

Subpart F—Electronic Communication*Section 226.36—Requirements for Electronic Communication***36(b) General Rule**

1. *Relationship to the E-Sign Act.* The E-Sign Act authorizes the use of electronic disclosures. It does not affect any requirement imposed under this part other than a requirement that disclosures be in paper form, and it does not affect the content or timing of disclosures. Electronic disclosures are subject to the regulation's format, timing, and retainability rules and the clear and conspicuous standard. For example, to satisfy the clear and conspicuous standard for disclosures, electronic disclosures must use visual text.

2. *Clear and conspicuous standard.* A creditor must provide electronic disclosures using a clear and conspicuous format. Also, in accordance with the E-Sign Act:

i. The creditor must disclose the requirements for accessing and retaining disclosures in that format;

ii. The consumer must demonstrate the ability to access the information electronically and affirmatively consent to electronic delivery; and

iii. The creditor must provide the disclosures in accordance with the specified requirements.

3. *Timing and effective delivery when a consumer becomes obligated on-line.*

i. When a creditor permits the consumer to consummate a closed-end transaction on-line, the consumer must be required to access the disclosures required under § 226.18 before becoming obligated. A link to the disclosures satisfies the timing rule if the consumer cannot bypass the disclosures before becoming obligated. Or the disclosures in this example must automatically appear on the screen, even if multiple screens are required to view the entire disclosure. The creditor is not required to confirm that the consumer has read the disclosures.

ii. For disclosures that are not required to be segregated and thus may be interspersed into the text of another document, the creditor may satisfy the requirement to provide the disclosures if the document appears automatically or via a nonbypassable link. For example, when a creditor permits the consumer to open a credit card account and make a purchase immediately thereafter, disclosures required under § 226.6 must be provided before the first transaction. The consumer must be required to access the disclosures (or the document containing the disclosures such as a credit card agreement) before becoming obligated for the plan (or before the first transaction). The creditor is not required to confirm that the consumer has read the disclosures.

4. *Timing and effective delivery for disclosures provided periodically.*

Disclosures provided by e-mail are timely based on when the disclosures are sent. Disclosures posted at an Internet web site such as periodic statements, or change-in-terms and other notices, are timely when the creditor has both made the disclosures available and sent a notice alerting consumer that the disclosures have been posted. For

example, under § 226.9, creditors offering open-end plans must provide a change-in-terms notice to consumers at least 15 days in advance of certain changes. For a change-in-terms notice posted on the Internet, a creditor must both post the notice and notify consumers of its availability at least 15 days in advance of the change.

5. *Retainability of disclosures.* Creditors satisfy the requirement that disclosures be in a form that the consumer may keep if electronic disclosures are delivered in a format that is capable of being retained (such as by printing or storing electronically). The format must also be consistent with the information required to be provided under section 101(c)(1)(C)(i) of the E-Sign Act (15 U.S.C. 7001(c)(1)(C)(i)) about the hardware and software requirements for accessing and retaining electronic disclosures.

6. *Disclosures provided on creditor's equipment.* A creditor that controls the equipment providing electronic disclosures to consumers (for example, a computer terminal in a creditor's lobby or an automated loan machine at a public kiosk) must ensure that the equipment satisfies the regulation's requirements to provide timely disclosures in a clear and conspicuous format and in a form that the consumer may keep. For example, if disclosures are required at the time of an on-line transaction, the disclosures must be sent to the consumer's e-mail address or must be made available at another location such as the creditor's Internet web site, unless the creditor provides a printer that automatically prints the disclosures.

36(d) Address or Location to Receive Electronic Communication**Paragraph 36(d)(1)**

1. *Electronic address.* A consumer's electronic address is an e-mail address that is not limited to receiving communications transmitted solely by the creditor.

Paragraph 36(d)(2)

1. *Identifying account involved.* A creditor may identify a specific account in a variety of ways and is not required to identify an account by reference to the account number. For example, where the consumer has only one credit card account, and no confusion would result, the card issuer may refer to "your credit card account." If the consumer has two credit card accounts, the card issuer may, for example, differentiate accounts based on the card program or by using a truncated account number.

2. *90-day rule.* The actual disclosures provided to consumer must be available for at least 90 days, but the creditor has discretion to determine whether they should be available at the same location for the entire period.

