

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 6502; Amdt. 61-14]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Lighter-Than-Air Ratings and Free Balloon Pilot Certificates

The purpose of this amendment is to change the name of the certificates and ratings issued for pilots of airships and free balloons. Although this amendment involves many changes in the pilot regulations; it does not involve any change in the requirements for the issuance of such certificates and ratings, or the privileges afforded by them.

Part 61 provides for the issuance of a separate free balloon pilot certificate, and a lighter-than-air category rating that is placed on pilot certificates for the pilot of an airship. This amendment will provide for the issue of a pilot certificate with two class ratings (free balloon and airship) within the lighter-than-air category rating.

This amendment does not require the pilot of a lighter-than-air aircraft to exchange his certificate for the new class ratings; however, if he does exchange his pilot certificate for any reason he will automatically be issued a pilot certificate that is in accord with the new class ratings.

A person who applies for a lighter-than-air piloting privilege after the effective date of this amendment will be issued a pilot certificate with a lighter-than-air category rating and either a free balloon or airship class rating, as appropriate to the class of aircraft for which a rating is sought.

The present lighter-than-air category rating applies only to airships, but the holder of such a rating has the same free balloon piloting privileges as the holder of a free balloon pilot certificate (§§ 61.101 and 61.131). Since this amendment is a change in name only, the holder of a present lighter-than-air pilot certificate or category rating may continue to exercise the privileges of a free balloon pilot certificate, which after this amendment will be called a lighter-than-air category rating and a free balloon class rating. If the holder of a present lighter-than-air pilot certificate or category rating does exchange his pilot certificate, he will automatically be issued a commercial pilot certificate with the privileges of the new lighter-than-air category rating that is limited to a free balloon class rating. He will also be issued an airship class rating on the grade of pilot certificate for which he qualified for a lighter-than-air category rating (airship).

The holder of a free balloon pilot certificate under the present rules has the same privileges as the holder of a commercial pilot certificate that is limited to free balloons; therefore, if he does exchange his free balloon pilot certificate he will be issued a commercial pilot certificate with appropriate free balloon privileges and limitations.

Any activity in which a lighter-than-air pilot (airship or free balloon) is authorized to engage under his present certificate or rating will continue to be authorized.

For the reasons stated above, and since this is a change in name only, the Agency for good cause has found that public notice as required by section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary.

In consideration of the foregoing, Part 61 of the Federal Aviation Regulations (14 CFR Part 61 [New]) is amended, effective April 3, 1965, as follows:

1. By striking out paragraph (f) of § 61.1.

2. By amending § 61.5 as follows:

a. By amending the parenthetical expression in paragraph (e) to read: "(other than an airline transport pilot certificate or a pilot certificate with a lighter-than-air category rating)."

b. By amending paragraph (f) to read as follows:

(f) Unless the order of revocation provides otherwise, a person whose airline transport pilot certificate or pilot certificate with a lighter-than-air category rating is revoked may not apply for any pilot or flight instructor certificate for at least one year after the date of revocation.

3. By amending § 61.9 as follows:

a. By amending paragraph (c) to read as follows:

(c) *Airline transport; lighter-than-air.* An airline transport pilot certificate or pilot certificate with a lighter-than-air category rating that is issued to a person who is not a citizen of the United States is effective for a period of not more than 12 months after the month in which it was issued, but may be reissued without proof of technical ability.

b. By amending paragraph (g) to read as follows:

(g) *Return of certificate.* The holder of an airline transport pilot certificate or pilot certificate with a lighter-than-air category rating that is suspended or revoked shall, upon the Administrator's request, return it to the Administrator.

