

Federal Aviation Administration, DOT

§ 11.201

- (a) Whether granting your petition would set a precedent.
- (b) Whether the relief requested is identical to exemptions granted previously.
- (c) Whether our delaying action on your petition would affect you adversely.
- (d) Whether you filed your petition in a timely manner.

§ 11.89 How much time do I have to submit comments to FAA on a petition for exemption?

The FAA states the specific time allowed for comments in the FEDERAL REGISTER notice about the petition. We usually allow 20 days to comment on a petition for exemption.

§ 11.91 How does FAA inform me of its decision on my petition for exemption?

The FAA will notify you in writing about its decision on your petition. A copy of this decision is also placed in the public docket. We will include the docket number associated with your petition in our letter to you.

[Docket No. FAA-2005-22982, 71 FR 1485, Jan. 10, 2006]

§ 11.101 May I ask FAA to reconsider my petition for rulemaking or petition for exemption if it is denied?

Yes, you may petition FAA to reconsider your petition denial. You must submit your request to the address to which you sent your original petition, and FAA must receive it within 60 days after we issued the denial. For us to accept your petition, show the following:

- (a) That you have a significant additional fact and why you did not present it in your original petition;
- (b) That we made an important factual error in our denial of your original petition; or
- (c) That we did not correctly interpret a law, regulation, or precedent.

§ 11.103 What exemption relief may be available to federal, state, and local governments when operating aircraft that are not public aircraft?

The Federal Aviation Administration may grant a federal, state, or local government an exemption from part A of subtitle VII of title 49 United States Code, and any regulation issued under

that authority that is applicable to an aircraft as a result of the Independent Safety Board Act Amendments of 1994, Public Law 103-411, if—

- (a) The Administrator finds that granting the exemption is necessary to prevent an undue economic burden on the unit of government; and
- (b) The Administrator certifies that the aviation safety program of the unit of government is effective and appropriate to ensure safe operations of the type of aircraft operated by the unit of government.

[68 FR 25488, May 13, 2003]

Subpart B—Paperwork Reduction Act Control Numbers

§ 11.201 Office of Management and Budget (OMB) control numbers assigned under the Paperwork Reduction Act.

(a) The Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) requires FAA to get approval from OMB for our information collection activities, and to list a record of those approvals in the FEDERAL REGISTER. This subpart lists the control numbers OMB assigned to FAA's information collection activities.

(b) The table listing OMB control numbers assigned to FAA's information collection activities follows:

14 CFR part or section identified and described	Current OMB control number
Part 14	2120-0539
Part 17	2120-0632
Part 21	2120-0018, 2120-0552
Part 34	2120-0508
Part 39	2120-0056
Part 43	2120-0020
Part 45	2120-0508
Part 47	2120-0024, 2120-0042
Part 49	2120-0043
Part 61	2120-0021, 2120-0034, 2120-0543, 2120-0571
Part 63	2120-0007
Part 65	2120-0022, 2120-0535, 2120-0571, 2120-0648
Part 67	2120-0034, 2120-0543
Part 77	2120-0001
Part 91	2120-0005, 2120-0026, 2120-0027, 2120-0573, 2120-0606, 2120-0620, 2120-0631, 2120-0651
Part 93	2120-0524, 2120-0606, 2120-0639
Part 101	2120-0027
Part 105	2120-0027, 2120-0641
Part 107	2120-0075, 2120-0554, 2120-0628
Part 108	2120-0098, 2120-0554, 2120-0577, 2120-0628, 2120-0642
Part 109	2120-0505

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14 CFR part or section identified and described	Current OMB control number
Part 119	2120-0593
Part 121	2120-0008, 2120-0028, 2120-0535, 2120-0571, 2120-0600, 2120-0606, 2120-0614, 2120-0616, 2120-0631, 2120-0651, 2120-0653, 2120-0691, 2120-0702
Part 125	2120-0028, 2120-0085, 2120-0616, 2120-0651
Part 129	2120-0028, 2120-0536, 2120-0616, 2120-0638
Part 133	2120-0044
Part 135	2120-0003, 2120-0028, 2120-0039, 2120-0535, 2120-0571, 2120-0600, 2120-0606, 2120-0614, 2120-0616, 2120-0620, 2120-0631, 2120-0653
Part 137	2120-0049
Part 139	2120-0045, 2120-0063
Part 141	2120-0009
Part 142	2120-0570
Part 145	2120-0003, 2120-0010, 2120-0571
Part 147	2120-0040
Part 150	2120-0517
Part 157	2120-0036
Part 158	2120-0557
Part 161	2120-0563
Part 171	2120-0014
Part 183	2120-0033, 2120-0604
Part 193	2120-0646
Part 198	2120-0514
Part 400	2120-0643, 2120-0644, 0649
Part 401	2120-0608
Part 440	2120-0601
SFAR 36	2120-0507
SFAR 71	2120-0620

APPENDIX 1 TO PART 11—ORAL COMMUNICATIONS WITH THE PUBLIC DURING RULEMAKING

1. What is an ex parte contact?

“Ex parte” is a Latin term that means “one sided,” and indicates that not all parties to an issue were present when it was discussed. An ex parte contact involving rulemaking is any communication between FAA and someone outside the government regarding a specific rulemaking proceeding, before that proceeding closes. A rulemaking proceeding does not close until we publish the final rule or withdraw the NPRM. Because an ex parte contact excludes other interested persons, including the rest of the public, from the communication, it may give an unfair advantage to one party, or appear to do so.

2. Are written comments to the docket ex parte contacts?

Written comments submitted to the docket are not ex parte contacts because they are available for inspection by all members of the public.

3. What is DOT policy on ex parte contacts?

It is DOT policy to provide for open development of rules and to encourage full public participation in rulemaking actions. In addition to providing opportunity to respond in writing to an NPRM and to appear and be heard at a hearing, DOT policy encourages agencies to contact the public directly when we need factual information to resolve questions of substance. It also encourages DOT agencies to be receptive to appropriate contacts from persons affected by or interested in a proposed action. But under some circumstances an ex parte contact could affect the basic openness and fairness of the rulemaking process. Even the appearance of impropriety can affect public confidence in the process. For this reason, DOT policy sets careful guidelines for these contacts. The kind of ex parte contacts permitted and the procedures we follow depend on when the contact occurs in the rulemaking process.

4. What kinds of ex parte contacts does DOT policy permit before we issue an ANPRM, NPRM, Supplemental NPRM, or immediately adopted final rule?

The DOT policy authorizes ex parte contacts that we need to obtain technical and economic information. We need this information to decide whether to issue a regulation and what it should say. Each contact that influences our development of the regulation is noted in the preamble. For multiple contacts that are similar, we may provide only a general discussion. For contacts not discussed in the preamble, we place a report discussing

[Doc. No. 1999-6622, 65 FR 50863, Aug. 21, 2000, as amended by Amdt. 11-47, 67 FR 9553, Mar. 1, 2002; Amdt. 11-49, 68 FR 61321, Oct. 27, 2003; Amdt. 11-49, 68 FR 70132, Dec. 17, 2003; 70 FR 40163, July 12, 2005]

EFFECTIVE DATE NOTE: At 71 FR 63426, Oct. 30, 2006, §11.201 was amended by adding an entry in the table under paragraph (b), effective Oct. 30, 2007. For the convenience of the user, the added text is set forth as follows:

§11.201 Office of Management and Budget (OMB) control numbers assigned under the Paperwork Reduction Act.

14 CFR part or section identified and described	Current OMB control number
Part 60	2120-0680