36(e) Redelivery

1. *E-mail returned as undeliverable.* If an e-mail to the consumer (containing an alert notice or other disclosure) is returned as undeliverable, the redelivery requirement is satisfied if, for example, the creditor sends the disclosure to a different e-mail address or postal address that the creditor has on file for the consumer. Sending the disclosures a second time to the same electronic address is

not sufficient if the creditor has a different address for the consumer on file.

36(f) Electronic Signatures

1. *Relationship to E-Sign Act.* The E-Sign Act provides that electronic signatures have the same validity as handwritten signatures. Section 106 of the E-Sign Act (15 U.S.C. 7006) defines an electronic signature. To comply with the E-Sign Act, an electronic signature must be executed or adopted by a consumer with the intent to sign the record. Regardless of the technology used to meet this requirement, the process must evidence the consumer's identity.

By order of the Board of Governors of the Federal Reserve System, March 23, 2001.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 01-7727 Filed 3-29-01; 8:45 am]

BILLING CODE 6210-01-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 99-CE-29-AD; Amendment 39-12148; AD 2001-06-01]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. Models PA-31, PA-31-300, PA-31-325, PA-31-350, PA-31P, PA-31T, PA-31T1, PA-31T2, PA-31T3, and PA-31P-350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes three existing airworthiness directives (AD's) that apply to certain The New Piper Aircraft, Inc. (Piper) Models PA-31, PA-31-300, PA-31P, PA-31T, and PA-31T1 airplanes. These AD's currently require you to repetitively inspect and/or modify the elevator structure. This AD initially retains the inspection and modification requirements that are currently required; adds certain other airplane models to the AD applicability; and requires a modification at a certain time period, as terminating action for the currently required repetitive inspections. This action coincides with the Federal Aviation Administration's (FAA) policy of incorporating modifications, when available, that will terminate the need for repetitive inspections. The actions specified by this AD are intended to continue to detect and correct damage to the elevator structure. A damaged elevator structure could lead to reduced or loss of control of the airplane.

DATES: This AD becomes effective on May 8, 2001.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of May 8, 2001.

ADDRESSES: You may get the service information referenced in this AD from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. You may examine this information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-29-AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: William O. Herderich, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6082; facsimile: (770) 703-6097; e-mail: william.o.herderich@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

What prior AD action did FAA take on this subject? The following AD's currently require you to repetitively inspect and/or modify the elevator structure on certain Piper Models PA-31, PA-31-300, PA-31P, PA-31T, and PA-31T1 airplanes.

—AD 70-26-06, Amendment 39-1132, currently requires you to repetitively inspect the elevator structure on Piper Models PA-31 and PA-31-300 airplanes, serial numbers 31-2 through 31-694. The AD requires you to modify the elevator structure if cracks are found;

—AD 76-03-01, Amendment 39-2505, currently requires you to modify the elevator structure on Piper Models PA-31T airplanes, serial numbers 31T-7400002 through 31T-7620012. This AD requires you to inspect the elevator support and replace any defective parts on Piper Model PA-31T airplanes, serial numbers 31T-7400002 through 31T-760012; and

—AD 80-02-15, Amendment 39-3676, currently requires you to inspect and

alter the elevator structure and replace any defective parts on Piper Model PA-31P airplanes, serial numbers 31P-1 through 31P-7730012; Model PA-31T airplanes, serial numbers 31T-7400002 through 31T-7920075; and Model PA-31T1 airplanes, serial numbers 31T-7804001 through 31T-7904036 and 31T-7904038 through 31T-7904044.

What has happened to necessitate further AD action? Piper has informed FAA of reports of damage in the elevator structure area on additional airplanes. These are Piper Models PA-31-325, PA-31-350, PA-31T3, and PA-31P-350 airplanes.

On December 24, 1996, FAA issued a special airworthiness information bulletin (SAIB) to encourage compliance with new service information related to the elevator structure on the above-referenced airplanes. We continue to receive reports of damage in the elevator structure area on these airplanes.

Has FAA taken any action to this point? We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Piper Models PA-31, PA-31-300, PA-31-325, PA-31-350, PA-31P, PA-31T, PA-31T1, PA-31T2, PA-31T3, and PA-31P-350 airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 21, 2000 (65 FR 45319). The NPRM proposed to supersede AD 70-26-06, AD 76-03-01, and AD 80-02-15. The NPRM also proposed to initially retain the inspection and modification requirements currently required in AD 70-26-06, AD 76-03-01, and AD 80-02-15, add certain other airplane models to the AD applicability; and require a modification at a certain time period, as terminating action for the currently required repetitive inspections.