4. By amending § 61.15 as follows:

a. By redesignating paragraphs (d), (e), (f), and (g) as paragraphs (f), (g), (h), and (i), respectively.

b. By adding a new paragraph (d) to read as follows:

(d) When applicable, the lighter-than-air class ratings to be placed on pilot certificates are—

- (1) Airship; and
- (2) Free balloon.

c. By adding a new paragraph (e) to read as follows:

(e) The holder of a lighter-than-air pilot certificate, a pilot certificate with a lighter-than-air category rating, or a free balloon pilot certificate, may continue to exercise the privileges of that rating or certificate. However, if he does exchange his pilot certificate—

(1) The holder of a private pilot certificate with a lighter-than-air category rating is issued—

(i) A private pilot certificate with a lighter-than-air category rating and an airship class rating; and

(ii) A commercial pilot certificate with a lighter-than-air category rating and a free balloon class rating;

(2) The holder of a commercial pilot certificate with a lighter-than-air category rating is issued a commercial pilot certificate with a lighter-than-air category rating and an airship and free balloon class rating; and

(3) The holder of a free balloon pilot certificate is issued a commercial pilot certificate with a lighter-than-air category rating and free balloon class rating.

d. By adding a new sentence at the end of new paragraph (f) to read: "Type ratings are not issued for lighter-than-air aircraft."

e. By changing the reference to "paragraph (e) or (f)" as it appears in the redesignated paragraph (i) to read "paragraph (e), (g), or (h)."

5. By amending § 61.17 as follows:

a. By striking the words "or lighter-than-air" in the parenthetical expression of the section heading.

b. By striking "(f)" as it appears in paragraph (a) and substituting therefor "(i)".

c. By striking out paragraph (i).

d. By redesignating paragraphs (f), (g), and (h) as paragraphs (h), (j), and (k), respectively.

e. By adding a new paragraph (f) reading as follows:

(f) *Lighter-than-air.* A pilot holding an aircraft rating for a heavier-than-air aircraft who applies for a lighter-than-air category rating must meet the requirements for the original issue of a certificate with a lighter-than-air category rating and a free balloon or airship class rating, as the case may be.

f. By adding a new paragraph (g) reading as follows:

(g) *Heavier-than-air.* A pilot holding a lighter-than-air category rating who applies for a category rating in a heavier-than-air aircraft must meet the requirements for the original issue of a

(As published in the Federal Register /30 F.R. 29247 on March 6, 1965)

certificate with that category rating.

g. By adding a new paragraph (1) reading as follows:

(1) *Additional airship or free balloon class.* A pilot holding a lighter-than-air category rating with a free balloon class rating who applies for an airship class rating must meet the requirements for the original issue of a certificate with an airship class rating. A pilot who is issued a pilot certificate with an airship class rating is also issued a commercial pilot certificate with a free balloon class rating.

h. By changing the reference to "paragraph (f)" as it appears in the redesignated § 61.17(j) (1) (ii) to read "paragraph (h)."

6. By amending paragraph (d) of § 61.23 to read as follows:

(d) This section does not apply to an applicant for an airline transport pilot certificate or a pilot certificate with a lighter-than-air category rating.

7. By amending the parenthetical expression in paragraph (b) of § 61.25 to read as follows: "(other than an airline transport pilot certificate or a pilot certificate with a lighter-than-air category rating)."

8. By amending § 61.27 as follows:

a. By amending the parenthetical expression in paragraphs (a) and (b) each to read as follows: "(other than an airline transport pilot certificate or a pilot certificate with a lighter-than-air category rating or associated rating)."

b. By amending the introductory text of paragraph (f) to read as follows:

(f) *Lighter-than-air; written test.* An applicant for a private or commercial pilot certificate with a lighter-than-air category rating (airship or free balloon class) who fails a written test under this part may apply for retesting.

c. By amending paragraph (g) to read as follows:

(g) *Lighter-than-air; flight test.* An applicant for a private or commercial pilot certificate with a lighter-than-air category rating (airship or free balloon class) who fails a flight test under this part may apply for retesting after he has logged at least three additional hours of flight time.

