

Title 14—Aeronautics and Space
CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 16281; Amdt. No. 61-64]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Miscellaneous Amendments

The purpose of these amendments to Part 61 of the Federal Aviation Regulations is to make certain editorial and clarifying changes.

Section 61.5(c) (2) (i) and (ii) presently indicates that land and sea ratings are placed on flight instructor certificates when, in fact, such ratings are not placed on those certificates. Accordingly, that section has been amended to delete the references to land and sea ratings.

Section 61.9(f) contains provisions concerning the exchange of obsolete free balloon pilot certificates. While that section refers to § 61.141, which contains limitations applicable to holders of pilot certificates with free balloon class ratings, the term "free balloon class rating" is not used in § 61.9(f). Section 61.9 has been amended to correct that oversight.

Prior to amendment 61-60 (effective November 1, 1973, 38 FR 3156), a person was prohibited from acting as pilot-in-command of an aircraft towing a glider unless, among other things, he had made and entered in his logbook at least three flights as the sole manipulator of the controls of an aircraft towing a glider while accompanied by a pilot who had made and logged at least ten flights as pilot-in-command of an aircraft towing a glider. This provision was to have been included, without change, in revised § 61.69 under Amendment 61-60. However, during the drafting of § 61.69 an inadvertent change was made to the provision and, as it now reads, the qualifying pilot, rather than the qualified pilot accompanying him, must have made the 10 flights as pilot-in-command. Therefore, § 61.69 has been amended to make it clear that it is the accompanying, qualified pilot who must have made the 10 flights as pilot-in-command.

Section 61.87 sets forth the requirements applicable to student pilots preparing for solo flight. The flush paragraph following § 61.87(c) (3) (iii) states that instruction applicable to single-place gyroplanes must be given by a flight instructor who is authorized to give instruction in gyroplanes, airplanes, or rotorcraft. The reference to gyroplanes in the flush paragraph is superfluous, inasmuch as the term rotorcraft includes gyroplanes. Accordingly, the reference to gyroplanes in the flush paragraph immediately following § 61.87(c) (3) (iii) has been deleted.

Under the current regulations, applicants for student, private, or commercial pilot certificates who are not able to read, speak, and understand English have such operating limitations placed on those certificates as are necessary for safety or the

safe operation of aircraft. While the regulations expressly provide that the limitations are to be removed when the student or private pilot shows that he can read, speak, and understand the English language, there is no similar provision applicable to commercial pilots. Since it is obvious that limitations placed on a commercial pilot certificate also should be removed when the commercial pilot shows that he can read, speak, and understand the English language, § 61.123(b) has been amended to provide for such removal.

Finally, several additional editorial changes have been made to Part 61, such as the deletion of compliance dates which have passed and the correction of cross references.

Since these amendments are editorial and clarifying in nature and impose no additional burden on any person, notice and public procedure thereon are unnecessary, and good cause exists for making them effective on less than 30 days notice.

(Secs. 313(a), 314, 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421 and 1422) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, Part 61 of the Federal Aviation Regulations is amended, effective December 22, 1976, as follows:

§ 61.5 [Amended]

1. Section 61.5 is amended by deleting the parenthetical words "(land and sea)" in paragraph (c) (2) (i) and (ii).

2. Section 61.9 is amended by revising paragraph (f) to read as follows:

§ 61.9 Exchange of obsolete certificates and ratings for current certificates and ratings.

(f) *Free balloon pilot certificate.* The holder of a free balloon pilot certificate is issued a commercial pilot certificate with a lighter-than-air category rating and a free balloon class rating. However, a free balloon class rating may be issued with the limitations provided in § 61.141.

§ 61.55 [Amended]

3. Section 61.55 is amended by deleting the words "after January 22, 1973" in paragraphs (a) and (b).

4. Section 61.69 is amended by revising paragraph (c) (1) to read as follows:

§ 61.69 Glider towing: Experience and instruction requirements.

(c) * * *

(1) At least three flights as sole manipulator of the controls of an aircraft towing a glider while accompanied by a pilot who has met the requirements of this section and made and logged at

least 10 flights as pilot-in-command of an aircraft towing a glider; or

5. Section 61.83 is amended by revising paragraph (b) to read as follows:

§ 61.83 Eligibility requirements: General.

(b) Be able to read, speak, and understand the English language, or have such operating limitations placed on his pilot certificate as are necessary for the safe operation of aircraft, to be removed when he shows that he can read, speak, and understand the English language; and

§ 61.87 [Amended]

6. Section 61.87 is amended by deleting the word "gyroplanes", and the commas, in the flush paragraph immediately following paragraph (c) (3) (iii).

7. Section 61.123 is amended by revising paragraph (b) to read as follows:

§ 61.123 Eligibility requirements: General.

(b) Be able to read, speak, and understand the English language, or have such operating limitations placed on his pilot certificate as are necessary for safety, to be removed when he shows that he can read, speak, and understand the English language; * * *

§ 61.153 [Amended]

8. Section 61.153 is amended by deleting the reference to "§ 61.141" and inserting "§ 61.151" in place thereof and by deleting the reference to "§ 61.145" and inserting "§ 61.155" in place thereof.

§ 61.155 [Amended]

9. Section 61.155 is amended by deleting the reference to "§ 61.31" in paragraph (a) and inserting "§ 61.73" in place thereof and by revoking and reserving paragraph (f).

§ 61.157 [Amended]

10. Section 61.157 is amended by deleting the reference to "§ 61.37(c)" and "§ 61.37(c) (2)" in paragraph (b) and inserting "§ 61.65(g)" in place thereof.

§ 61.159 [Amended]

11. Section 61.159 is amended by deleting the reference to "§ 61.143" in paragraph (b) and inserting "§ 61.153" in place thereof.

§ 61.165 [Amended]

12. Section 61.165 is amended by deleting the reference to "§ 61.151" in paragraph (a) and inserting "§ 61.159" in place thereof, by deleting the reference to "§ 61.155" in paragraph (a) and inserting "§ 61.163" in place thereof, by deleting the reference to "§ 61.151" in paragraph (b) and inserting "§ 61.159" in place thereof, by deleting the reference to "§ 61.153" in paragraph (b) and

inserting "§ 61.161" in place thereof, by deleting the reference to "§ 61.155" in paragraph (b) and inserting "§ 61.163" in place thereof, and by deleting the reference to "§§ 61.143 through 61.147" in paragraph (c) and inserting "§§ 61.153 through 61.157" in place thereof.

The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-101.

Issued in Washington, D.C., on November 15, 1976.

JOHN McLUCAS,
Administrator.