

Nominations may be emailed to freight@dot.gov or faxed to the attention of Shira Bergstein at (202) 366-0263, or mailed to Shira Bergstein, U.S.

Department of Transportation, Office of the Secretary Office of Policy, Room W84-317 (P-40), 1200 New Jersey Avenue SE., Washington, DC 20590. Nominations must be received on or before midnight E.D.T. on March 21, 2013. The Department encourages nominations submitted any time before the deadline. The Department is not responsible for any technical difficulties submitting a nomination form. Nominees selected for appointment to the Committee will be notified by return email and by a letter of appointment.

A selection team comprising representatives from several DOT offices will review the nomination packages. The selection team will make recommendations regarding membership to the Under Secretary of Transportation for Policy based on criteria including (1) professional or academic expertise, experience, and knowledge; (2) stakeholder representation; (3) availability and willingness to serve; and (4) relevant experience in working in committees and advisory panels. The Under Secretary of Transportation for Policy will submit a list of recommended candidates to the Secretary of Transportation for review and final selection of Committee members.

Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation. To ensure that recommendations to the Secretary of Transportation take into account the needs of the diverse groups served by DOT, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. Please note, however, that federally registered lobbyists are ineligible for nomination.

Issued in Washington, DC, on February 13, 2013.

Ray LaHood,

Secretary of Transportation.

[FR Doc. 2013-03759 Filed 2-15-13; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Aviation Rulemaking Advisory Committee (ARAC) meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the ARAC.

DATES: The meeting will be held on March 5, 2013, at 1:00 p.m.

ADDRESSES: The meeting will take place at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, 5th Floor, Conference Room 5 A/B/C.

FOR FURTHER INFORMATION CONTACT: Renee Butner, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-5093; fax (202) 267-5075; email Renee.Butner@faa.gov.

SUPPLEMENTARY INFORMATION: Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the ARAC taking place on March 5, 2012, at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC, 20591. The Agenda includes:

1. ARAC Bylaws Discussion and Approval
2. Status Reports From Active Working Groups
 - a. Airman Testing Standards and Training Working Group (ARAC)
 - b. Flight Controls Harmonization Working Group (Transport Airplane and Engine Subcommittee [TAE])
 - c. Airworthiness Assurance Working Group (TAE)
3. New Tasks
 - a. Engine Bird Ingestion Requirements—Revision of Section 33.76
 - b. Transport Airplane Performance and Handling Characteristics
4. ARAC Tasking Template
5. Proposed Rulemaking for Part 21
6. Status Report From the FAA
 - a. Rulemaking Prioritization Working Group (RPWG)

Attendance is open to the interested public but limited to the space available. The FAA will arrange teleconference service for individuals wishing to join in by teleconference if we receive notice by February 26. Arrangements to participate by teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by February 26 to present oral statements at the meeting. The public may present written statements to the Aviation Rulemaking Advisory Committee by

providing 25 copies to the Designated Federal Officer, or by bringing the copies to the meeting.

If you are in need of assistance or require a reasonable accommodation for this meeting, please contact the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on February 8, 2013.

Lirio Liu,

Designated Federal Officer, Aviation Rulemaking Advisory Committee.

[FR Doc. 2013-03406 Filed 2-14-13; 11:15 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No FMCSA-2011-0097]

Pilot Project on NAFTA Trucking Provisions

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice.

SUMMARY: On September 12, 2011, FMCSA announced and requested public comment on data and information concerning the Pre-Authorization Safety Audit (PASA) for Grupo Behr de Baja California SA de CV (Grupo Behr), USDOT# 861744, a motor carrier that applied to participate in the Agency's long-haul pilot program. That action was required by the "U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007" and all subsequent appropriations. While Grupo Behr successfully completed the PASA process, commenters raised concerns about the company's safety record. In addition, during the Agency's safety vetting process, an operating authority violation was discovered. As a result, the Agency placed Grupo Behr's application on hold. The purpose of this notice is to respond to the comments received in response to the September 12, 2011, notice, and to explain the enforcement action that the Agency took as a result of the operating authority violation. In addition, this notice advises that the Agency will now issue provisional authority to Grupo Behr for participation in the long-haul pilot program.

