

- Before further flight, determine if the display illuminates the "GOV" warning lights. If the display illuminates the "GOV" warning lights, no further action is required.

- If crosses illuminate instead of the "GOV" warning lights on the display, replace the front panel of the display with an airworthy part before further flight.

Replacing the front panel of the display with an airworthy part, part number 022TA0402, constitutes terminating action for the requirements of this AD.

An owner/operator (pilot) may perform the visual checks for an inoperative governing warning system display. Pilots may perform these checks because they require no tools and can be accomplished by observation and may be performed equally well by a pilot or a mechanic. However, the pilot must enter compliance with those requirements into the helicopter maintenance records in accordance with 14 CFR 43.11 and 91.417(a)(2)(v).

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, checking that the display illuminates the "GOV" warning lights and, if necessary, replacing the front panel of the display with an airworthy part before further flight is required.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. Because we have now included this material in part 39, we no longer need to include it in each individual AD.

The FAA estimates that this AD will affect 3 helicopters and will take approximately 15 minutes for an operational check of the engine governor warning system and 1 work hour to replace the front panel of the display at an average labor rate of \$60 per work hour. Required parts will cost approximately \$3500 per helicopter. Based on these figures, the estimated total cost impact of the AD on U.S. operators is \$10,725.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2003-SW-22-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency

regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2003-19-12 Eurocopter France:

Amendment 39-13315. Docket No. 2003-SW-22-AD.

Applicability: Model EC 155B helicopters, certificated in any category.

Compliance: Required as indicated, unless accomplished previously. To prevent failure of the caution advisory display (display) to warn of an engine governor failure, resulting in an engine over speed, loss of an engine, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, on ground run-up, with both engines running:

(1) Determine if the red "GOV" warning light on the front panel of the caution display for the No. 1 engine comes on when you operate the Engine No. 1 governing mode selector.

(2) Set the selector back to the NORMAL or to the AUTO position and close the cover.

(3) Repeat this check on engine No. 2.

(4) If the display panel illuminates the "GOV" warning lights during the No. 1 and No. 2 engine checks, the panel is operating properly.

(b) An owner/operator (pilot), holding at least a private pilot certificate, may perform the visual check and must enter compliance with paragraph (a) of this AD into the helicopter maintenance records in accordance with 14 CFR sections 43.11 and 91.417(a)(2)(v)).

Note 1: Eurocopter Alert Service Bulletin EC155 No. 77A001, dated May 7, 2003, pertains to the subject of this AD.

(c) If red crosses appear on the upper line on the front panel of the display instead of the "GOV" warning lights, before further flight, replace the front panel with an airworthy front panel, part number (P/N) 022TA0402.

(d) Replacing the front panel of the display with an airworthy front panel, P/N