Does this AD follow FAA's aging commuter-class aircraft policy? The actions required in this AD are consistent with FAA's aging commuter aircraft policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

This policy is based on our determination that reliance on critical repetitive inspections on airplanes utilized in commuter service carries an unnecessary safety risk when a design change exists that could eliminate or, in certain instances, reduce the number of those critical inspections. In determining what inspections are critical, we consider (1) the safety consequences of the airplane if the known problem is not detected by the inspection; (2) the reliability of the inspection such as the probability of not detecting the known problem; (3) whether the inspection area is difficult to access; and (4) the possibility of damage to an adjacent structure as a result of the problem.

The alternative to modifying the elevator structure on the affected airplanes will be to require you to repetitively inspect this area for the life of the airplane.

Was the public invited to comment? Interested persons were afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

What is FAA's final determination on this issue? After careful review of all available information related to the subject presented above, we have determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. We determined that these minor corrections:

- Will not change the meaning of the AD; and
- Will not add any additional burden upon the public than was already proposed.

Cost Impact

How many airplanes does this AD impact? We estimate that this AD affects 2,344 airplanes in the U.S. registry.

What is the cost impact of this AD on owners/operators of the affected airplanes? We estimate the following costs to accomplish the modification:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
20 workhours × \$60 per hour = \$1,200.	\$600 per airplane	\$1,200 + \$600 = \$1,800 per airplane.	\$1,800 × 2,344 = \$4,219,200.

We estimate the following costs to accomplish the initial inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. airplane operators
8 workhours × \$60 per hour = \$480.	No parts required for the inspection.	\$480 per airplane	\$480 × 2,344 = \$1,125,120.

Note: Accomplishment of the modification will eliminate the need for the repetitive inspections.

Regulatory Impact

Does this AD impact various entities? 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.

Does this AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this action (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. FAA amends § 39.13 by removing Airworthiness Directive (AD) 70–26–06, Amendment 39–1132; AD 76–03–01, Amendment 39–2505; and AD 80–02–15, Amendment 39–3676, and by adding a new AD to read as follows:

2001–06–01 The New Piper Aircraft, Inc.: Amendment 39–12148; Docket No. 99–CE–29–AD; Supersedes AD 70–26–06, Amendment 39–1132; AD 76–03–01, Amendment 39–2505; and AD 80–02–15, Amendment 39–3676.

(a) *What airplanes are affected by this AD?* This AD affects the following airplane models and serial numbers that are certificated in any category:

Note 1: Aircraft referred to as Model PA–31–310 are actually Model PA–31 airplanes. Actions specified for PA–31 airplanes must also be performed. See also AD 77–03–03, Piper Service Bulletin 529, and type certificate data sheet A20SO.

(1) Part I of this AD: Inspection, replacement, and installation as specified in Piper Service Bulletin No. 323, dated September 21, 1970:

Models	Serial Nos.
PA–31 and PA–31–300	31–2 through 31–694.

(2) Part II of this AD: Modification as specified in Piper Service Bulletin No. 897B, Date: July 15, 1997:

Models	Serial Nos.
PA–31P	31P–1 through 31P–7730012.
PA–31T	31T–7400002 through 31T–8120104.
PA–31T1	31T–7804001 through 31T–8304003, and 31T–1104004 through 31T–1104017.
PA–31T2	31T–8166001 through 31T–8166076, and 31T–1166001 through 31T–1166008.
PA–31T3	31T–8275001 through 31T–8475001 and 31T–5575001.

(3) Part III of this AD: Modification as specified in Piper Service Bulletin No. 1008, Date: September 30, 1997:

Models	Serial Nos.
PA–31, PA–31–300, and PA–31–325	31–2 through 31–8312019.
PA–31–350	31–5001 through 31–8452021 and 31–8253001 through 31–8553002.
PA–31P–350	31P–8414001 through 31P–8414050.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to detect and correct damage to the elevator

structure. A damaged elevator structure could lead to reduced or loss of control of the airplane.

