

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER D—AIRMEN [NEW]

[Reg. Docket No. 1291; Amdt. 61-5]

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

#### Instrument Proficiency Requirements for Type Rating Flight Tests

This amendment requires an applicant for a type rating to demonstrate instrument proficiency during the flight test for that rating or, if he does not demonstrate instrument proficiency, it permits the issue of a type rating limited to "VFR ONLY." This action was published as a notice of proposed rule making (27 F.R. 6843) and circulated as Civil Air Regulations Draft Release 62-34, dated July 11, 1962. The notice stated that the format of any final rules adopted pursuant thereto would be subject to any changes necessitated by the Agency's Recodification Program. The references in the proposed rule were to §§ 20.111 and 20.121 of the Civil Air Regulations. However, these sections have been recodified and the substance thereof incorporated into §§ 61.17 [New] and 61.31 [New] of the Federal Aviation Regulations.

The draft release proposed requiring a demonstration of instrument flying proficiency for each type of aircraft (except lighter-than-air) for which a type rating is sought or, alternatively, to limit the type rating to VFR operations if instrument proficiency in that type is not demonstrated.

The need for this amendment results from changing circumstances in the use of large aircraft in general aviation. The majority of users of large aircraft (more than 12,500 pounds maximum certificated takeoff weight) in general aviation employ professional pilots who were hired shortly after World War II. These pilots continued flying aircraft in their new employment with which they had had past instrument experience and formal training. Recently, however, aircraft of greater complexity have become available to general aviation users from surplus airline and military equipment; and aircraft manufacturers are designing similar equipment specifically for general aviation operations. The increasing trend to exchange older equipment for the more modern and complex equipment now results in many of these same pilots being checked out in aircraft with which they have had no previous experience.

We have found that some companies who operate large aircraft do not fully understand or appreciate the necessity for giving their pilots instrument training. The problem is directly related to

the matter of flight training standard for transition from one type aircraft to another. However, Part 43, under which these users of large aircraft operate, is not a convenient medium for applying training standards to such diverse operations and equipment as are conducted under that part. It is thus more practical to establish proficiency standards, and leave the training necessary to meet these standards up to the operator.

Comments received in response to the draft release concurred, for the most part, with the proposal. The subject of the draft release was also discussed at the Air-Share meetings held in April and May 1961, and met with generally favorable response.

The amendment as it is being adopted is substantially as proposed in the draft release. However, one minor change has been made. The preamble to the notice of proposed rule making stated that a person who obtains an instrument rating after the effective date of the amendment would have a "VFR ONLY" limitation placed on each type rating other than the type rating for aircraft in which a demonstration of instrument competence has been made. One comment suggested that the substance of this intention should be expressed in the rule itself rather than merely in the preamble to the rule, so that the affected certificate holder would more accurately know just how the rule applies to him. This intention has been included in the amendment.

It should be noted that under this amendment a person who holds an instrument rating and one or more type ratings issued before October 22, 1963, may continue to exercise instrument privileges in those types of aircraft.

Interested persons have been afforded an opportunity to participate in the making of this amendment (27 F.R. 6843), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 61 [New] of the Federal Aviation Regulations (14 CFR Part 61 [New]) is amended as hereinafter set forth effective October 22, 1963.

This amendment is made under the authority of sections 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422.

1. By amending § 61.17 [New] by deleting from paragraph (f) the words "or type" from the title, from the introductory clause and from subparagraph (1); by redesignating paragraphs (g) and (h) as paragraphs (h) and (i), respectively; and by adding a new paragraph (g) to read as follows:

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

(g) Additional type. (1) An applicant for an additional type rating must—

(i) Hold or concurrently obtain an instrument rating;

(ii) Meet the requirements of paragraph (f) of this section in the type of aircraft for which the type rating is sought; and

(iii) Demonstrate proficiency during the flight test for that rating solely by reference to instruments under the requirements of § 61.37(c) (2), (3) (iii), (iv), and (v).

(2) An applicant who does not meet the requirements of subparagraphs (1) (i) and (iii) of this paragraph may obtain a type rating limited to "VFR Only." Upon meeting these instrument requirements or the requirements of § 61.31(b) (2), the "VFR Only" limitation may be removed for the particular type of aircraft in which proficiency is demonstrated.

(3) When an instrument rating is issued after October 21, 1963, to the holder of one or more type ratings, the amended certificate bears the limitation "VFR Only" for each type rating held for aircraft in which he has not demonstrated his instrument proficiency under this section.

2. By amending § 61.31(b) by designating the present paragraph as subparagraph (1) and by adding new subparagraphs (2) and (3) to read as follows:

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

(b) Category, class, or type ratings. \* \* \*

(2) An applicant for a type rating issued under subparagraph (1) of this paragraph must hold an instrument rating, or concurrently obtain one under the provisions of paragraph (c) of this section, and he must present reliable evidence of a military instrument flight check in the type of aircraft for which a type rating is sought.

(3) An applicant for a type rating who does not meet the instrument requirements of subparagraph (2) of this paragraph may obtain a type rating limited to "VFR Only." Upon meeting the instrument requirements of this paragraph, or of § 61.17(g) (1) (i) and (iii), the "VFR Only" limitation may be removed for the particular type of aircraft in which the instrument proficiency is shown.

Issued in Washington, D.C., on August 14, 1963.

N. E. HALABY,  
Administrator.

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