175-159 63-12

FEDERAL AVIATION AGENCY

NATIONAL CAPITAL AIRPORTS

(14 CFR PART 159 (NEW))

(Regulatory Docket No 1675; Notice No. 63-12)

NATIONAL CAPITAL AIRPORTS LANDING CHARGES

NOTICE OF PROPOSED RULE MAKING

The Federal Aviation Agency has under consideration a proposal to amend Part 159 [New] of the Federal Aviation Regulations by adding a new Subpart H "Charges", to set forth a schedule of landing charges at Washington National and Dulles International Airports.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the regulatory docket and notice numbers and be submitted to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, Room A-103, 1711 New York Avenue, N.W., Washington 25, D.C. All communications received on or before May 3, 1963, will be considered before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The Bureau of the Budget, acting in behalf of the President, issued Circular No. A-25 on September 23, 1959. That circular sets forth general policies for developing an equitable and uniform system of charges for certain Government services and property. It provides that a reasonable charge be made for any Federal activity which conveys special benefits to

the recipient above and beyond those which accrue to the public at large, and that this charge should cover the total cost of the service, unless payment of the full costs would not be in the interest of the program. The charges provided for in this Part are in accord with Circular No. A-25.

In order to more specifically apply this Executive Department intent, the Federal Aviation Agency issued Order OA 5400.1 on November 5, 1962. That Order sets forth the general policy that, to the extent possible, all airports under the jurisdiction of the Bureau of National Capital Airports will be operated on a self-sustaining, business-enterprise basis. It further provides that it will be the objective to obtain full cost recovery in each major cost area with every user paying the costs of facilities and services provided them.

The proposed fees take into consideration the cost to the United States of maintaining the airports, the reasonableness of the charge in relation to the benefit derived, and their relationship to the development and maintenance of a sound civil aviation program.

It will be noted that the proposed fee schedules completely exempt all non-revenue flights by aircraft under 3,500 lbs. maximum authorized gross landing weight.

This exemption is being granted in recognition of the limited general aviation facilities at Washington National Airport and due to the early state of development of such facilities at Dulles International Airport. Such exemption will be subjected to a review and possible adjustment,

following a two year effective period.

The fees provided in this amendment are in addition to any separate parking or other charges for services performed by base operators at the two airports.

In order to provide internal consistency within Part 159 [New], it is proposed to move present section 159.45 "Payment for services" into the proposed new Subpart H and to renumber it as section 159.185.

In consideration of the foregoing, notice is hereby given that it is proposed to amend Part 159 of the Federal Aviation Regulations (14 CFR Part 159 [New]) by adding a new Subpart H as follows:

SUBPART H - CHARGES

§159.181 Landing Charges

(a) Except as provided in paragraph (b) of this section, the charge for each landing of an aircraft at Washington National Airport or Dulles International Airport is as follows:

WASHINGTON NATIONAL AIRPORT

AIRCRAFT WEIGHT	CHARGE	AIRCRAFT WEIGHT	CHARGE
3,500 or less	$ 0.50	10,001 - 11,000 lbs.	$ 1.65
		11,001 - 12,000 lbs.	1.80
3,501 - 4,000 lbs.	0.60	12,001 - 13,000 lbs.	1.95
4,001 - 5,000 lbs.	0.75	13,001 - 14,000 lbs.	2.10
5,001 - 6,000 lbs.	0.90	14,001 - 15,000 lbs.	2.25
6,001 - 7,000 lbs.	1.05	15,001 - 16,000 lbs.	2.40
7,001 - 8,000 lbs.	1.20	16,001 - 17,000 lbs.	2.55
8,001 - 9,000 lbs.	1.35	17,001 - 18,000 lbs.	2.70
9,001 - 10,000 lbs.	1.50	18,001 - 19,000 lbs.	2.85
		19,001 - 20,000 lbs.	3.00
		over 20,000 lbs.	0.15 for each 1,000 lbs., computed to the nearest 1,000 lbs.

DULLES INTERNATIONAL AIRPORT

AIRCRAFT WEIGHT	CHARGE	AIRCRAFT WEIGHT	CHARGE
3,500 or less	$ 0.75	12,001 - 13,000 lbs.	$ 3.25
3,501 - 4,000 lbs.	1.00	13,001 - 14,000 lbs.	3.50
4,001 - 5,000 lbs.	1.25	14,001 - 15,000 lbs.	3.75
5,001 - 6,000 lbs.	1.50	15,001 - 16,000 lbs.	4.00
6,001 - 7,000 lbs.	1.75	16,001 - 17,000 lbs.	4.25
7,001 - 8,000 lbs.	2.00	17,001 - 18,000 lbs.	4.50
8,001 - 9,000 lbs.	2.25	18,001 - 19,000 lbs.	4.75
9,001 - 10,000 lbs.	2.50	19,001 - 20,000 lbs.	5.00
10,001 - 11,000 lbs.	2.75	over 20,000 lbs.	0.25 for each 1,000 lbs., computed to the nearest 1,000 lbs.
11,001 - 12,000 lbs.	3.00		

(b) There is no landing charge under this subpart for -

(1) Non-revenue flights by aircraft of less than 3,500 pounds weight;

(2) Aircraft whose operators have a contract with the United States for use of the Airports and pay appropriate fees directly to the United States;

(3) Public aircraft; or

(4) An aircraft compelled to return after takeoff.

§159.183 Computation of weight for payment of charges.

For the purposes of section 159.181, the weight of an aircraft is the maximum authorized gross landing weight permitted for that aircraft by the appropriate aeronautical authority of the country in which it was made.

§159.185 Payment for services.

Unless satisfactory credit arrangements have been made, a person who has used Airport facilities, or who owes for storage, supplies, repairs, or other services by the Airport must pay for them before takeoff.

This amendment is proposed under the authority of Section 1301 of Title 7 of the District of Columbia Code, 1961 Edition, Section 2 of the Act of June 29, 1940, as amended (72 Stat. 731) and Sections 4 and 8 of the Act of September 7, 1950, as amended (72 Stat. 731).

Administrator

Issued in Washington, D. C. on March 26, 1963.