

# Title 14—AERONAUTICS AND SPACE

## Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 11015; Amdts. 47-12, 49-6]

### PART 47—AIRCRAFT REGISTRATION PART 49—RECORDING OF AIRCRAFT TITLE AND SECURITY DOCUMENTS

#### Validity Period of Signature Authorization

The purpose of these amendments is to relieve the limitation imposed by §§ 47.13(g) and 49.13(d) on the 3-year duration period for an authorization by one person to sign for another when the duration of that authorization is specifically stated therein; and to clarify certain other provisions of Part 47.

Amendments 47-2 and 49-2, effective August 18, 1966 (31 F.R. 15349, Dec. 8, 1966), extended the validity of a power of attorney or other authorization by one person to sign for another from two to not more than 3 years after the date the instrument was signed. The amendments stated that a specified expiration of the validity of an authorization was imposed to improve the efficiency of the FAA's registration and recordation systems by purging obsolete records.

For FAA purposes, there is a need to limit the duration of an authorization. However, it is considered unnecessary to invalidate an authorization where the latter specifically provides for a duration longer than 3 years, or where its continuing effectiveness is reaffirmed by the appropriate person.

These amendments accordingly provide that an authorization may be valid for a period longer than 3 years where the instrument itself so provides. If no expiration date is so specified in the instrument itself the 3-year limitation on validity will continue to apply. However, these amendments also provide a method to extend the effective period of an authorization for additional 3-year periods upon appropriate reaffirmance in writing that the authorization is still in effect.

Additionally, these amendments make the applicable provisions in § 47.13(d) (3) consistent by providing that the person who may certify an authorization by the board of directors of a corporation is an officer or other person holding a managerial position in the corporation and the title of his office is stated in connection with his signature. Finally, an ambiguity in § 47.13(d) (3) (i) is removed by identifying "the signer" to be the person who signed the application or request.

Since these amendments are procedural in nature, notice and public procedure thereon are not necessary, and they may become effective on less than 30 days' notice.

In consideration of the foregoing, Parts 47 and 49 of the Federal Aviation Regulations are amended, effective May 11, 1971, as follows:

a. By amending paragraphs (d) (3) and (g) of § 47.13 to read as follows:

#### § 47.13 Signatures and instruments made by representatives.

(d) \* \* \*

(3) Submit a copy of the authorization from the board of directors to sign for the corporation, certified as true under § 49.21 of this chapter by a corporate officer or other person in a managerial position therein, with the application or request, unless—

(i) The signer of the application or request is a corporate officer or other person in a managerial position in the corporation and the title of his office is stated in connection with his signature; or

(ii) A valid authorization to sign is on file at the FAA Aircraft Registry.

(g) A power of attorney or other evidence of a person's authority to sign for another, submitted under this part, is valid for the purposes of this section, unless sooner revoked, until—

(1) Its expiration date stated therein; or

(2) If an expiration date is not stated therein, for not more than 3 years after the date—

(i) It is signed; or

(ii) The grantor (a corporate officer or other person in a managerial position therein, where the grantor is a corporation) certifies in writing that the authority to sign shown by the power of attorney or other evidence is still in effect.

b. By amending § 49.13(d) to read as follows:

#### § 49.13 Signatures and acknowledgments.

(d) A power of attorney or other evidence of a person's authority to sign for another, submitted under this part, is valid for the purposes of this section, unless sooner revoked, until—

(1) Its expiration date stated therein; or

(2) If an expiration date is not stated thereon, for not more than 3 years after the date—

(i) It is signed; or

(ii) The grantor (a corporate officer or other person in a managerial position therein, where the grantor is a corporation) certifies in writing that the authority to sign shown by the power of attorney or other evidence is still in effect.

(Sec. 313(a), Title V, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1401-1406; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); § 1.47(a) of the Regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on April 29, 1971.

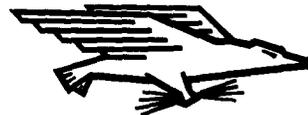
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