(d) *What actions must be accomplished on airplane models and serial numbers listed in paragraph (a)(1) of this AD to address this*

problem? To address this problem on the airplane models and serial numbers listed in paragraph (a)(1) of this AD, you must accomplish the following actions:

Action	Compliance time	Procedures	Other information
(1) Initially inspect the rudder and elevator spars and elevator butt ribs for cracks.	Within 100 hours time-in-service (TIS) after the last inspection required by AD 70-26-06, and thereafter at intervals not to exceed 100 hours TIS until Piper Elevator and Rudder Hinge Replacement Kit No. 760 465 is incorporated.	In accordance with the instructions in Piper Service Bulletin No. 323, dated September 21, 1970.	This inspection is retained from AD 70-26-06.
(2) If cracks are found in the rudder or elevator structure during any inspection required by this AD, replace the cracked part, and either continue to reinspect or incorporate Kit No. 760 465.	Prior to further flight after the inspection where the cracks were found.	Do the inspections in accordance with the instructions in Piper Service Bulletin No. 323, dated September 21, 1970; or do the kit incorporation in accordance with the instructions to Piper Elevator and Rudder Hinge Replacement Kit No. 760 465, Revised October 25, 1989.	Not Applicable.
(3) Incorporate Piper Elevator and Rudder Hinge Replacement Kit No. 760 465.	Upon accumulating 2,000 hours TIS on the airplane or within the next 100 hours TIS after May 8, 2001 (the effective date of this AD), whichever occurs later.	Do this kit incorporation in accordance with the instructions to Piper Elevator and Rudder Hinge Replacement Kit No. 760 465, Revised October 25, 1989.	Not Applicable.

(e) *What actions must be accomplished on airplane models and serial numbers listed in paragraph (a)(2) of this AD to address this problem?* To address this problem on the airplane models and serial numbers listed in paragraph (a)(2) of this AD, you must accomplish the following actions:

Action	Compliance time	Procedures	Other information
(1) Modify the elevator trim tab system and elevator control tube, through the incorporation of Piper Kit No. 760 989.	Upon accumulating 2,000 hours TIS or within 100 hours TIS after May 8, 2001 (the effective date of this AD) whichever occurs later.	In accordance with the instructions to Piper Elevator Trim Tab System Modification Kit No. 760 989, as referenced in Piper Service Bulletin No. 477A, dated November 3, 1975.	This modification is retained from AD 76-03-01, and applies to Piper Model PA-31T airplanes, serial numbers 31T-7400002 through 31T-7620012. Credit for having performed this portion of the AD may be taken if the airplane is in compliance with the actions of AD 76-03-01.
(2) Incorporate Elevator Butt Rib Refinement Kit, Piper Part Number 766-219.	Upon accumulating 2,000 hours TIS or within the next 100 hours TIS after May 8, 2001 (the effective date of this AD), whichever occurs later.	Do this kit incorporation in accordance with the instructions to Elevator Butt Rib Refinement Kit, Piper Part Number 766-219, as referenced in Piper Service Bulletin No. 897B, Date: July 15, 1997.	Refinement Kit, Piper Part Number 766-219, may have been incorporated as specified in Piper Service Bulletin 897A. If so, credit for having performed this portion of the AD may be taken.

(f) *What actions must be accomplished on airplanes listed in paragraph (a)(3) of this AD to address this problem?* To address this problem on the airplanes listed in paragraph (a)(3) of this AD, you must accomplish the following actions:

Action	Compliance time	Procedures	Other information
Incorporate Elevator Butt Rib Reinforcement Kit, Piper Part Number 766-642.	Upon accumulating 2,000 hours TIS or within the next 100 hours TIS after May 8, 2001 (the effective date of this AD), whichever occurs later.	In accordance with the instructions to Elevator Butt Rib Reinforcement Kit, Piper Part Number 766-642, as specified in Piper Service Bulletin No. 1008, Date: September 30, 1997.	If AD 99-12-05, Amendment 39-11189, applies to one of the above-referenced airplanes, then the actions of AD 99-12-05 must be accomplished prior to incorporating Elevator Butt Rib Reinforcement Kit, Piper Part Number 766-642. No credit towards this AD is given for accomplishing the actions of Piper SB 864.

(g) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Atlanta Aircraft Certification office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who

may add comments and then send it to the Manager, Atlanta ACO.