9. By amending § 61.31 as follows:

a. By amending the parenthetical expression in paragraph (a) (1) to read as follows: "(or, in the case of an applicant for a pilot certificate with a lighter-than-air category rating, has been in that status for a period of at least six consecutive months before the date he applies)."

b. By amending the parenthetical expression in paragraph (a) (3) to read as follows: "(or, in the case of an applicant for a pilot certificate with a lighter-than-air category rating, has been in that status for a period of at least six consecutive months)."

c. By striking out the parenthetical expression "(other than lighter-than-air)" as it appears in paragraph (b) (1) of § 61.31.

d. By changing the reference to "§ 61.17(g) (1) (i) and (ii)" as it appears in § 61.31(b) (3) to read "§ 61.17(j) (1) (i) and (ii)."

10. By amending § 61.39 as follows:

a. By amending paragraph (a) (2) (iv) to read as follows:

(iv) *Flight instruction from an appropriately rated flight instructor, in the case of airplanes or rotorcraft; from an appropriately rated flight instructor or commercial glider pilot, in the case of gliders; from a commercial lighter-than-air pilot with an airship rating, in the case of airships or free balloons; or from a commercial free balloon pilot in the case of free balloons.*

b. By striking out the words "A lighter-than-air pilot" in paragraph (f) and inserting the words "The holder of a pilot certificate with a lighter-than-air category rating" in place thereof.

11. By amending § 61.43 as follows:

a. By amending paragraph (a) (3) to read as follows:

(3) The 24th month after the month in which it is issued, for operations requiring only a private or student pilot certificate or a free balloon class rating.

b. By amending paragraph (b) (2) to read as follows:

(2) The 24th month after the month in which it is issued, for operations requiring only a private or student pilot certificate or a free balloon class rating.

c. By amending paragraph (c) to read as follows:

(c) A third-class medical certificate expires at the end of the last day of the 24th month after the month in which it is issued for operations requiring a private or student pilot certificate or a free balloon class rating.

12. By amending § 61.49 to read as follows:

§ 61.49 *Cooperation during inspection or test.*

Each applicant for an airline transport pilot certificate or a pilot certificate with a lighter-than-air category rating, and each person who holds such a certificate or rating, shall cooperate fully in any inspection or tests made of him by the Administrator.

13. By amending the last sentence of paragraph (a) of § 61.71 to read as follows: "Subparagraph (2) of this paragraph does not apply to a student pilot who holds a free balloon class rating."

14. By adding the words "of the airship class" immediately after the words "lighter-than-air rating" in paragraph (a) of § 61.81.

15. By amending § 61.97 as follows:

a. By inserting the parenthetical expression "(airship class)" immediately after the words "Lighter-than-air rating" in the section catchline.

b. By striking the parenthetical expression "(lighter-than-air)" and inserting the parenthetical expression "(lighter-than-air, airship class)" in

place thereof.

16. By amending § 61.99 as follows:

a. By inserting the parenthetical expression "(airship class)" immediately after the words "Lighter-than-air rating" in the section catchline.

b. By striking the parenthetical expression "(lighter-than-air)" as it appears in the section lead-in and inserting the parenthetical expression "(lighter-than-air, airship class)" in place thereof.

17. By amending § 61.111 as follows:

a. By amending paragraph (a) to read as follows:

(a) Be at least 18 years of age, or 17 years of age in the case of a free balloon class rating only;

b. By adding the clause, "except in the case of a lighter-than-air rating of the free balloon class," immediately after the words "English language, or" in paragraph (b).

c. By deleting paragraph (c) and substituting a new paragraph (c) to read as follows:

(c) In the case of an applicant for other than a glider or free balloon rating, hold at least a second-class medical certificate issued under Part 67 of this chapter during the preceding 12 months;

d. By redesignating paragraph (d) as paragraph (f) and by adding a new paragraph (d) to read as follows:

(d) In the case of an applicant for a glider rating, certify that he has no known physical defect that makes him unable to pilot a glider;

e. By adding a new paragraph (e) to read as follows:

