

## SUBCHAPTER A—GENERAL

### PART 400—BASIS AND SCOPE

Sec.

400.1 Basis.

400.2 Scope.

AUTHORITY: 51 U.S.C. 50901–50923.

SOURCE: Docket No. 43810, 53 FR 11013, Apr. 4, 1988, unless otherwise noted.

#### § 400.1 Basis.

The basis for the regulations in this chapter is the Commercial Space Launch Act of 1984, and applicable treaties and international agreements to which the United States is party.

#### § 400.2 Scope.

The regulations in this chapter set forth the procedures and requirements applicable to the authorization and supervision under 51 U.S.C. subtitle V, chapter 509, of commercial space transportation activities conducted in the United States or by a U.S. citizen. The regulations in this chapter do not apply to—

(a) Space activities carried out by the United States Government on behalf of the United States Government;

(b) The launch of an amateur rocket as defined in §1.1 of chapter I of this title; or

(c) A launch of a tethered launch vehicle that meets all the following criteria:

(1) *Launch vehicle.* The launch vehicle must—

(i) Be unmanned;

(ii) Be powered by a liquid or hybrid rocket motor;

(iii) Not use any of the toxic propellants of Table I417–2 and Table I417–3 in Appendix I of part 417 of this chapter; and

(iv) Carry no more than 5,000 pounds of propellant.

(2) *Tether system.* The tether system must—

(i) Not yield or fail under—

(A) The maximum dynamic load on the system; or

(B) A load equivalent to two times the maximum potential engine thrust.

(ii) Have a minimum safety factor of 3.0 for yield stress and 5.0 for ultimate stress.

(iii) Constrain the launch vehicle within 75 feet above ground level as measured from the ground to the attachment point of the vehicle to the tether.

(iv) Display no damage prior to the launch.

(v) Be insulated or located such that it will not experience thermal damage due to the launch vehicle's exhaust.

(3) *Separation distances.* The launch operator must separate its launch from the public and the property of the public by a distance no less than that provided for each quantity of propellant listed in Table A of this section.

TABLE A—SEPARATION DISTANCES FOR  
TETHERED LAUNCHES

Propellant carried (lbs.)	Distance (ft.) of the public and property of the public from the launch point
1–500 .....	900
501–1,000 .....	1,200
1001–1,500 .....	1,350
1,501–2,000 .....	1,450
2,001–2,500 .....	1,550
2,501–3,000 .....	1,600
3,001–3,500 .....	1,650
3,501–4,000 .....	1,700
4,001–4,500 .....	1,750
4,501–5,000 .....	1,800

[Doc. No. FAA–2012–0045, 80 FR 31834, June 4, 2015]

### PART 401—ORGANIZATION AND DEFINITIONS

Sec.

401.1 The Office of Commercial Space Transportation.

401.3 The Associate Administrator for Commercial Space Transportation.

401.5 Definitions.

401.7 Definitions.

AUTHORITY: 51 U.S.C. 50101–50923.

SOURCE: Docket No. 43810, 53 FR 11013, Apr. 4, 1988, unless otherwise noted.