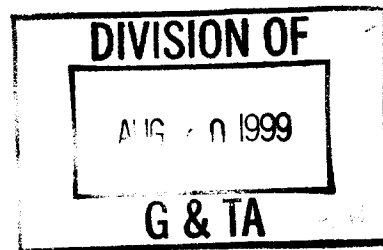




U.S. Department
of Transportation
**Federal Aviation
Administration**



800 Independence Ave., S.W.
Washington, D.C. 20591

JUL 26 1999

Mr. Douglas C. Macnair
Director, Regulatory and Certification Policy
Aircraft Owners and Pilots Association
421 Aviation Way
Frederick, MD 21701-4798

Dear Mr. Macnair:

This is in response to your April 8, 1999, letter on behalf of the Aircraft Owners and Pilots Association in which you petitioned the Federal Aviation Administration (FAA) to amend § 61.31(f)(1) of Title 14, Code of Federal Regulations. The change you request would restore the definition of high performance aircraft back to the definition that existed before part 61 was revised in 1997 (Amendment No. 61-102, Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules; Final Rule (62 FR 16220, April 4, 1997)). This restoration would allow high performance aircraft to be defined by total aircraft horsepower instead of the horsepower of one engine.

The FAA has determined that the issues identified in your petition may have merit but do not address an immediate safety concern. Because of budgetary constraints, and the need to meet the demands of a changing aviation industry and a complex air transportation system, the FAA finds that it must dedicate its rulemaking resources to the most pressing problems and issues associated with safety. For these reasons, we are unable to consider your petition for rulemaking; therefore, it is denied.

Accordingly, Docket No. 29538 is being closed. Your comments and arguments for rule change will be placed in a data base, which will be examined when future rulemaking is considered.

Sincerely,