ADDRESSES:

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to Room W12-140 on the ground floor of

AVIATION RULEMAKING ADVISORY COMMITTEE

RECORD OF MEETING

MEETING DATE: March 5, 2013

MEETING TIME: 1 p.m.

LOCATION: Federal Aviation Administration
800 Independence Avenue, SW.
5th Floor
Room 5ABC
Washington, DC 20591

PUBLIC ANNOUNCEMENT: The Federal Aviation Administration (FAA) told the public of this Aviation Rulemaking Advisory Committee (ARAC) meeting in a Federal Register notice published February 19, 2013 (78 FR 11728).

ATTENDEES: **Committee Members**

Dan Elwell	Airlines for America (A4A), <i>ARAC Chair</i>
Michael Doellefeld	Boeing Commercial Airplanes, <i>ARAC Vice Chair</i>
Stacey Bechdolt	Regional Airline Association (RAA)
Michelle Betcher	Airline Dispatchers Federation (ADF)
Mark Bury	Federal Aviation Administration (FAA) <i>Office of the Chief Counsel, AGC-200</i>
Craig Bolt	Pratt & Whitney <i>Transport Airplane and Engine (TAE) Subcommittee, Chair</i>
Dr. Tim Brady	Embry-Riddle Aeronautical University (ERAU)
Walter Desrosier	General Aviation Manufacturers Association (GAMA)
Bill Edmunds	Air Line Pilots Association, International (ALPA)

Sean Elliot	Experimental Aviation Association (EAA)
Rolf Greiner*	AeroSpace and Defence Industries Association of Europe (ASD)
Julian Hall	European Aviation Safety Agency (EASA)
Paul Hudson*	Aviation Consumer Action Project (ACAP)
Mark Larsen	National Business Aviation Association (NBAA)
Lirio Liu	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-1 Designated Federal Officer (DFO)</i>
Crystal Maguire*	Aeronautical Repair Station Association (ARSA)
Dennis McGrann	National Organization to Insure a Sound Controlled Environment (NOISE)
Bob Robeson	Federal Aviation Administration (FAA) <i>Office of Aviation Policy and Plans, APO-300</i>
Melissa Rudinger	Aircraft Owners and Pilots Association (AOPA)
Joseph Tiberi	International Association of Machinists and Aerospace Workers (IAMAW)
Attendees	
Ryan Aggergaard	Modification and Replacement Parts Association (MARPA)/Aviation Suppliers Association (ASA)
Renee Butner	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-020</i>
Andrew Compart	Aviation Week
Thuy Cooper	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-100</i>

Scott Foose	Regional Airline Association (RAA)
Bob Frenzel	Federal Aviation Administration (FAA) <i>Office of the General Counsel, AGC-220</i>
Katie Haley	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-200</i>
Joe Jacobsen*	Federal Aviation Administration (FAA) <i>Northwest Mountain Region-Transport Airplane Directorate, ANM-111</i>
Ida Klepper	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-100</i>
Eric Lesage	AeroSpace and Defence Industries Association of Europe (ASD)
Neil Modzelewski	PAI Consulting
Dinkar Mokadem	Association of Flight Attendants-Communications Workers of America (AFA-CWA)
Glorianne Niebuhr*	Federal Aviation Administration (FAA) <i>New England Region-Aircraft Certification Service Engine and Propeller Directorate, ANE-142</i>
Susan Parson	Federal Aviation Administration (FAA) <i>Flight Standards Service, AFS-003</i>
Mary Schooley*	Federal Aviation Administration (FAA) <i>Northwest Mountain Region-Transport Airplane Directorate, ANM-111</i>
Alan Strom*	Federal Aviation Administration (FAA) <i>New England Region-Aircraft Certification Service Engine and Propeller Directorate, ANE-142</i>

*Attended via teleconference.

WELCOME AND INTRODUCTION

Mr. Dan Elwell, ARAC Chair, called the meeting to order at 1:12 p.m. and thanked the ARAC members and the public for attending. He announced that since the last meeting, he left

the Aerospace Industries Association (AIA) and is now with A4A. He stated the FAA invited AIA to designate a new representative.

