

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER D—AIRMEN

[Reg. Docket No. 6204; Amdt. 61-20]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Pilot Rating Requirements

The purpose of this amendment to Part 61 of the Federal Aviation Regulations is to provide higher safety standards by assuring that pilots of certain aircraft are fully qualified to act as pilot in command. This section was published as a notice of proposed rule making and circulated as a Federal Aviation Agency Notice No. 64-42 (29 F.R. 13038).

The principal items contained in the notice proposed the following requirements for a pilot in command holding a private, commercial, or airline transport pilot certificate: (a) A category, class and type rating requirement for all aircraft operations in large aircraft or in small turbojet powered airplanes. (Presently the type rating requirement applies to large aircraft when passengers are carried, or, in general, when large aircraft are operated for compensation or hire and type ratings are not issued for small turbojet powered airplanes.)

(b) In the case of small aircraft (other than turbojet powered airplanes), a category and class rating for operations involving the carriage of another person, or operations for compensation or hire, or for which the pilot in command receives compensation or hire. (Presently the category and class rating requirement applies for operations involving the carriage of passengers, or, in general, when the aircraft is operated for remuneration). (c) In the case of defined small complex aircraft (other than turbojet powered airplanes), a flight check from a certificated flight instructor or FAA inspector for each type of complex aircraft, for operations involving the carriage of another person, or operations for compensation or hire, or for which the pilot in command receives compensation or hire. (Presently there is no similar requirement for these operations in defined complex aircraft.)

(d) In the case of soloing a small aircraft (other than a small turbojet powered airplane), for which the pilot does not hold a category and class rating, a familiarization flight as sole manipulator of the controls while accompanied by a qualified and rated pilot. (Presently there is no requirement with respect to soloing an aircraft, not for hire, for which the pilot is not rated except that the holder of a free balloon rating only, is limited to free balloons.)

Comments received in response to Notice No. 64-42 were generally favorable with the exception of the flight check proposal in the case of defined complex aircraft. The majority of the adverse comments received on this proposed change were based on the feeling that the flight check requirement for each type of complex aircraft would impose needless economic burdens on general aviation pilots out of proportion to any anticipated increase in the general

See correction

safety level. In addition, the Agency has been advised by the CAB that, with one exception, accidents caused by the complexity of the aircraft are not significant. The exception referred to applies to those accidents in which the lack of familiarity with the aircraft may be inferred by the circumstances in cases of weather-involved, pilot-induced structural failures.

The Agency has carefully considered these comments and re-examined recent accident reports of the Civil Aeronautics Board. There is no significant reduction in the annual number of fatal accidents in defined small complex aircraft that are in the weather-involved, pilot-induced structural failure category. It was in respect to this category of accidents that the elementary demonstration of ability to fly solely by reference to instruments was included in the elements to be covered during the flight check. However, the Agency has decided that the proposal would be burdensome if enacted, and that it will continue its study in an effort to find a practical solution for improving the accident record of pilots of this category of small airplanes.

The following summary covers the four principal changes involved in this amendment. These changes are contained in a new § 61.16 (General Limitations).

1. A pilot must hold a category, class and type rating to act as pilot in command of a large aircraft. A Flight Standards District Office may issue an authorization to deviate from this requirement when compliance would be impractical, for example, in the case of a pilot who wishes to fly a single-place aircraft in preparation for a required type rating or during the qualification of a pilot in a new type of aircraft.

2. A pilot must hold a type rating to act as pilot in command of a small turbojet powered airplane after March 31, 1966. Authorization for deviation is also available from a Flight Standards District Office when compliance would be impractical.

3. A pilot must hold a category and class rating to act as pilot in command of a small aircraft when any other person is carried in the aircraft, when the aircraft is operated for compensation or hire, or when the pilot receives compensation or hire for piloting that aircraft.

4. A pilot must meet one of the experience requirements of new § 61.16(c) in order to solo a small aircraft for which he is not rated (not for compensation or hire).

In addition to the principal changes, there are several other changes to present sections of Part 61 contained in this package amendment. These items were explained in the preamble material of Notice No. 64-42, and comments received to the notice indicate a general acceptance of the changes as proposed.

The Agency has determined that the proposed amendments contained in Notice No.

64-42, with the exception of the requirement for small complex aircraft flight checks, will provide better

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issuance of change
to FAR Part 61

assurance of public protection and crew-member protection.

