with the applicable maintenance manual.

The FAA estimates that 2,384 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 8 workhours per airplane to accomplish the proposed replacement, and that the average labor rate is approximately $60 an hour. Parts cost approximately $1,000 per airplane (2 MLG forward sidebraces per airplane at approximately $500 per sidebrace). Based on these figures, the total cost impact of the proposed replacement on U.S. operators is estimated to be $3,528,320 or $1,480 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the proposed replacement.

Piper has informed the FAA that parts have been distributed to owners/operators to equip 2,123 of the affected airplanes (4,246 MLG forward sidebraces of improved design). Assuming that each set of parts has been installed on an affected airplane, the cost impact of the proposed replacement upon U.S. owners operators of the affected airplanes would be reduced by $3,142,040 from $3,528,320 to $386,280.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 261 affected airplanes (2,384 affected airplanes—2,123 airplanes with a set of parts distributed) that would be affected by the proposed AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

The proposed AD would allow 1,200 hours time-in-service (TIS) after the effective date of the proposed AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation would have to accomplish the proposed modification within 7 to 12 months after the proposed AD would become effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this would allow 6 to 12 years before the proposed replacement would be mandatory.

The FAA established the 1,200 hours TIS replacement compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the difficulty level of the inspection, and how critical the situation would be if cracks occurred in the subject area despite accomplishment of the repetitive inspections.

Usually, the FAA establishes the mandatory design modification compliance time on AD's affecting aging commuter-class airplanes upon the accumulation of a certain number of hours TIS on the airplane. For this action, the FAA is proposing to mandate the modification for all operators ''within the next 1,200 hours TIS after the effective date of this AD.'' The total TIS levels of the airplane fleet vary from under 1,000 hours TIS to over 5,000 hours TIS, and annual accumulation rates vary from 50 hours TIS to over 1,000 hours TIS. Establishing a long-term set compliance time of hours TIS accumulated on Piper PA31, PA31P, and PA31T series airplanes (such as 5,000 hours TIS) would impose an undue burden on the manufacturer of having to maintain a supply of replacement parts for the entire fleet when many airplanes in the fleet may never reach this compliance time.

Instead, the FAA believes that Piper should maintain parts for several years; in this case about 12 years to allow low-usage airplanes time to accumulate the 1,200 hours TIS after the effective date of the AD. The FAA has determined that the compliance time of the proposed rule provides the level of safety required for commuter air service while still minimizing the impact on the private airplane owners of Piper PA31, PA31P, and PA31T series airplanes.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR. 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 88–05–05, Amendment 39–5861, and by adding a new AD to read as follows:

The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Docket No. 90–CE–62–AD. Supersedes AD 88–05–05, Amendment 39–5861.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have left and right main landing gear (MLG) forward sidebraces of improved design installed, part number (P/N) 85165–02 (left) and 85165–03 (right) or P/N 85166–02 (left) and 85166–03 (right).

Models	Serial Nos.
PA31, PA31–300, and PA31–325	31–2 through 31–8312019.
PA31–350	31–5001 through 31–8553002.
PA31P	31P–2 through 31P–7730012.