(e) In the case of an applicant for a free balloon class rating, hold a student pilot certificate and at least a third-class medical certificate issued under Part 67 of this chapter; and

18. By amending § 61.113 as follows:

a. By amending the lead-in clause of paragraph (a) to read as follows:

(a) An applicant for a commercial pilot certificate, except for a lighter-than-air rating of the free balloon class, must pass a written test on—

b. By striking out the words "lighter-than-air rating" in subparagraph (3) (ii) and inserting the words "lighter-than-air rating, airship class" in place thereof.

c. By striking out the parenthetical expression "(lighter-than-air)" in the first sentence of paragraph (b) and inserting the parenthetical expression "(lighter-than-air, airship class)" in place thereof.

d. By adding a new paragraph (c) to read as follows:

(c) An applicant for a commercial pilot certificate (lighter-than-air, free balloon class), other than a free balloon class rating limited to hot air balloons, must pass a written test on the following:

(1) So much of §§ 91.1 to 91.9 and Subpart B of Part 91 of this chapter as relate to his certificate.

(2) Prevailing weather conditions in the United States that are met in flying and the forecasting thereof.

(3) Analyzing weather maps and sequence reports furnished by the United States Weather Bureau.

(4) Practical air navigation problems using maps.

(5) Navigation by terrain and by dead reckoning, including using instruments and other aids to navigation in visual contact flying.

(6) The general operation of free balloons.

19. By amending § 61.127 as follows:

a. By inserting the parenthetical expression "(airship class)" immediately after the words "lighter-than-air rating" in the section catchline.

b. By striking out the parenthetical expression "(lighter-than-air)" and inserting the parenthetical expression "(lighter-than-air, airship class)" in place thereof.

20. By adding a new § 61.128 to read as follows:

§ 61.128 Lighter-than-air (free balloon class) rating: aeronautical experience.

An applicant for a commercial pilot certificate (lighter-than-air, free balloon class), other than a free balloon class rating limited to hot air balloons, must have made at least eight ascents

averaging two hours in duration, substantiated by a logbook, including six ascents under the supervision of a holder of a pilot certificate with a lighter-than-air category rating, one ascent in control to an altitude of 10,000 feet under that supervision, and one solo ascent.

21. By amending § 61.129 as follows:

a. By inserting the parenthetical expression "(airship class)" immediately after the words "lighter-than-air rating" in the section catchline.

b. By striking out the parenthetical expression "(lighter-than-air)" and inserting the parenthetical expression "(lighter-than-air, airship class)" in place thereof.

22. By adding a new § 61.130 reading as follows:

§ 61.130 Lighter-than-air rating (free balloon class): aeronautical skill.

(a) An applicant for a commercial pilot certificate (lighter-than-air, free balloon class) must successfully perform the following maneuvers:

(1) Ground handling and mooring.

(2) Preflight checks.

(3) Takeoffs.

(4) Ascents.

(5) Descents.

(6) Landings (positive static balance).

(7) Show his ability to satisfactorily pilot and maneuver a free balloon in solo flight.

(b) The applicant must show his ability to exercise reasonable judgment in the flight maneuvers required by paragraph (a) of this section by complying with Part 91 of this chapter, avoiding critical situations, and observing accepted good operating practices for the flight conditions encountered.

23. By amending § 61.131(d) to read as follows:

(d) A commercial glider pilot may give flight instruction in gliders. A commercial pilot (lighter-than-air, airship class) may give flight instruction in aircraft of the airship or free balloon class. A commercial pilot (lighter-than-air, free balloon class only) may not act as pilot in command of any aircraft except a free balloon. However, he may act as pilot in command of a free balloon for hire carrying passengers or property and may give flight instruction in a free balloon.

24. By striking out Subpart G.

(Secs. 313(a), 601, and 602 of the Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, and 1422)

Issued in Washington, D.C., on February 25, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-2348; Filed, Mar. 5, 1965;
8:45 a.m.]