

would not have a significant economic impact on a substantial number of small entities, would reduce barriers to international trade, and would not impose an Unfunded Mandate on state, local, or tribal governments, or on the private sector.

The DOT Order 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If it is determined that the expected impact is so minimal that the proposed rule does not warrant a full evaluation, a statement to that effect and the basis for it is included in the proposed regulation. Accordingly, the FAA has determined that the expected impact of this proposed rule is so minimal that the proposed rule does not warrant a full evaluation. We provide the basis for this determination as follows.

Currently, airplane manufacturers must satisfy both part 25 and the European JAR-25 standards to certificate transport category aircraft in both the United States and Europe. Meeting two sets of certification requirements raises the cost of developing a new transport category airplane often with no increase in safety. In the interest of fostering international trade, lowering the cost of aircraft development, and making the certification process more efficient, the FAA, JAA, and aircraft manufacturers have been working to create, to the maximum possible extent, a single set of certification requirements accepted in both the United States and Europe. As explained in detail previously, these efforts are referred to as "harmonization."

The proposed rule would amend the current fuselage door standard contained in 14 CFR part 25 with a new improved door standard. This new standard would set forth, as a regulatory requirement, some of the existing technical guidance criteria that have been determined to be necessary for safety but which, up to this point, have not been included in the regulations. In addition, the proposed rule addresses recommendations from the NTSB and the Air Transport Association (ATA) task force on doors.

If adopted, the proposal would harmonize the FAA and JAA requirements for fuselage doors. Adopting this proposal would also relieve a certification burden on industry by eliminating regulatory differences between the airworthiness standards and related guidance material of the United States and Europe.

#### Costs of the Proposed Rule

The FAA identified only one section, 25.783(b), of the proposed rule where manufacturers indicated that a measurable cost would exist. For the other proposed changes, the FAA has not made specific cost estimates but has provided qualitative cost indications.

1. *Paragraph 25.783(a)* is descriptive and has no expected cost.

2. *Paragraph 25.783(b)* relates to opening by persons. The requirement to consider deliberate opening is new, but is expected to be accommodated in existing design practices for all but one United States manufacturer. (Requirements regarding inadvertent opening are not new). One manufacturer would incur an estimated cost of \$0.75 million, which would include the requirements for the prevention of intentional opening of the doors.

3. *Paragraph 25.783(c)* covers means to prevent pressurization. The requirement to consider single failures in the pressurization-inhibit system is new, but is believed to be industry practice. Thus, there is likely to be very little, if any, cost for a new design. The provision to permit certain doors to forego this system is actually cost-relieving, and could result in a minor cost reduction in some cases.

4. *Paragraph 25.783(d)* covers latching and locking. Most of these changes are the incorporation of recommendations currently contained in an advisory circular. The vast majority of airplanes already comply, and basic design practice is to comply with these requirements. Therefore, these requirements, while new, should have minimal cost impact. The requirement for each latch to have a lock, which must monitor the latch position, is a formalization of existing practice. The requirement to eliminate forces in the latching mechanism that could load the locks is new, and may not be complied with in all cases currently. The FAA believes that these costs are minimal.

5. *Paragraph 25.783(e)* covers warning, caution, and advisory indications. The reliability of the door indication system would be required to be higher for all doors. This would have only a small cost impact, as would the requirement for an aural warning for certain doors, and the requirement to provide an indication to the door operator.

6. *Paragraph 25.783(f)* contains the visual inspection provision requirement. The requirement for direct visual inspection is extended to more door types, and may add costs in some cases.

7. *Paragraph 25.783(g)* deals with certain maintenance doors, removable emergency exits, and access panels. The current rule does not provide the relief that the proposed rule does, although the AC has indicated that relief is possible. This provision could reduce costs in some cases.

8. *Paragraph 25.783(h)* covers doors that are not a hazard and is intended to provide relief for certain doors, so it could reduce costs.

9. *Paragraphs 25.783(i), 25.783(j), 25.809(b), 25.809(c), and 25.809(f)* move text to another section.

10. *Paragraph 25.807* simply corrects an unintended deletion.

#### Summary of Benefit and Cost Considerations

The proposed rule is expected to:

- Maintain or provide a slight increase in the level of safety,
- Have only a relatively small effect on costs when compared to current industry practice, and
- Provide some cost savings to manufacturers by avoiding duplicative testing and reporting that could result from the existence of differing requirements under the current standards.

This rule would codify existing guidance, standard industry practice, and industry recommendations for the design standards for fuselage doors, which would prevent a reoccurrence of the 1974 accident. The FAA believes that the cost savings from a single certification requirement exceed the minimal additional compliance cost. The FAA therefore considers that the proposed rule would be cost-beneficial. This is reinforced by industry's support for the proposal. We invite comments on the effects of this proposed regulation. We would particularly appreciate relevant quantitative data relating to any additional costs (or reductions in costs) believed likely to result from the proposed rule. The costs of interest are the increases or decreases, compared to costs associated with what is believed likely to be industry practice in the absence of the proposed rule.

#### Initial Regulatory Flexibility Determination

The Regulatory Flexibility Act (RFA) of 1980, 50 U.S.C. 601–612, as amended, establishes "as a principle of regulatory issuance that agencies shall endeavor, consistent with the objective of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the business, organizations, and governmental jurisdictions subject to regulation." To achieve that principle,