

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER D—AIRMEN [NEW]

[Reg. Docket No. 1615; Amdt. 61-9]

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

Revision of Minimum Aeronautical Experience Requirements for an Instrument Rating

The purpose of this amendment to Part 61 [New] of the Federal Aviation Regulations is to revise the instrument experience and minimum flight time requirements for the issuance of an instrument rating. It was proposed in Draft Release No. 63-6 issued February 19, 1963 (28 F.R. 1881).

Many written comments on the draft release were received from industry organizations, flying schools, flight instructors, private pilots, and executive operators and pilots.

The comments were almost unanimously in favor of the proposed increase in instrument flight instruction and additional flight training maneuvers.

Strong objections were received to the proposed deletion of the commercial pilot experience requirements for the private pilot who applies for an instrument rating. On the other hand, some commenters wholeheartedly endorsed the proposal and hailed it as a progressive step and a definite contribution to safety.

The principal objections to reduction of the experience requirements for the private pilot applicant were based on the feeling that a person with less than the total flight time required for a commercial pilot certificate would not have the "seasoning" and maturity of judgment which is very important in modern IFR operations. Considerable concern was expressed in a number of comments about flying under IFR if pilots with the limited experience which would be possible under the proposal in Draft Release 63-6 were allowed to engage in IFR operations. It was also contended that the mere ability to satisfactorily accomplish the maneuvers in the instrument rating flight test gives no assurance that a pilot would exhibit the same skills and judgment under the stress of actual IFR operation and, consequently, that the present total flight time requirements provide an overall background of experience which should not be reduced. A number of comments pointed out that better equipped aircraft, the diversity of ground facilities, and increased IFR traffic actually complicate rather than simplify instrument operations, with resulting increased demands on the pilot and that, if any change is to be made, the flight time requirements should be increased instead of decreased.

Proponents of the proposed elimination of the commercial pilot experience requirement for the private pilot applicant contended that the acquisition of an additional 120 hours or so of miscellaneous flying would give no assurance that the pilot would have any better judgment

or be better qualified to operate under IFR, than would be the case if he were permitted to qualify for an instrument rating without regard to his total flight time. They also contended that: (1) By making it easier to secure an instrument rating, many more private pilots would be encouraged to secure additional instrument training and an instrument rating, and, in so doing, become better and safer pilots and able to get more utility from the aircraft they fly; (2) total pilot experience is a poor measure of airman competency; and (3) a pilot is often more receptive to instrument training soon after having qualified for a private certificate than he is after having reached the 200-hour total time point with a considerable amount of unsupervised flying.

Two commenters suggested that, as an alternate solution to the experience requirement, the private pilot applicant be required to meet only the cross-country portions of the commercial pilot experience requirements.

Other comments indicated that some persons misconstrued proposed § 61.35 (c) as not requiring that the 15 hours of instrument flight instruction be given by a flight instructor who is certificated to give instrument flight instruction. This has been clarified.

The proposed reduction in total flight time for the private pilot applicant for an instrument rating is a controversial item, with strong arguments on each side. After careful consideration of all issues involved, the Agency has concluded that, in view of the foregoing arguments against the proposed change, it is sufficiently doubtful that this action would permit the maintenance of present safety levels in IFR operations, as to make its adoption inappropriate. Therefore, the Agency has dropped the proposed change.

The increase in amount of instrument flight instruction and the additional flight training maneuvers proposed in the draft release received very favorable comments. These proposed changes would provide for more realistic and practical training standards and therefore are being adopted.

Accordingly, § 61.35(a) (2) is amended to clarify that an applicant who is a private pilot must meet the requirements of § 61.115(a) except subparagraphs (3) and (4) thereof. This will dispel any doubt as to the applicability of the 200-hour flight time requirement and be consistent with § 61.29(a). The regulatory history of this requirement as contained in Part 20 of the Civil Air Regulations makes it clear that the intent was to exempt the applicant only from the 10 hours of flight instruction in preparation for the commercial pilot flight test. This is the interpretation which has been followed in the past. In complying with § 61.35(c), the applicant will have met the requirements of § 61.115(a) (4).

Section 61.35(c) is amended to incorporate the additional instrument flight instruction and training maneuvers as proposed in the draft release, except that the language is rephrased to avoid any misunderstanding of the fact that the 15 hours of instrument flight instruction

must be given by a flight instructor who is rated to give instrument flight instruction.

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, § 61.35 of Part 61 [New] of the Federal Aviation Regulations is amended, effective July 27, 1964, to read as follows:

§ 61.35 Instrument rating; knowledge and experience requirements.

(a) An applicant for an instrument rating must hold at least—

(1) A commercial pilot certificate; or
(2) A private pilot certificate and meet the requirements of § 61.115(a) except subparagraphs (3) and (4) thereof.

(b) An applicant for an instrument rating must pass a written test on—

(1) This subchapter as it applies to flight under IFR conditions;

(2) Radio navigation systems and procedures, instrument landing systems and procedures, and radio communication procedures; and

(3) Meteorology, including the characteristics of air masses and fronts and the weather associated with them, elementary principles of forecasting, and the availability, evaluation, and utilization of meteorological reports.

(c) An applicant for an instrument rating must have at least 40 hours of instrument time under actual or simulated conditions (including time acquired in a synthetic trainer), of which at least 20 hours were in flight and at least 15 hours were instrument flight instruction given by a flight instructor with an instrument rating on his flight instructor certificate. The required instrument flight instruction must include at least—

(1) An instrument approach down to the published minimums at two different locations, at least one of which must have a VOR or ILS facility that is used for the approach;

(2) Two instrument approaches made in accordance with a clearance from air traffic control and including transition from en route airways instrument flight to the approach fix or facility from which the approach will begin; and

(3) One flight of at least 200 nautical miles on Federal airways while operating in accordance with an approved IFR flight plan.

The flight required by subparagraph (3) of this paragraph must include at least two compulsory reporting points and use VHF navigation facilities for at least one leg of the course. During the flight at least one instrument approach must be made down to the published minimums, at a place where the trainee has not previously made an instrument approach.

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

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N. E. HALABY,
Administrator.

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