

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.
 ■ 2. In § 180.920, add alphabetically the inert ingredient “Tetraethylene glycol” to the table to read as follows:

§ 180.920 Inert ingredients used pre-harvest; exemptions from the requirement of a tolerance.
 * * * * *

| | Inert ingredients | Limits | Uses |
|--|-------------------|--------|---------|
| * * * * * | | | |
| Tetraethylene glycol (CAS Reg. No. 112–60–7) | | | Solvent |
| * * * * * | | | |

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DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration
49 CFR Part 571
[Docket No. NHTSA–2015–0056]
RIN 2127–AK97
Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles

Correction

In rule document 2015–14127, appearing on pages 36050–36110 in the

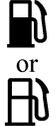
issue of Tuesday, June 23, 2015, make the following correction:

§ 571.101 Standard No. 101; Controls and displays. [Corrected]

On pages 36102–36103, in the table titled “Table 1: Controls, Telltales, and Indicators With Illumination or Color Requirements”, the images are corrected to appear as follows:

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| Column 1 ITEM | Column 2 SYMBOL | Column 3 WORDS OR ABBRE- VIATIONS | Column 4 FUNCTION | Column 5 ILLUMIN- ATION | Column 6 COLOR |
|---|---|--|----------------------|-------------------------------|-------------------|
| Brake system malfunction | ----- | Brake | Telltale | ----- | Red ⁴ |
| Antilock brake system malfunction for vehicles subject to FMVSS 105 or 135 | ----- | Antilock, Anti-lock, or ABS ⁹ | Telltale | ----- | Yellow |
| Malfunction in Variable Brake Proportioning System | ----- | Brake Proportioning ⁹ | Telltale | ----- | Yellow |
| Regenerative brake system malfunction | ----- | RBS or ABS/RBS ⁹ | Telltale | ----- | Yellow |
| Malfunction in antilock system for vehicles other than trailers subject to FMVSS 121 | ----- | ABS or Antilock ⁹ | Telltale | ----- | Yellow |
| Antilock brake system trailer fault for vehicles subject to FMVSS 121 |  | Trailer ABS or Trailer Antilock | Telltale | ----- | Yellow |
| Brake pressure (for vehicles subject to FMVSS 105 or 135) | ----- | Brake Pressure ⁹ | Telltale | ----- | Red ⁴ |
| Low brake fluid condition (for vehicles subject to FMVSS 105 or 135) | ----- | Brake Fluid ⁹ | Telltale | ----- | Red ⁴ |
| Parking brake applied (for vehicles subject to FMVSS 105 or 135) | ----- | Park or Parking Brake ⁹ | Telltale | ----- | Red ⁴ |
| Brake lining wear-out condition (for vehicles subject to FMVSS 135) | ----- | Brake Wear ⁹ | Telltale | ----- | Red ⁴ |
| Electronic Stability Control System Malfunction (for vehicles subject to FMVSS 126) ^{10, 11} |  | ESC ¹² | Telltale | ----- | Yellow |

| | | | | | |
|--|---|---------------------------|-----------|-------|--------|
| Electronic Stability Control System "OFF" (for vehicles subject to FMVSS 126) ¹⁰ |  | ESC OFF | Control | Yes | ----- |
| | | | Telltale | ----- | Yellow |
| Electronic Stability Control System Malfunction (for vehicles subject to FMVSS 136) ¹¹ |  | ESC | Telltale | ----- | Yellow |
| Fuel Level |  | Fuel | Telltale | ----- | ----- |
| | | | Indicator | Yes | ----- |
| Engine oil pressure |  | Oil | Telltale | ----- | ----- |
| | | | Indicator | Yes | ----- |
| Engine coolant temperature |  | Temp | Telltale | ----- | ----- |
| | | | Indicator | Yes | ----- |
| Electrical charge |  | Volts or Charge or Amp | Telltale | ----- | ----- |
| | | | Indicator | Yes | ----- |
| Engine stop | ----- | Engine Stop ¹⁴ | Control | Yes | ----- |
| Automatic vehicle speed (cruise control) | ----- | ----- | Control | Yes | ----- |

[FR Doc. C1–2015–14127 Filed 9–10–15; 8:45 am]

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NATIONAL TRANSPORTATION SAFETY BOARD**49 CFR Part 830**

[Docket No. NTSB–AS–2015–0001]

Interpretation of Notification Requirements To Exclude Model Aircraft**AGENCY:** National Transportation Safety Board (NTSB or Board).**ACTION:** Notice of interpretation.

SUMMARY: This document provides the NTSB’s interpretation of the applicability of the agency’s regulations concerning aircraft accident notification requirements to unmanned aircraft. The regulations define “unmanned aircraft accident” and require notifications of accidents that fulfill the criteria included in the definition. By this Notice, the NTSB clarifies it does not consider model aircraft to fall within the regulatory definition of unmanned aircraft accident, for purposes of required notification.

DATES: Effective September 11, 2015.

