

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

[Docket No. 13820; Amdt. No. 61-63]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Graduates of Certificated Flying Schools

The purpose of this amendment to Part 61 of the Federal Aviation Regulations is to provide for testing and certification of graduates of pilot schools operated under certificates issued under Part 141 in effect prior to November 1, 1974.

Amendment 141-13 (effective November 1, 1974, and published in the Part II of this issue at 39 FR 20145), which substantially revises Part 141, provides in § 141.29 that a pilot school certificate issued before November 1, 1974 remains in effect until the expiration date on the certificate unless sooner surrendered, suspended, or revoked. In addition, a pilot school certificate issued before November 1, 1974 may be renewed under Part 141 to allow those students enrolled in an approved course of training prior to November 1, 1974 to complete that training.

As pointed out in Notice No. 73-5 preceding Amendment 141-13, much of the impetus for that amendment resulted from the recommendation of the Assistant Secretary for Safety and Consumer Affairs of the Department of Transportation that the requirements of Parts 61 and 141 be reviewed and upgraded. The upgrading of Part 61 was accomplished by Amendment 61-60 (effective November 1, 1973, and published in the FEDERAL REGISTER on February 1, 1973, 38 FR 3156). Amendment 141-13 accomplishes the upgrading of Part 141. However, because the Parts are closely related, compatibility of those Parts must be provided for.

Consequently, the FAA has determined that this amendment to Part 61 is necessary to effectively implement revised § 141.29. As adopted, a new flush paragraph following paragraph (b) of § 61.71 recognizes the fact that students trained by pilot schools permitted to operate under the requirements of Part 141 in effect prior to November 1, 1974 may be at a disadvantage in attempting to meet the revised testing requirements of revised Part 61. Accordingly, § 61.71 will now permit a student who graduates from such a pilot school to be eligible for certification

and to be tested for his pilot certificate under the requirements of Part 61 that were in effect prior to November 1, 1973.

Finally, in order to accommodate this change to § 61.71, it has been necessary to amend the applicability provisions of § 61.1 to reflect the exception created herein to the time-limited certification option provided for in § 61.1 for meeting the requirements of Part 61.

Since this amendment merely extends the date for compliance with revised Part 61 for certain applicants, and does not impose an additional burden on persons affected thereby, I find that public notice and procedure thereon are unnecessary.

This amendment is made under the authority of sections 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 November 1, 1974, as follows:

1. By amending paragraph (b) of § 61.1 to read as follows:

§ 6.11 Applicability.

* * * * *

(b) Except as provided in § 61.71 of this part, an applicant for a certificate or rating may, until November 1, 1974, meet either the requirements of this part, or the requirements in effect immediately before November 1, 1973. However, the applicant for a private pilot certificate with a free balloon class rating must meet the requirements of this part.

2. By adding a new flush paragraph immediately following paragraph (b) of § 61.71 to read as follows:

§ 61.71 Graduates of certificated flying schools: special rules.

* * * * *

(b) * * *
However, until January 1, 1977, a graduate of a flying school certificated and operated under the provisions of § 141.29 of this chapter, is considered to meet the aeronautical experience requirements of this part, and may be tested under the requirements of Part 61 that were in effect prior to November 1, 1973.

Issued in Washington, D.C., on May 29, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

(As published in the Federal Register
[39 F.R. 20056] on June 6, 1974)