Advance distribution pending
issuance of change to FAR Part 61

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6322; Amdt. 61-16]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Prerequisites for Flight Tests

The purpose of these amendments to § 61.21 of Part 61 of the Federal Aviation Regulations is, first, under certain circumstances, to permit an applicant for an airline transport pilot certificate to take the flight test more than 24 months after he passes the written test if he has been employed by a United States air carrier or commercial operator as a pilot assigned to flight engineer duties. These circumstances, like those previously prevailing for an applicant employed as a pilot, are that he has been continuously employed as a pilot or as a pilot assigned to flight engineer duties by, and has continuously participated in an approved training program of, his employer. The amendments also make this indefinite extension of time available for a pilot applicant employed in either capacity (pilot or flight engineer) if his employment and participation in his employer's approved pilot training program commenced at any time within the 24-month period since the written test was passed, and not necessarily at or before the time the written test was passed.

These amendments were proposed in Notice No. 64-51 and published in the FEDERAL REGISTER on November 25, 1964 (29 F.R. 15821).

The comments received on the notice generally support the extension of the pilot's privilege to the pilot assigned to flight engineer duties, in the circumstances stated. Two comments characterized the proposals as favored consideration for airlines and airline crewmembers. One of these comments suggested that the change also should be made applicable to professional pilots (not airline crewmembers) receiving training through professional pilot training schools. This comment is addressed to the basic concept of indefinite extension of time already provided by § 61.21, and its concern is not limited to the changes made by these amendments. The Agency does not agree with this suggestion. The pilot-flight engineers who can benefit by these amendments must participate in approved pilot training programs of their employers that are required by the air carrier regulations (Parts 40, 41, and 42 of the Civil Air Regulations, recodified as Part 121 of the Federal Aviation Regulations). Also, in airline operations these pilot-flight engineers are exposed to current air transportation developments, air traffic control procedures, and changes in regulations, routes, and flight techniques and procedures. There are no requirements that will assure comparable training and dissemination of this current information by approved pilot schools. The other of these comments suggested that consideration should be given to the granting of the same time extension to applicants currently enrolled in approved pilot schools. The Agency does not agree with this suggestion, since these schools are not required to meet the same pilot training standards as those established in the air carrier regulations.

One comment suggested that paragraph (b) of § 61.21 (requirement of applicable experience prescribed in Part 61) should be excluded along with the indefinite extension of the time requirement of paragraph (a) of that section, so as to permit an applicant to take the written test for an airline transport certificate when he is ready in terms of his training program. The Agency does not agree with this suggestion, since it considers it necessary to have a pilot experience requirement as a prerequisite for eligibility to take the written test, and since to adopt the suggestion would create difficulties in maintaining required standards as well as enforcement problems.

Two comments (including the one that made the suggestion just discussed) concerned the requirements of § 61.145 (b)(2) of "1,200 hours flight time as a pilot within the 8 years before the date he applies," and of § 61.21(b) that the applicant for a flight test must "have the applicable aeronautical experience prescribed" in Part 61, in their relation to the pilot employed as a flight engineer who receives the benefit of these amendments. These comments assume that with the passage of time such a pilot may lose credit for his 1,200 hours of flight time as a pilot within 8 years, upon the premise that the 8 years are those immediately before the date of his taking the flight test. The comments apparently are based upon a misunderstanding, since the 8 years are those preceding the time the applicant "applies," meaning the time he applies for the airline transport pilot certificate with an airplane rating. This is borne out by the language of § 61.143, that provides that the applicant "must, after meeting the requirements of §§ 61.141 (except paragraph (a) thereof) and § 61.143, pass a written test"—in other words, the "1,200 and 8" requirement precedes the written test, not the flight test.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the flush paragraph of § 61.21 of Part 61 of the Federal Aviation Regulations is amended to read as follows, effective May 10, 1965:

§ 61.21 Prerequisites for flight tests.

* * * * *

Notwithstanding paragraph (a) of this section, an applicant for an airline transport pilot certificate who (1) has been continuously employed as a pilot or as a pilot assigned to flight engineer duties by, and has continuously participated in an approved pilot training program of, a United States air carrier or commercial operator since no later than 24 months after passing the written test, or (2) has been continuously employed as a pilot by, and has continuously participated in a pilot training program of, a United States scheduled military air transportation service after passing the written test, may take the flight test for that certificate as long as he continues in that employment and pilot training program.

(Secs. 313(a), 601, and 602, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, and 1422)

Issued in Washington, D.C., on April 5, 1965.

N. E. HALABY,
Administrator.

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