

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 7750; Amdts. 45-4, 47-4]

PART 45—IDENTIFICATION AND REGISTRATION MARKING

PART 47—AIRCRAFT REGISTRATION

Three-Digit and Temporary Registration Numbers

These amendments to Parts 45 and 47 provide specifically for the use of temporary registration numbers, sometimes called "fly-away" numbers. This action is taken on the basis of Notice 66-40 that was published in the FEDERAL REGISTER on November 18, 1966 (31 F.R. 14686).

Notice 66-40 proposed to provide specifically for the use of "fly-away" numbers, and to reserve three-digit aircraft identification numbers for use on FAA aircraft and as "fly-away" numbers.

The comments generally favored the portion of the proposed amendment that specifically provided for the use of "fly-away" numbers. In finalizing the amendment, these provisions were placed in a new section, § 47.16, for editorial reasons. This new section also includes, in paragraph (a), a general description of "fly-away" numbers.

Two comments were received that opposed the proposed requirements that no "fly-away" number could be assigned to, or displayed on, more than one aircraft at the same time and that records of each assignment of such a number to an aircraft be kept for 1 year. It was contended that adoption of these proposals would cause an economic and administrative hardship on aircraft manufacturers and it was therefore requested that the existing system of issuing only one "fly-away" number to each manufacturer or aircraft dealer be retained.

Under the present practice, several aircraft of a given manufacturer are identified on delivery flights by the same identification number but the radio call number used consists of that number plus the last two digits of the aircraft serial number. Since there can be several aircraft in flight at the same time with the same identification number, it is possible that a duplication of aircraft radio call numbers could occur. Because of this, the agency has determined that the proposal requiring a different "fly-

away" number for each aircraft in flight is necessary to insure safety, and therefore that portion of the proposal is adopted as proposed in the notice. Upon further consideration it appears that the record-keeping requirements contained in the notice are unnecessary for the use of "fly-away" numbers on purely domestic flights since the records normally kept by manufacturers and dealers will provide sufficient documentation. However, the records required in the notice are considered necessary for nondomestic flights with "fly-away" numbers which are being authorized for the first time by this amendment. Therefore, the holders of "fly-away" numbers will be required to keep a record, for FAA inspection, of the assignment of each number to an aircraft on flights for delivery outside the United States. For these nondomestic flights the airworthiness certificate and the Dealer's Aircraft Registration Certificate, both carried in the aircraft, will furnish documentation as complete as a regular certificate of aircraft registration. Section 47.16(d) reflects these changes.

The intent of Notice 66-40 was to provide for the assignment of fly-away numbers only in connection with Dealer's Aircraft Registration Certificates, and the proposed notice so provided. To avoid the possibility of any confusion as to this intent, a sentence has been added to § 47.16(d) to specifically state the rule (inherent in Notice 66-40) that the assignment of any fly-away numbers to a person automatically lapses upon the expiration of all of that person's Dealer's Aircraft Registration Certificates. The provision limiting the fly-away numbers assigned to any person to those "necessary for his business" means, of course, that as many may be assigned as are reasonably needed for the conduct of the activities specified in § 47.61. Finally, the scope of the permitted use of these numbers has been stated more explicitly in § 47.16(c).

A number of comments opposed any limitation on the issuance of one to three symbol numbers. Several of these comments also contended that there would be no useful purpose served by specifically issuing one to three symbol numbers to "fly-away" users. In response to these comments, the FAA has determined that five symbol numbers can be acceptably used as "fly-away" numbers. In addition, further study of the rules governing the issuance of one to three symbol numbers is considered necessary. Therefore, the portion of Notice 66-40 that relates to one to three symbol numbers is being withdrawn pending further study.

The current acceptable procedure for the use of identification marks for export aircraft is contained in section 1.109-1 of the Civil Aeronautics Manual, as continued in effect by Advisory Circular 20-33, dated February 8, 1965. This procedure is superseded by this amendment.

In consideration of the foregoing, Parts 45 and 47 are amended, effective September 29, 1967, as follows:

1. The parenthetical clause of § 45.21 (b) (1) is amended to read as follows:

§ 45.21 General.

(b) * * *
(1) * * * (except that on aircraft intended for immediate delivery to a foreign purchaser or bearing a temporary registration number, the marks may be affixed with readily removable material).

2. The second sentence of § 47.15(a) is amended to read as follows:

§ 47.15 Identification number.

(a) * * * This paragraph does not apply to an aircraft manufacturer who applies for a group of U.S. identification numbers under paragraph (c) of this section; a person who applies for a special identification number under paragraphs (d) through (g) of this section; or a holder of a Dealer's Aircraft Registration Certificate who applies for a temporary registration number under § 47.16. * * *

3. The following new section is added after § 47.15:

§ 47.16 Temporary registration numbers.

(a) Temporary registration numbers are issued by the FAA to manufacturers, distributors, and dealers who are holders of Dealer's Aircraft Registration Certificates for temporary display on aircraft during flight allowed under Subpart C of this part.

(b) The holder of a Dealer's Aircraft Registration Certificate may apply to the FAA Aircraft Registry for as many temporary registration numbers as are necessary for his business. The application must be in writing and include—

(1) Sufficient information to justify the need for the temporary registration numbers requested; and

(2) The number of each Dealer's Aircraft Registration Certificate held by the applicant.

There is no charge for these numbers.

(c) The use of temporary registration numbers is subject to the following conditions:

(1) The numbers may be used and reused—

(i) Only in connection with the holder's Dealer's Aircraft Registration Certificate;

(ii) Within the limitations of § 47.69 where applicable, including the requirements of § 47.67; and

(iii) On aircraft not registered under Subpart B of this part or in a foreign country, and not displaying any other identification markings.

(2) A temporary registration number may not be used on more than one aircraft in flight at the same time.

(3) Temporary registration numbers may not be used to fly aircraft into the United States for the purpose of importation.

(d) The assignment of any temporary registration number to any person lapses upon the expiration of all of his Dealer's

Aircraft Registration Certificates. When a temporary registration number is used on a flight outside the United States for delivery purposes, the holder shall record the assignment of that number to the aircraft and shall keep that record for at least 1 year after the removal of the number from that aircraft. Whenever the owner of an aircraft bearing a temporary registration number applies for an airworthiness certificate under Part 21 of this chapter he shall furnish that number in the application. The temporary registration number must be removed from the aircraft not later than the date on which either title or possession passes to another person.

4. Section 47.69(b) is amended to read as follows:

§ 47.69 Limitations.

(b) Within the United States, except when used to deliver to a foreign purchaser an aircraft displaying a temporary registration number and carrying an airworthiness certificate on which that number is written;

(Secs. 307(c), 313, Title V, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1401 et seq.); 49 CFR 1.4(b) (82 F.R. 5607))

Issued in Washington, D.C., on August 22, 1967.

NOTE: The record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

D. D. THOMAS,
Acting Administrator.

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8:46 a.m.]