

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Admin- istration, Department of Transpor- tation

[Docket No. 10065; Amdt. 61-46]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Airline Transport Pilot Certificate (Air- plane Rating)—Aeronautical Expe- rience Requirements; Clarification of False Logbook Entry Rule

The purpose of these amendments to Part 61 of the Federal Aviation Regulations is to: (1) Allow an applicant for an airline transport pilot certificate (airplane rating) until July 22, 1970, to meet the aeronautical experience requirements of § 61.145 that were in effect immediately prior to November 22, 1969, as an alternative to compliance with the new requirements effective on that date under Amendment 61-44; and (2) clarify § 61.48(a)(2) by specifically prohibiting any fraudulent or intentionally false entry in any logbook, record, or report required to be kept, made, or used, to show compliance with any requirement for either the issuance, or exercise of the privileges, of any certificate or rating under this part.

(1) Amendment 61-44, issued on October 16, 1969, effective November 22, 1969 (34 F.R. 17162) changes the minimum total flight time required by § 61.145(b)(2) as aeronautical experience for an airplane transport pilot certificate with an airplane rating to 1,500 hours. Previously the requirement was 1,200 hours within the 8 years before the date of application. Under the amendment the applicant also must have the minimum 250 hours of flight time as pilot in command (or as copilot performing the duties and functions of a pilot in command under the supervision thereof), as required by § 61.145(b)(1), in airplanes. Previously the requirement did not specify airplanes.

The FAA has been informed that a number of persons who are taking courses of instruction for an airline transport pilot certificate, by contractual agreement under the Veterans' Pension and Readjustment Assistance Act of 1967, currently meet the former requirement of 1,200 hours within the previous 8 years but do not meet the new requirement of 1,500 hours. Also, other persons met or were closely approaching the "1,200 in 8" requirement on November 22, 1969. Under the new rule, these persons will not be eligible to take the required written and practical tests without having an additional, unanticipated 300 hours flight time as a pilot. It is considered appropriate to allow these persons to meet the requirements of § 61.145, as they existed before November 22, 1969, for a period of 8 months. This allows students already enrolled in courses to complete their training and then apply

for their certificates. It also allows other persons nearing compliance with the experience requirements to complete the latter and apply for their certificates without the need to have the additional 300 hours. This period of time is considered sufficiently long to accomplish the objective of this amendment yet not so long as to allow persons to use the alternative method when they now lack 1,200 hours of pilot flight time by a significant margin.

(2) The amendment to § 61.48(a)(2) makes clear that the prohibition of that provision applies to entries in logbooks or other records required to show compliance with any requirement for not only the issuance, but also the exercise of the privileges, of a certificate or rating under Part 61. It has been asserted that the rule as presently written is susceptible of the interpretation that it does not prohibit falsification of entries, such as required recent experience, needed for the continuing exercise of the privileges of a certificate or rating. The amendment states the scope of the rule more clearly than the previous language.

Since the former amendment contains an alternative method of compliance that is less burdensome than that which became effective on November 22, 1969, and the latter amendment merely clarifies an existing rule, I find that notice and public procedure thereon is unnecessary, and that these amendments may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 61 of the Federal Aviation Regulations is amended as follows, effective January 21, 1970:

1. By inserting the following new paragraph (f) in § 61.145:

§ 61.145 Airplane rating: aeronautical experience.

(f) Until July 22, 1970, an applicant for an airline transport pilot certificate (airplane rating) may meet the aeronautical experience requirements in effect either on, or before, November 22, 1969.

2. By amending paragraph (a)(2) of § 61.48 to read as follows:

§ 61.48 Application, certificates, logbooks, reports, and records: falsification, reproduction, or alteration.

(a) * * *

(2) Any fraudulent or intentionally false entry in any logbook, record, or report that is required to be kept, made, or used, to show compliance with any requirement for the issuance, or exercise of the privileges, of any certificate or rating under this part;

(Secs. 313(a), 601, 602, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1422); sec. 6(c), Department of Transportation Act (49 U.S.C. 1656(c)))

Issued in Washington, D.C., on January 15, 1970.

D. D. THOMAS,
Acting Administrator.