

§ 135.225 Current Rule	RNAV Proposed Rule	EFVS Proposed Rule
§ 135.225 IFR: Takeoff, approach and landing minimums.	§ 135.225 IFR: Takeoff, approach and landing minimums.	§ 135.225 IFR: Takeoff, approach, and landing minimums.
<p>(c) If a pilot has begun the final approach segment of an instrument approach to an airport under paragraph (b) of this section and a later weather report indicating below minimum conditions is received after the aircraft is—</p> <p>(1) On an ILS final approach and has passed the final approach fix; or</p> <p>(2) On an ASR or PAR final approach and has been turned over to the final approach controller; or</p> <p>(3) On a final approach using a VOR, NDB, or comparable approach procedure; and the aircraft—</p> <p>(i) Has passed the appropriate facility or final approach fix; or</p> <p>(ii) Where a final approach fix is not specified, has completed the procedure turn and is established inbound toward the airport on the final approach course within the distance prescribed in the procedure; the approach may be continued and a landing made if the pilot finds, upon reaching the authorized MDA or DH, that actual weather conditions are at least equal to the minimums prescribed for the procedure.</p>	<p>(c) * * *</p> <p>(1) On a precision or APV approach and has passed the precision final approach fix; or</p> <p>(3) On a nonprecision final approach; and the aircraft—</p> <p>(ii) Where a final approach fix is not specified, has completed the procedure turn and is established inbound toward the airport on the final approach course within the distance prescribed in the procedure. The approach may be continued, and a landing made, if the pilot finds, upon reaching the authorized MDA or DA/DH, that actual weather conditions are at or above the minimums prescribed for the procedure.</p>	<p>(c) If a pilot has begun the final approach segment of an instrument approach to an airport under paragraph (b) of this section, and the pilot receives a later weather report indicating that conditions have worsened to below the minimum requirements, then the pilot may continue the approach only if the requirements of § 91.175(l) of this chapter, or both of the following conditions, are met—</p> <p>(1) The later weather report is received when the aircraft is in one of the following approach phases:</p> <p>(i) The aircraft is on a precision or APV approach and has passed the precision final approach fix;</p> <p>(ii) The aircraft is on an ASR or PAR final approach and has been turned over to the final approach controller; or</p> <p>(iii) The aircraft is on a nonprecision final approach and the aircraft—</p> <p>(A) Has passed the appropriate facility or final approach fix; or</p> <p>(B) Where a final approach fix is not specified, has completed the procedure turn and is established inbound toward the airport on the final approach course within the distance prescribed in the procedure; and</p> <p>(2) The pilot in command finds, on reaching the authorized MDA or DA/DH, that the actual weather conditions are at or above the minimums prescribed for the procedure being used.</p>

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. The FAA has determined that there are no new information collection requirements associated with this proposed rule.

International Compatibility

In keeping with United States obligations under the Convention on International Civil Aviation, it is the FAA's policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has determined that there are no ICAO Standards and Recommended Practices that corresponded to these proposed regulations.

Economic Evaluation

Proposed changes to regulations must undergo several economic analyses. First, Executive Order 12866 directs each Federal agency proposing or adopting a regulation to only upon a

reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic impact of the regulatory changes on small entities. Third, the Trade Agreements Act (19 U.S.C. 2531–2533) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Agreements Act requires agencies to consider international standards and, where appropriate, as the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub.L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more annually (adjusted for inflation).

In conducting these analyses, FAA has determined this rule: (1) Has benefits that justify its costs, is not a “significant regulatory action” as defined in section 3 (f) of Executive

Order 12866, and is not “significant” as defined in DOT's Regulatory Policies and Procedures; (2) will not have a significant economic impact on a substantial number of small entities; (3) will not reduce barriers to international trade; and does not impose an unfunded mandate on state, local, or tribal governments, or on the private sector.

However, for regulations with an expected minimal impact the above-specified analyses are not required. The Department of Transportation Order DOT 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 proposal does not warrant a full evaluation, a statement to that effect and the basis for it is included in proposed regulation.

This rulemaking would allow, but does not require, operators to use an enhanced flight vision system on board their aircraft provided their pilots are properly trained. Therefore, this proposed rule would not impose any cost on any operator. As discussed above under “Discussion of the Proposal,” the FAA believes that this