Interested persons have been afforded an opportunity to participate in the making of this amendment 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 December 16, 1965, as follows:

1. By amending § 61.15 as follows: The first sentence of paragraph (f) and paragraphs (g) and (h) are revised; (i) is redesignated as (k) and new paragraphs (l) and (j) are added to read as follows:

§ 61.15 Aircraft ratings.

(f) In addition to the category and class ratings in paragraphs (a), (b), and (c) of this section, the name of each type of large aircraft and each turbojet powered airplane for which a pilot is rated is placed on his certificate if that type of aircraft is certificated by the Administrator for civil operations. * * *

(g) The holder of a pilot certificate with a rotorcraft category rating issued before July 12, 1962, may not continue to exercise the privileges of that rating, but may, without a further showing of competence, exchange his rotorcraft category rating for a rotorcraft category rating with a class rating determined by the class of rotorcraft in which he originally qualified for a rotorcraft rating, whether by flight test or on the basis of military competence.

(h) The holder of a current pilot certificate with a helicopter or autogyro category rating may not continue to exercise the privileges of that rating, but may, without a further showing of competence, exchange his helicopter rating for a rotorcraft category rating with a helicopter class rating, and his autogyro category rating for a rotorcraft category rating with a gyroplane class rating, by presenting his certificate for exchange.

(i) Notwithstanding paragraph (g) or (h) of this section, the holder of an airline transport pilot certificate with—

- (1) A helicopter category rating;
- (2) An autogyro category rating; or
- (3) A rotorcraft category rating without a helicopter or gyroplane class rating;

may continue to exercise the privileges of that rating until June 30, 1966.

(j) The holder of an airline transport pilot certificate with a rating specified in paragraph (i) of this section may not exercise the privileges of that rating after June 30, 1966, unless he has, without a further showing of competence, exchanged his—

(1) Helicopter category rating for a rotorcraft category rating with a helicopter class and type rating;

(2) Autogyro category rating for a rotorcraft category rating with gyroplane class rating; or

(3) Rotorcraft category rating without a class rating for a rating in accordance with paragraph (g) or (h) of this section, as applicable.

If he qualified originally in a helicopter, he may, until December 31, 1966, obtain a gyroplane class rating without a further showing if he has had at least 10 hours as pilot in command of a gyroplane within the 12-month period before he applies.

(k) The holder of a certificate named in paragraph (g), (h), or (j) need not have a current medical certificate to make the exchange of ratings specified in those paragraphs.

2. By adding the following new section after § 61.15:

§ 61.16 General limitations.

(a) *Type ratings required.* No person may act as pilot in command of any of the following aircraft unless he holds a type rating for that aircraft:

(1) A large aircraft (except lighter-than-air).

(2) A helicopter, for operations requiring an airline transport pilot certificate.

(3) After March 31, 1966, a turbojet powered airplane.

However, subparagraphs (1) and (3) of this paragraph do not apply to an aircraft operated under an authorization issued by a Flight Standards District Office.

(b) *Small aircraft: carrying another person or operating for compensation or hire.* Unless he holds a category and class rating for that aircraft, a person may not act as pilot in command of a small aircraft that is carrying another person or is operated for compensation or hire. In addition, he may not act as pilot in command of that aircraft for compensation or hire.

(c) *Small aircraft: soloing not for compensation or hire.* No person may act as pilot in command of a small aircraft in operations conducted other than under paragraph (b) of this section unless he meets at least one of the following conditions:

(1) He holds a category and class rating appropriate to that aircraft.

(2) He has soloed and logged that flight time in that category and class of aircraft before December 16, 1965.

(3) He has made and logged at least three takeoffs and landings to a full stop in that category and class of aircraft, as the sole manipulator of the controls, while accompanied by a pilot who is entitled to carry passengers in that aircraft.

(4) He has made and logged at least three takeoffs and landings to a full stop while operating under an authorization issued by a Flight Standards District Office.

However, the holder of a pilot certificate with an airplane category rating may solo gliders without complying with this paragraph.

(d) *Exception.* This section does not require a class rating for gliders. In addition, the rating limitations of this section do not apply to—

(1) The holder of a student pilot certificate;

(2) The holder of a pilot certificate when operating an aircraft under the authority of an experimental or provisional type certificate;

(3) The holder of a pilot certificate when taking a flight test given by the Administrator; or

(4) The holder of a pilot certificate

with a lighter-than-air category rating when operating a free balloon.