Mr. Elwell invited the attendees to introduce themselves. He then asked Ms. Lirio Liu, DFO, to read the required Federal Advisory Committee Act (FACA), Title 5, United States Code (U.S.C.) Appendix 2 (2007) statement.

After reading the FACA statement, Ms. Liu noted the FAA created a dedicated ARAC email address (9-AWA-ARAC@faa.gov) for copying the FAA on all email correspondence relating to ARAC proceedings, pursuant to an action item from the December 6, 2012 meeting.

CERTIFICATION OF MINUTES

Mr. Elwell stated the first item on the agenda is to certify the minutes from the December 6, 2012 meeting. He solicited any revisions or amendments to the draft minutes circulated before the meeting. After a minor correction by Mr. Walter Desrosier, the ARAC ratified the minutes.

Mr. Elwell noted that beginning with the minutes of the March 5, 2013 meeting, the ARAC minutes will be more streamlined, containing only a summary of agenda items, treatment of any significant or off-agenda discussions, and any action items taken. He added the action items will be separately enumerated.

ARAC BYLAWS DISCUSSION AND APPROVAL

Mr. Elwell invited Ms. Liu to speak about the draft ARAC bylaws (Attachment 1) circulated before the meeting. Ms. Liu briefly described the origins and anticipated use of the bylaws. She solicited comments, questions, and revisions to the draft. Mr. Julian Hall asked whether voting members must be a U.S. based association or if voting members can be a non-U.S. based association or industry affected by U.S. legislation. Ms. Liu responded that ARAC members are voting members, for example, ASD is a voting member of ARAC and is an international association. (Select foreign civil aviation authorities serve as non-voting members of ARAC.) After two requests for minor editorial revisions, the ARAC approved the bylaws.

STATUS REPORTS FROM ACTIVE WORKING GROUPS

Airman Testing Standards and Training Working Group (ATSTWG) (ARAC)

Mr. Elwell invited Ms. Susan Parson to update the ARAC on the status of the ATSTWG. Ms. Parson outlined the ATSTWG's tasking. She stated the ATSTWG has made substantial progress on its first task, development of draft airman certification standards. She stated two task groups have drafted airman certification standards for the private pilot certificate and instrument rating. She added the ATSGTWG intends to recommend the FAA publish the drafts in the Federal Register for comment. Ms. Parson also described the ATSTWG has established task groups to complete its second and third tasks, development of recommendations regarding guidance and drafting of sample written test questions, as well as the remainder of its first task, drafting of airman certification standards for the flight instructor certificate. Ms. Parson noted the task group drafting sample test questions is using a worksheet to determine whether a test question is most appropriate as rote memorization, understanding, application, or

correlation. She added, once the task group makes the initial decision, they determine what the question links back to in an effort to ensure questions are relevant. Ms. Stacey Bechdolt asked if the FAA will publish the question databank. Ms. Parson responded there is no intention to publish the question databank at this time.

Flight Controls Harmonization Working Group (FCHWG) (Transport Airplane and Engine Subcommittee (TAE))

Mr. Elwell asked Mr. Craig Bolt to brief the ARAC on the status of the FCHWG. Mr. Bolt summarized the FCHWG's tasking. Mr. Bolt stated the FCHWG has made significant progress on its first task, relating to performance requirements for new aircraft, and will soon begin work on its second task, evaluation of the need for training, retrofit, or operating requirements for existing aircraft. He stated the FCHWG will report to TAE in May 2013. Mr. Bolt estimated FCHWG will present its recommendation report to the ARAC in 6 to 9 months.

Airworthiness Assurance Working Group (AAWG) (TAE)

Mr. Bolt discussed the status of the AAWG's work with implementation of the widespread fatigue damage rule and its support for structures task groups developing product-specific guidance. He stated an upcoming meeting with representatives of EASA will focus on addressing perceived differences between FAA rules and pending EASA rulemaking.

NEW TASKS

Engine Bird Ingestions Requirements – Revision of Section 33.76 (TAE)

Transport Airplane Performance and Handling Characteristics (TAE)

Mr. Elwell invited Mr. Bolt to address the new ARAC tasks. Mr. Bolt stated the ARAC discussed the draft Engine Bird Ingestions Requirements and Transport Airplane Performance and Handling Characteristics taskings at length at its previous meeting, and the program offices revised the taskings based on that discussion and email communications from ARAC members. Ms. Liu noted the revised taskings were subsequently coordinated with and approved by the ARAC members via email and the FAA has submitted the taskings for publication in the Federal Register.

