

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER D—AIRMEN [NEW]

[Reg. Docket No. 1179; Amdts. 61-1, 63-1, 65-1]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS [NEW]

PART 63—CERTIFICATION: FLIGHT CREW MEMBERS OTHER THAN PILOTS [NEW]

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREW MEMBERS [NEW]

Miscellaneous Amendments

The purpose of this amendment is to incorporate into Subchapter D—Airmen [New] of the Federal Aviation Regulations, several minor items of a clarifying nature. It also includes three items that had been omitted from the subchapter through inadvertence. The amendment is a part of the program of the Federal Aviation Agency, in conjunction with its recodification program, to deal with inconsistencies and discrepancies in its regulations that are brought to light in the recodification process, and that can be cured by a spot amendment to the regulation involved, particularly in those instances in which the issuance of a notice of proposed rule making will not be required by the Administrative Procedure Act.

Since the adoption of Subchapter D on August 6, 1962, certain minor discrepancies and inconsistencies have been discovered. A study of them has indicated that they can be resolved in a manner that is not burdensome to the persons affected thereby.

The amendments to §§ 61.15(d), 61.17, 61.27(a)(2)(ii), 61.33(a), 61.47(e), and 61.159 all relate to ratings placed on airman certificates. They are clarifying in nature in that they specify more clearly the kind of rating placed on airman certificates.

The amendments to §§ 61.27(d) and 61.171(d)(4)(v) correct typographical errors.

The amendments to §§ 65.75(b) and 65.93(b) are made solely to clarify the intent of the present section.

The amendment to § 61.43(a)(3) and (b)(2) is made to state positively the duration of a medical certificate for operation requiring a free balloon pilot certificate.

The amendments to §§ 61.115(b) and 61.119(b) are made to correct inadvertent omissions in the text of those sections as recodified. The amendment to § 61.31 restates the requirements that an applicant for a pilot certificate, based on military competence, must meet. These requirements were fully set forth in Draft Release 62-14 dated April 2, 1962. The period for receiving comments on that proposal closed on June 7, 1962, and no adverse comments were received. The amendments to § 63.3 are made to state positively the duration of a medical certificate for operations requiring a flight engineer or flight navigator certificate. This duration was previously set forth in §§ 34.43 and 35.43, of the Civil Air Regulations.

Since this amendment is clarifying in nature, and merely restates the substance of the regulations in accordance with Draft Releases 61-25 and 62-20, I find that notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Subchapter D—Airmen [New] of Chapter I of Title 14 of the Code of Federal Regulations is amended as follows, effective November 1, 1962.

This amendment is made under the authority of sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1422).

§ 61.15 [Amendment]

1. By striking out the period at the end of the first sentence of § 61.15(d) and adding the following in place thereof: "if that type of aircraft is certificated by the Administrator for civil operations."

2. By striking out paragraph (g) of § 61.17 and adding new paragraphs (g) and (h) to read as follows:

§ 61.17 Additional aircraft ratings after original issuance of certificates (other than airline transport or lighter-than-air).

(g) *Airline transport pilot certificates.* This section does not authorize a rating to be placed on an airline transport pilot certificate unless that rating is limited to commercial privileges.

(h) *Inapplicability.* This section does not apply to a lighter-than-air pilot certificate.

3. By amending § 61.27(a)(2)(ii) to read as follows:

§ 61.27 Retesting after failure.

(a) *Written test.* * * *

(ii) For an instrument rating—a certificated flight instructor with an instrument rating on his flight instructor certificate or a certificated ground instructor with a rating for the subject failed.

4. By striking out the reference to "§ 61.145(b)(1)" in § 61.27(d) and inserting a reference to "§ 61.145(b)(2)(i)" in place thereof.

5. By amending the last sentence of § 61.31(a) to read as follows: "However, a person covered by subparagraph (2), (3), or (4) of this paragraph who was discharged or released more than 12 months before the date he applies, or who has not been on solo flying status as a rated pilot or the equivalent within that 12-month period, must also pass the written examination prescribed for the aeronautical knowledge requirements appropriate to the certificate sought, meet the prescribed physical standards, and pass the appropriate flight test, or in the case of an applicant for a private lighter-than-air certificate, have had at least 10 hours of flight time as pilot in command in military lighter-than-air aircraft within that 12-month period."

6. By amending § 61.31(b) to read as follows:

§ 61.31 Military pilots or former military pilots: special rules.

(b) *Category, class, or type ratings.* A person who applies for a particular category, class, or type rating (other than lighter-than-air), is entitled to an appropriate rating on the pilot certificate that he holds or for which he has applied, if he presents satisfactory documentary evidence that, within the 12 months before the date he applies, he has had at least 10 hours of flight time as pilot in command in military aircraft of a category, class, or type for which he seeks a rating or has passed either an official military checkout as pilot in command, or the equivalent, in the aircraft concerned or the appropriate FAA flight test. A type rating is issued only for aircraft types that the Administrator has certificated for civil operations. This paragraph does not authorize a rating to be placed on an airline transport pilot certificate unless that rating is limited to commercial privileges.

§ 61.33 [Amendment]

7. By amending the second sentence of § 61.33(a) to read as follows: "If he has no ratings on that certificate, ratings under this section may be issued for those aircraft that he has flown for at least 10 hours as pilot in command, during the preceding 12 months."

§ 61.41 [Amendment]

8. By striking out the last sentence of § 61.41(e).

Recodification

§ 61.43 [Amendment]

9. By amending § 61.43 (a)(3) and (b)(2) each to read as follows: "The 24th month after the month in which it is issued, for operations requiring only a private, student, or free balloon pilot certificate."

§ 61.47 [Amendment]

10. By inserting the words "(if applicable)" after the words "type rating" in § 61.47(e).

§§ 61.115, 61.119 [Amendments]

11. By adding the following new sentence at the end of § 61.115(b) and at the end of § 61.119(b): "Whenever he presents satisfactory written evidence that he has met this ICAO requirement, he is entitled to a new certificate without the endorsement."

§ 61.159 [Amendment]

12. By adding the words "helicopter or" between the words "a" and "large" in the first sentence of § 61.159.

§ 61.171 [Amendment]

13. By striking out the words "200 feet" in § 61.171(d)(4)(v) and inserting the words "100 feet" in place thereof.

14. By revising § 63.3 (a) and (b) to read as follows:

§ 63.3 Certificates required.

(a) No person may serve as a flight engineer assisting a pilot in the mechanical operation of an aircraft of U.S. registry as his primary assigned duty in flight in air commerce unless he has in his personal possession a current flight engineer certificate issued to him under this part and a second-class (or higher) medical certificate issued to him under Part 67 of this chapter within the preceding 12 months.

(b) No person may serve as a flight navigator on an aircraft of U.S. registry in air commerce unless he has in his personal possession a current flight navigator certificate issued to him under this part and a second-class (or higher) medical certificate issued to him under Part 67 of this chapter within the preceding 12 months.

§ 65.75 [Amendment]

15. By inserting the word "written" between the words "the" and "test" in the last sentence of § 65.75(b).

16. By amending § 65.93(b) to read as follows:

§ 65.93 Inspection authorization: renewal.

* * * * *
(b) The holder of an inspection authorization that has been in effect for less than 90 days before the expiration date need not comply with paragraph (a) (1) through (3) of this section.

Issued in Washington, D.C., on October 19, 1962.

N. E. HALABY,
Administrator.