctions that are not required to be reported under proposed §§ 121.703 and 121.704, 127.313 and 127.314, and 135.415 and 135.416, respectively. The requirements of current §§ 121.705 (b) and (c), 127.315(b), and 135.417(b) would be deleted because this is reliability data and does not have safety-of-flight implications. In addition, these items currently are required to be monitored under § 121.373, 127.136, and 135.431.

Sections 125.409(b) and 127.313(b)

Under the proposal, § 127.313(b) would be corrected to state that, for the purposes of this section, during flight

means the period from the moment the helicopter leaves the surface of the earth *on* (rather than "or") takeoff until it touches down on landing. An equivalent paragraph would also be added to § 125.409(b).

Section 127.313(a)(8)

The proposed rule would redesignate current § 127.313(a)(13) as § 127.313(a)(8). This paragraph concerns main rotor and auxiliary rotor systems.

Sections 145.63 and 145.79

The proposed rule would revise §§ 145.63 and 145.79 to allow certificated domestic and foreign repair stations, respectively, to be delegated by a part 121, 125, 127, or 135 certificate holder to submit operational and structural difficulty reports to the FAA on behalf of the certificate holder. A repair station would submit these reports, as delegated, when it discovers a defect or unairworthy condition of an aircraft, powerplant, propeller, or any component thereof. When a certificated repair station submits a report for a part 121, 125, 127, or 135 certificate holder, the repair station would not be required to submit a separate report under § 145.63(a) or 145.79(c), as appropriate.

Currently, when a certificated repair station finds a defect or unairworthy condition, the repair station and the part 121, 125, 127, or 135 certificate holder report the condition or defect to the FAA. The proposed rule would require that only one report be submitted in such circumstances.

## Paperwork Reduction Act Approval

The reporting burden associated with parts 121, 125, 127, 135, and 145 of the Federal Aviation Regulations has been approved by OMB under control numbers 2120–003, 2120–008, 2120–0010, 2120–0039, and 2120–0085.

This NPRM proposes to clarify the reporting burden. The clarification may cause a reduction in burden, because it may lead to a reduction in redundancy of reporting. Some 125 certificate holders may have a slight reduction in reporting. There are minimal additional reporting requirements associated with this proposed rule.

## Regulatory Evaluation Summary

Executive Order 12866 established the requirement that, within the extent permitted by law, a Federal regulatory action may be undertaken only if the potential benefits to society for the regulation outweigh the potential costs to society. In response to this requirement, and in accordance with Department of Transportation (DOT) policies and procedures, the FAA has

estimated the anticipated benefits and costs of this rulemaking action. The FAA has determined that this proposed rule is not a "significant rulemaking action," as defined by Executive Order 12866 (Regulatory Planning and Review), and is not considered significant under DOT Order 2100.5, Policies and Procedures for Simplification, Analysis, and Review of Regulations. The anticipated costs and benefits associated with this proposed rule are stated below.

The total number of reports submitted to the FAA is not expected to change substantially. Although more specific and detailed reports will generally be required, the clarification of reporting requirements should expedite the reporting process. Therefore, the costs of complying with the proposed rule change are not expected to differ significantly from the costs of complying with the present requirements. Increases in the volume of some types of reports are expected to be offset by decreases in the volume of other types of reports. New requirements to report on-ground incidents that may have implications for flight safety and those pertaining to aging aircraft issues should increase the volume of reports. Other provisions, however, such as the elimination of duplicate reporting by the air carriers and repair stations and the elimination of reports involving issues of reliability (e.g., unscheduled stops or diversions from routes), would reduce the number of required reports. In addition, Part 125 operators would not be required to report as many incidents as is currently required. The FAA believes that the increased and decreased reporting requirements are offsetting but invites comments from the public regarding the validity of this assumption.

The purpose of the proposed rule is to enhance air carrier safety by clarifying and standardizing reporting requirements and facilitating the timely flow of information to the FAA. These data identify mechanical problems that may be a serious hazard to the operation of an aircraft. The information collected would be used to develop corrective actions to eliminate the identified problems. Increased standardization of these reports should make it easier for FAA personnel to interpret their significance, thereby reducing the number of manhours devoted by the FAA to processing and interpreting the information gleaned from these reports.

One major safety benefit would result from the clarification of reporting requirements that specifically address structural defects normally associated with aging aircraft. Another benefit