

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 1798; Amdt. 61-12]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Student Pilot Instrument Flight Instruction

The purpose of this amendment is to permit a student pilot to make solo flights within a local area before he receives instrument flight instruction and thereby provide greater flexibility in the student's training program.

Civil Air Regulations Amendment 20-12, effective March 16, 1960, added an instrument instruction requirement to the private pilot aeronautical skill and experience requirements. This amendment required an applicant to have dual instruction in the control of the airplane solely by reference to instruments before and after solo flight. The amendment further required a demonstration of instrument flight as a part of the aeronautical skill requirements for a private pilot.

A literal interpretation of this rule placed the Agency in the position of permitting a student pilot to solo without receiving instrument instruction, but refusing him a private pilot certificate because his instrument instruction was not received before he soloed. To resolve this problem, the Agency, by Amendment No. 61-2 (28 F.R. 2003), made the instrument instruction a prerequisite for student pilot solo flight instead of a prerequisite for obtaining a private pilot certificate. Under this amendment a student pilot who accomplished his solo flight without instrument training before the effective date of the final rule would not be precluded from obtaining a private pilot certificate. However, in view of the comments received to the amendment the Agency stated that it had initiated a review of the present private and student pilot experience requirements, and, if necessary, an appropriate notice of rule making would be issued.

As a result of this review the Agency found that there appeared to be disagreement among interested persons, including flight instructors and pilots, as to the desirability of the present rule that requires instrument instruction before solo. However, whatever the point of view, a general agreement existed that the relationship of the flight instructor to his student is a very personal one, that the progress of a student can be measured best by his instructor, and that the judgment of the instructor as to the capacity of his student and as to the time the student would most benefit from instrument instruction must be given great weight. Finally, we found little disagreement with the requirement that the

issue of a private pilot certificate be conditioned upon some minimum instrument capacity; disagreement being focused essentially upon the time when the instrument instruction should begin in the educational process rather than whether it should be given at all.

With these considerations in mind, the Agency then explored various alternatives to the present requirement, all based on the decision that instrument instruction is necessary at some time before issuance of a private pilot certificate. Certain phases in the progress of a student pilot's training stand out as times when instrument instruction might most logically begin. One is that of the present rule, prior to any solo. Another is prior to the student's first solo flight beyond the local area. A third is the period after the first solo cross-country flight.

The Agency found the desirability of adopting the third alternative to be questionable. The benefits to be derived from student pilot instrument instruction are generally enhanced by its early introduction with other flight instruction. These benefits will in part be lost if the instrument instruction is not given until after the student's solo cross-country flight.

This left the alternatives of the present rule and a change to require that instrument instruction be given before the first solo cross-country flight. We concluded that the present rule might not provide for enough flexibility in the student pilot's training curriculum. The certificated flight instructor is in an excellent position to know when his student should be introduced to instrument flight. He is able to evaluate the particular student's progress, capabilities, and needs. This approach would allow the instructor to make an independent judgment as to the appropriate time for such an introduction—either before or after local solo flight. The benefits of integrated flight instruction would be preserved, perhaps even enhanced, by relying on the flight instructor to introduce instrument flight instruction at a time more tailored to the individual student's needs.

Accordingly, under Notice No. 63-22 (28 F.R. 6403) it was proposed to amend the present rule to require only that instrument instruction be given before solo cross-country flight rather than before any solo flight. This amendment would enhance the personal relationship between the student and his instructor as well as ensure that the student pilot has had at least some instrument training before his first solo cross-country.

Comments to Notice No. 63-22 indicate there is still disagreement in theory and practice as to when to give the student pilot instrument instruction. Some of the comments objected to this proposal on the basis that the flight instructor is best qualified to decide when to give instrument instruction to an individual student pilot. Others, however, objected to the proposal on the basis that the more

restrictive provisions of the present rule should remain in effect. Somewhat more than half of the comments concurred with the proposal without indicating a preference to modify it one way or another. After careful review of the various positions and the reasons therefore presented by all interested persons, the Agency has determined that the objectives of student pilot instrument instruction will best be accomplished by adopting the rule as it was proposed in Notice No. 63-22. Therefore, for the reasons stated in the notice, and referred to herein, that part of the rule pertaining to student pilot instrument instruction is adopted without change.

Notice No. 63-22 also proposed a requirement that a flight instructor must determine that a student pilot meets the regulatory requirements for solo or solo cross-country flight, as the case may be, before he may endorse the student's certificate. That requirement is now contained in Notice No. 64-18 (Biennial Expiration and Renewal of Flight Instructor Certificates and Increased Supervision of Student Pilot Activities—29 F.R. 4738) and action will be taken on it under that Notice.

Interested persons have been afforded an opportunity to participate in the making of this amendment (28 F.R. 6403), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 61 of Chapter I of Title 14 of the Code of Federal Regulations is amended, effective February 26, 1965, as follows:

1. By inserting a semicolon after the word "glides" in paragraph (a) (2) (i) of § 61.63 and striking out the phrase "by both visual reference outside the airplane and by referring solely to flight instruments";

2. By striking out the last sentence of paragraph (a) of § 61.63.

3. By revising the parenthetical expression in paragraph (b) of § 61.65 to read "(from a holder of a flight instructor certificate with an airplane rating)";

4. By striking out the word "and" in paragraph (b) (5) of § 61.65 and by inserting a new paragraph (b) (7) to read as follows:

(7) Level flight, turns, climbs, and glides by referring solely to flight instruments; and

5. By adding a flush sentence at the end of § 61.65 to read as follows: "The instrument flight instruction required by paragraph (b) (7) of this section shall be given in an airplane equipped with at least a sensitive altimeter, turn and bank indicator, and a means of simulating instrument flight."

(Secs. 313(a), 801, 602, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on January 18, 1965.

N. E. HALABY,
Administrator.

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