§ 61.17 [Amended]

3. By amending § 61.17 as follows:

a. The section heading is amended to read as follows:

§ 61.17 Type ratings and additional aircraft ratings (other than airline transport and lighter-than-air).

b. Paragraph (a) is amended to read as follows:

(a) *General.* To be eligible for an additional aircraft rating (other than a type rating) after his certificate is issued to him, an applicant must meet the requirements of paragraphs (b) through (i) of this section, as appropriate to the rating sought. Each applicant must perform the procedures and maneuvers specified in those paragraphs, as applicable, that are not required for the certificates and ratings that he already holds. An applicant for an original or additional type rating must meet the requirements of paragraph (j) of this section. However, if he is applying for a type rating and will receive a category rating or original issue of a pilot certificate based on that type of aircraft, he must also meet the other requirements for that rating or certificate, as the case may be.

c. The word "additional" is stricken in the heading to paragraph (j).

d. The introductory phrase to paragraph (j)(1) is amended to read as follows:

(1) An applicant for an original or additional type rating must—

4. By amending § 61.39(f) to read as follows:

§ 61.39 Pilot logbooks: Except airline transport pilots.

(f) *Inspection of pilot logbooks.* A pilot who keeps a logbook under this section shall present it for inspection upon the request of, and after reasonable notice by, the Administrator, an authorized representative of the Civil Aeronautics Board, or any State or local law enforcement officer.

5. By adding the following new paragraph at the end of § 61.47:

§ 61.47 Recent flight experience.

(g) *Credit given for flight tests or checks.* A pilot who successfully passes a flight test required for a category, class, type, or instrument rating is considered to meet the recency of experience requirement of the paragraph of this section that is appropriate to the flight test.

§ 61.101 [Amended]

6. By striking out paragraph (b) of § 61.101.

7. By amending § 61.131 to read as follows:

§ 61.131 General privileges and limitations.

(a) Subject to § 61.16 and paragraphs (b) and (c) of this section, a commercial pilot may act as pilot in command of an aircraft that is carrying passengers or property for compensation or hire, and may, for compensation or hire act as pilot in command of an aircraft.

(b) A commercial pilot (lighter-than-air; airship class) may give flight instruction in aircraft of the airship or free balloon class.

(c) A commercial pilot (lighter-than-air; free balloon class only) may act as pilot in command of, and give flight instruction in, a free balloon only.

8. By amending § 61.147(b) to read as follows:

§ 61.147 Airplane rating: aeronautical skill.

(b) The holder of an airline transport pilot certificate who applies for an airplane type or additional airplane class rating must, for that type or class rating, pass a flight test involving the maneuvers listed in paragraphs (a) (1) through (5), (7) through (14), (16), (17), (21), (22), and (24) through (31) of this section. The maneuvers required by subparagraphs (7), (8), (14), (16), (21), (22), (24), and (26) must be performed solely by reference to instruments.

9. By amending § 61.155 to read as follows:

§ 61.155 Rotorcraft rating: aeronautical skill.

(a) An applicant for an airline transport pilot certificate with a rotorcraft rating must show his ability to satisfactorily pilot rotorcraft by performing at least the following:

(1) Normal takeoffs and landings, crosswind landings, climbs, and climbing turns, steep turns, maneuvering at minimum speed, rapid descent, and quick stops.

(2) Simulated emergency procedures, including failure of an engine or other component or system, fire, ditching, evacuation, operating emergency equipment.

(3) Autorotative approaches and landings with simulated one engine inoperative.

(4) Any other maneuvers considered necessary to show his ability.

(b) The holder of an airline transport pilot certificate with a rotorcraft category and helicopter class rating who applies for an additional helicopter type rating must show his ability to satisfactorily pilot the type helicopter for which he seeks a rating by performing the maneuvers listed in paragraph (a) of this section.

§ 61.159 [Deleted]

10. By striking out § 61.159.

§ 61.165 [Amended]

11. By striking out paragraph (b), and the paragraph designation "(a)" in § 61.165.

The reporting and/or record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Secs. 313(a), 601, and 602, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1431, 1422)

Issued in Washington, D.C., on September 10, 1965.

WILLIAM F. MCKEE,
Administrator.

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Correction

In F.R. Doc. 65-9871 appearing in the issue for Friday, September 17, 1965, at page 11903, make the following changes:

a. On page 11904, second column in the second undesignated paragraph following paragraph 4, line 3 should read "Notice No. 64-42, with the exception of".

b. Amendatory paragraph No. 6 should read as follows:

6. By striking out paragraph (b) of § 61.101 and redesignating paragraph (c) as paragraph (b).