(3) Alternative methods of compliance that were approved in accordance with any of the following airworthiness directives (all

superseded by this action) are not considered approved for this AD:

- (i) AD 70-26-06, Amendment 39-1132;
- (ii) AD 76-03-01, Amendment 39-2505;
- and
- (iii) AD 80-02-15, Amendment 39-3676.

Note 2: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(h) *Where can I get information about any already-approved alternative methods of compliance?* You can contact William O. Herderich, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6082; facsimile: (770) 703-6097; e-mail: william.o.herderich@faa.gov.

(i) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(j) *Are any service bulletins incorporated into this AD by reference?* Actions required by this AD must be done in accordance with Piper Service Bulletin No. 323, dated September 21, 1970, Piper Elevator and Rudder Hinge Replacement Kit No. 760 465, Revised October 25, 1989; Piper Elevator Trim Tab System Modification Kit No. 760 989, as referenced in Piper Service Bulletin No. 477A, dated November 3, 1975; Elevator Butt Rib Refinement Kit, Piper Part Number 766-219, as referenced in Piper Service Bulletin No. 897B, date: July 15, 1997; Elevator Butt Rib Reinforcement Kit, Piper Part Number 766-642, as specified in Piper Service Bulletin No. 1008, Date: September 30, 1997. The Director of the Federal Register approved these service bulletins and kits for incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. You can look at copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC 20001.

(k) *Does this AD action affect any existing AD actions?* This amendment supersedes the following AD actions:

- (1) AD 70-26-06, Amendment 39-1132;
- (2) AD 76-03-01, Amendment 39-2505;
- and
- (3) AD 80-02-15, Amendment 39-3676.

(l) *When does this amendment become effective?* This amendment becomes effective on May 8, 2001.

Issued in Kansas City, Missouri, on March 9, 2001.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01-6517 Filed 3-29-01; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-CE-14-AD; Amendment 39-12164; AD 2001-06-17]

RIN 2120-AA64

Airworthiness Directives; Cessna Aircraft Company Models 172R and 172S Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Cessna Aircraft Company (Cessna) Models 172R and 172S airplanes. This AD requires a one-time inspection for proper engine idle speed and fuel control mixture setting and adjustment, as necessary. This AD also requires incorporating engine operating procedures into the pilots operating handbook (POH) and FAA-approved airplane flight manual (AFM). This AD is the result of reports of rough engine operation because of an over-rich fuel mixture (improper fuel flow settings). The actions specified by this AD are intended to detect and correct such improper fuel flow settings, which could result in rough engine operation or engine stoppage. This over-rich fuel mixture also contributes to the engine not restarting during flight when using published in-flight restart procedures. **DATES:** This AD becomes effective on April 20, 2001.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before May 18, 2001.

ADDRESSES: Submit comments in triplicate to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-14-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may examine information related to this AD at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-

14-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Pendleton, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4143; facsimile: (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The FAA has received several reports of improper engine fuel flow settings on Cessna Models 172R and 172S airplanes. These improper settings could prevent the engine from operating at idle speed when the pilot reduces power (i.e., landing approach, power off stalls, etc.). An over-rich fuel mixture is a reason why the engine may not operate at idle speed. This over-rich fuel mixture also contributes to the engine not restarting during flight when using published in-flight restart procedures.

The current pilot operating handbook (POH) and FAA-approved airplane flight manual (AFM) procedures for the Cessna Models 172R and 172S airplanes do not address the pilot bringing the throttle back to the hard idle stop (throttle full aft). The POH/AFM also does not address emergency engine restart procedures to enable engine startup if a rich fuel mixture exists.

What are the consequences if the condition is not corrected? This condition, if not corrected, could result in rough engine operation or engine stoppage. The over-rich fuel mixture also contributes to the engine not restarting during flight when using published in-flight restart procedures.

FAA's Determination and an Explanation of the Provisions of this AD

What has FAA decided? The FAA has reviewed all available information and determined that:

- The unsafe condition referenced in this document exists or could develop on other Cessna Models 172R and 172S airplanes of the same type design;
- These airplanes should be inspected for proper engine idle speed and fuel control mixture setting, the engine idle speed or fuel control mixture setting should be adjusted as necessary, and engine operating procedures should be incorporated into the POH/AFM; and
- AD action should be taken in order to correct this unsafe condition.

Is there service information that applies to this subject? Cessna has issued Service Bulletin SB01-11-02,