

furnishing that will contact the pelvis, upper arm, chest, or head of an occupant seated next to the structure. A conservative representation of the structure and its stiffness must be included in the tests. It is recommended, but not required, that the contact surface of this structure must be covered with at least two inches of energy absorbing protective padding (foam or equivalent), such as Ensolite.

(c) Thoracic Trauma. Testing with a Side Impact Dummy (SID), as defined by 49 CFR Part 572, Subpart F, or its equivalent, must be conducted and TTI injury criteria acquired with the SID must be less than 85, as defined in 49 CFR Part 572, Subpart F. SID TTI must be processed as defined in Federal Motor Vehicle Safety Standard (FMVSS) Part 571.214, section S6.13.5. Rational analysis, comparing an installation with another installation where TTI data were acquired and found acceptable, may also be viable.

(d) Pelvis. Pelvic lateral acceleration must not exceed 130g, pelvic acceleration data must be processed as defined in FMVSS Part 571.214, section S6.13.5

(f) Shoulder Strap Loads. Where upper torso straps (shoulder straps) are used for occupants, tension loads in individual straps must not exceed 1,750 pounds. If dual straps are used for restraining the upper torso, the total strap tension loads must not exceed 2,000 pounds.

Issued in Renton, Washington, on September 3, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 03-23293 Filed 9-11-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-16026; Airspace Docket No. 03-ACE-70]

#### Modification of Class D Airspace; and Modification of Class E Airspace; St. Joseph, MO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) have been developed to serve Rosecrans Memorial

Airport, St. Joseph, MO. Also, several existing SIAPs serving Rosecrans Memorial Airport have been amended. An examination of controlled airspace for St. Joseph, MO revealed discrepancies in the legal descriptions for the St. Joseph, MO Class D and Class E airspace areas.

The intended effect of this rule is to provide controlled airspace for appropriate dimensions to protect aircraft executing SIAPs to Rosecrans Memorial Airport. It also corrects discrepancies in the legal descriptions of St. Joseph, MO Class D and Class E airspace areas and brings the airspace areas and legal descriptions into compliance with FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, December 25, 2003.

Comments for inclusion in the Rules Docket must be received on or before October 23, 2003.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2003-16026/Airspace Docket No. 03-ACE-70, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class D airspace area, the Class E airspace area designated as an extension to the Class D airspace area and the Class E airspace area extending upward from 700 feet above the surface of the earth at St. Joseph, MO. RNAV (GPS) RWY 35, ORIGINAL SIAP; RNAV (GPS) RWY 17, ORIGINAL SIAP; VOR/DME or TACAN RWY 35, ORIGINAL SIAP; ILS or LOC RWY 35, AMENDMENT 31 SIAP; VOR or TACAN RWY 17, AMENDMENT 14 SIAP; LOC BC RWY 17, AMENDMENT 9 SIAP and NDB RWY 35, AMENDMENT 28F SIAP have been developed to serve Rosecrans Memorial Airport, St. Joseph, MO. The

St. Joseph, MO controlled airspace areas must be tailored to contain aircraft executing the approach procedures. An examination of controlled airspace for St. Joseph, MO revealed discrepancies in the legal descriptions for the St. Joseph, MO Class D and Class E airspace areas. This action corrects the discrepancies and brings the airspace areas and their legal descriptions into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters. The areas will be depicted on appropriate aeronautical charts. Class D airspace areas are published in paragraph 5000 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas designated as an extension to a Class D or Class E surface area and Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraphs 6004 and 6005 respectively of the same FAA Order. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory

decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2003-16026/Airspace Docket No. 03-ACE-70." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

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 noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATIONS OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

#### ACE MO D St. Joseph, MO

St. Joseph, Rosecrans Memorial Airport, MO (Lat. 39°46'19"N., long. 94°54'35"W.)

That airspace extending upward from the surface to and including 3,300 feet MSL within a 4.3-mile radius of Rosecrans Memorial Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6004 Class E Airspace*

*Designated as an Extension to a Class D or Class E Surface Area.*

\* \* \* \* \*

#### ACE MO E4 St. Joseph, MO

St. Joseph, Rosecrans Memorial Airport, MO (Lat. 39°46'19"N., long. 94°54'35"W.)

St. Joseph VORTAC (Lat. 39°57'38"N., long. 94°55'31"W.)

TARIO LOM (Lat. 39°40'33"N., long. 94°54'25"W.)

St. Joseph LOC (Lat. 39°47'16"N., long. 94°54'25"W.)

That airspace extending upward from the surface within 1.8 miles each side of the St. Joseph ILS localizer south course extending from the 4.3-mile radius of Rosecrans Memorial Airport to the TARIO LOM and within 1.4 miles each side of the St. Joseph VORTAC 175° radial extending from the 4.3-mile radius of the airport to 4.7 miles north of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas*

*extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ACE MO E5 St. Joseph, MO

St. Joseph, Rosecrans Memorial Airport, MO (Lat. 39°46'19"N., long. 94°54'35"W.)

St. Joseph VORTAC (Lat. 39°57'38"N., long. 94°55'31"W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Rosecrans Memorial Airport and within 3.8 miles each side of the St. Joseph VORTAC 176° radial extending from the 6.8-mile radius of the airport to 12.1 miles south of the airport.

\* \* \* \* \*

Issued in Kansas City, MO on August 29, 2003.

**Herman J. Lyons, Jr.,**

*Manager, Air Traffic Division, Central Region.*  
[FR Doc. 03-23298 Filed 9-11-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-15459; Airspace Docket No. 03-ACE-57]

#### Modification of Class E Airspace; West Union, IA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at West Union, IA.

**EFFECTIVE DATE:** 0901 UTC, October 30, 2003.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on July 29, 2003 (68 FR 44453). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on October 30, 2003. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on September 2, 2003.

**Herman J. Lyons, Jr.,**

*Manager, Air Traffic Division, Central Region.*  
[FR Doc. 03-23299 Filed 9-11-03; 8:45 am]

**BILLING CODE 4910-13-M**