ADDRESSES: A copy of this Notice of interpretation is available for inspection and copying at NTSB Headquarters, 490 L’Enfant Plaza SW., Washington, DC 20594–2003. Alternatively, a copy of the Notice is available on the NTSB’s Web site at www.ntsb.gov and at the government-wide Web site on regulations at www.regulations.gov, Docket No. NTSB–AS–2015–0001. A paper copy is available.

FOR FURTHER INFORMATION CONTACT: William English, NTSB Office of Aviation Safety, (202) 314–6686.

SUPPLEMENTARY INFORMATION:**NTSB Investigations of Unmanned Aircraft**

On August 24, 2010, the NTSB published a Final Rule defining “unmanned aircraft accident” as:

[A]n occurrence associated with the operation of any public or civil unmanned aircraft system that takes place between the time that the system is activated with the purpose of flight and the time that the system is deactivated at the conclusion of its mission, in which: (1) Any person suffers death or serious injury; or (2) The aircraft has a maximum gross takeoff weight of 300 pounds or greater and sustains substantial damage.

75 FR 51953, 51955.¹

¹ Existing NTSB regulations define “serious injury” and “substantial damage.” 49 CFR 830.2.

In the preamble to the Final Rule, the NTSB stated it sought to exclude model aircraft from the notification requirements of 49 CFR part 830. 75 FR at 51954. The NTSB’s promulgation of the notification requirements with well-recognized definitions in part 830 was prompted by enactment of the Airport and Airway Safety and Capacity Expansion Act of 1987, Public Law 100–223, 101 Stat. 1486 (Dec. 30, 1987). The statute specifically required the NTSB to promulgate notification requirements, stating the NTSB must “establish by regulation requirements binding on persons reporting . . . accidents and aviation incidence subject to the Board’s investigatory jurisdiction under this subsection.” *Id.* sec. 311, 101 Stat. 1528.

The NTSB has consistently excluded unmanned aircraft systems (UAS) flown for hobby and recreational use from the definition of “accident” under 49 CFR part 830, and has historically not investigated the rare occasions in which a model aircraft has caused serious injury or fatality. For purposes of defining the term “model aircraft” in this publication, the NTSB has adopted the definition of the term that appears in section 336(c) of the Federal Aviation Administration (FAA) Modernization and Reform Act of 2012, Public Law 112–95; 126 Stat. 77–78 (Feb. 14, 2012). Section 336(c) defines “model aircraft” to mean an unmanned aircraft that is:

- (1) capable of sustained flight in the atmosphere;
- (2) flown within visual line of sight of the person operating the aircraft; and
- (3) flown for hobby or recreational purposes.

The NTSB’s exclusion of model aircraft from the applicability of 49 CFR part 830 is consistent with international practices and interpretations concerning accident notifications and investigations. For example, Circular 328 from the International Civil Aviation Organization states model aircraft are outside the scope of applicability of the Chicago Convention. International Civil Aviation Organization, *Unmanned Aircraft Systems (UAS)*, Circular 328 (2011). The Circular states: “In the broadest sense, the introduction of UAS does not change any existing distinctions between model aircraft and aircraft. Model aircraft, generally recognized as intended for recreational purposes only, fall outside the provisions of the Chicago Convention, being exclusively the subject of relevant national regulations, if any.” *Id.* at 3, ¶ 2.4. Furthermore, the International Society of Air Safety Investigators (ISASI) has set forth a similar policy statement. The

organization recognizes “[f]ormal air safety investigations are not constituted to investigate model aircraft accidents, and Annex 13 is not applicable to them.” ISASI Unmanned Aircraft System Handbook and Accident/ Incident Investigation Guidelines at 24 (Jan. 2015).

Related Legislative and Regulatory Developments

On February 14, 2012, the President signed into law the FAA Modernization and Reform Act of 2012. Public Law 112–95. Among other provisions, the statute defines unmanned aircraft and small unmanned aircraft. The statute describes UAS as “an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system.” *Id.* at sec. 331(9). The statute defines “small unmanned aircraft” as a UAS weighing less than 55 pounds. *Id.* at sec. 331(6).

In addition, the statute provides a definition of “model aircraft.” As quoted above, section 336(c) of the Act states the definition of a model aircraft is dependent upon the aircraft’s use; an aircraft capable of sustained flight in the atmosphere that is flown within the operator’s visual line of sight and only for hobby or recreational purposes is considered a “model aircraft.”

Section 336(a) of the Act precludes the FAA from promulgating any rule concerning a model aircraft if the aircraft: (1) Is flown “strictly for hobby or recreational use”; (2) is “operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization”; (3) is limited to not more than 55 pounds unless otherwise certified; (4) is “operated in a manner that does not interfere with and gives way to any manned aircraft”; and (5) when flown within 5 miles of an airport, the model aircraft’s operator provides the airport operator and air traffic control tower with prior notice of its operation. *Id.* at sec. 336(a).

On June 25, 2014, the FAA published a Notice of interpretation with request for comment in the **Federal Register**. 79 FR 36172. The Notice stated the FAA had received inquiries concerning its enforcement authority over model aircraft, and states based on the language of the statute, aircraft that meet the statutory definition of “model aircraft” and operational requirements, as described above, are “exempt from future FAA rulemaking action