Mr. Bolt stated working groups will be formed for both taskings upon publication, with the Engine Bird Ingestions Requirements Working Group expected to draw heavily from participants in a previous AIA effort. The Transport Airplane Performance and Handling Characteristics Working Group expects to include members of the existing Flight Test Harmonization Working Group.

ARAC TASKING TEMPLATE

Mr. Elwell stated discussions at previous meetings highlighted the need to standardize the ARAC's taskings. Ms. Liu solicited comments on a tasking template circulated before the meeting (Attachment 2). (Attachment 3 is an example of a well-written tasking.) With no comments, Ms. Liu noted the FAA will use the template for future ARAC taskings.

PROPOSED RULEMAKING FOR PART 21

Ms. Liu stated ARAC members raised a question about the status of an outstanding petition for rulemaking at the December 6, 2012 meeting and she invited Mr. Bolt to provide background. Mr. Bolt explained it is increasingly the standard industry practice to incorporate product-specific accessories into engines and auxiliary power units at the time of manufacture. He noted this practice conflicts with part 21 of Title 14, Code of Federal Regulations, which requires products to conform with type design. Mr. Bolt stated the practice takes place under exemptions from the part 21 requirements, and these exemptions must be renewed every 2 years.

Ms. Liu stated the FAA Aircraft Certification Service (AIR) noted a rulemaking project to revise part 21 is underway. She added AIR agrees in principal with the previously submitted petition for rulemaking, and will consider it when proceeding with the rulemaking.

STATUS REPORT FROM THE FAA

Rulemaking Prioritization Working Group (RPWG)

Ms. Liu updated the ARAC on the status of the FAA's review and implementation of the ARAC RPWG's rulemaking prioritization recommendations. She explained the FAA formed a team to develop a plan to implement the recommendations in the rulemaking workflow. Ms. Liu explained the FAA intends to incorporate a form of the rulemaking prioritization tool into FAA activities by September 2013, subject to budget constraints. She noted she will continue to update the ARAC on the status of implementation at its next meeting.

OFF-AGENDA REMARKS FROM ARAC MEMBERS

Avionics Systems Harmonization Working Group (ASHWG) - Low Speed Alerting Phase 2 Task Recommendation Report

Mr. Elwell noted that after publication of the agenda, the ASHWG submitted a revised draft of its Low Speed Alerting Phase 2 task recommendation report. Mr. Bolt stated the ARAC discussed the report at length at its December 6, 2012 meeting, and the ASHWG, assisted by Ms. Sarah MacLeod, ARSA, revised it to clarify the ASHWG's recommendations. He noted the TAE Subcommittee has accepted the recommendation report. The ARAC accepted and approved the revised report.

Future Meeting Dates

Ms. Liu discussed future meeting dates. For planning purposes, she proposed the ARAC tentatively schedule meetings for the third Thursday of the last month of each quarter. Ms. Liu stated this would make the next meeting date June 20, 2013. There were no objections to this proposal.

ACAP Proposals for ARAC Taskings

Mr. Paul Hudson proposed the FAA consider two topics for ARAC taskings:

- He stated the recent difficulties with the Boeing 787 indicate failures in FAA aeronautical product certification rules, processes, and procedures. Mr. Hudson suggested the FAA task the ARAC to develop recommendations for improving them.
- He stated the FAA had published a notice of availability request for comments regarding the establishment of test sites for unmanned aircraft systems (UAS) in response to a February 14, 2012, congressional mandate. Mr. Hudson stated the potential threat to public safety makes them a topic worthy of the ARAC's attention, and suggested the FAA consider issuing a tasking related to UAS operations.

ACTION: FAA consider tasking the ARAC to evaluate FAA aeronautical product certification rules, processes and procedures and UAS operations.

ADJOURNMENT

With no additional comments or objections, Mr. Elwell adjourned the meeting at 1:57 p.m.

Approved by:  _____
Dan Elwell, Chair

Dated: April 10, 2013

Ratified on: June 20, 2013