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SPECIAL CIVIL AIR REGULATION SR-424B

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 63]

[Special Civil Air Reg. SR-424B]

PART 60—AIR TRAFFIC RULES

Positive Air Traffic Control; Extension for Indefinite Period

Notice was given on July 18, 1959, that the Federal Aviation Agency had under consideration a proposal to amend Special Civil Air Regulation No. 424A which became effective on June 15, 1959, (24 F.R. 5759).

The purpose of SR-424A was to extend the provisions of the positive air traffic control regulations which would otherwise have terminated on June 15, 1959. It had been originally intended, as outlined in a notice of proposed rule making issued on May 15, 1959, to extend the positive control provisions for an indefinite period. However, comment received from the Department of the Air Force in response to this notice indicated the need for further discussion of the impact of the positive control program on its operations. In view of these comments, it was decided to extend SR-424A on a temporary basis and the provisions of this special regulation will terminate on September 15, 1959.

It has been pointed out by the Air Force that positive control route segments are currently designated along certain 10-mile wide airways from 17,000 to 22,000 feet while the provisions of SR-424 authorized such route segments along 40-mile wide routes extending from 17,000 to 35,000 feet.

As issued, SR-424A authorized the designation of positive control routes which exceeded the dimensions of those currently designated. This was consistent with the initial authorization contained in SR-424 as adopted by the Civil Aeronautics Board and was considered to be representative of future airspace requirements for the positive control concept.

Due to the present capabilities of the air traffic control system, it was not intended to increase immediately the dimensions of positive control route segments to the full extent authorized in SR-424A. Therefore, in order to clarify the intent of the rule, it appeared desirable to adopt a new Special Civil Air Regulation which will provide for the designation of the positive control route segments in the same dimensions as those currently designated. Accordingly, a proposed modification to the rule was circulated as Special Civil Air Regulation No. SR-424B in Draft Release No. 59-9. In commenting on this draft release, the Department of the Air Force supported the concept of positive air traffic control and its inherent safety objectives and emphasized that such a system must accommodate the requirements of all airspace users. Implementation of positive control within the capabilities of the present air traffic control system necessitates certain procedures and restrictions on air traffic which, the Air Force contends, unduly hamper essential military air traffic. For this reason, the Air Force objects to the proposed rule making and presents a counterproposal to eliminate positive control airways in all areas covered by radar. Radar separation practices would be substituted for the procedural and restrictive practices presently applied on the positive control airways in areas of radar coverage. While the concern indicated in the Air Force objection is understood and appreciated, the extent of over-all safety which is obtained for airspace users by the continuation of the positive control route program is considered to justify the degree of burden it imposes.

It should be noted that the lateral dimensions of positive control route segments are prescribed herein as being the same as those of the airway upon which the route is designated. The use of the airway boundaries instead of a distance specified in miles is believed advisable in order to accommodate any future changes which may occur in the lateral dimensions of the federal airways.

As pointed out in Draft Release No. 59-9, the future plans for further development and expansion of the positive control concept contemplate experimentation and "service testing" with positive control areas as well as positive control route segments. The Air Force proposal for radar separation will be considered in any such development or expansion. These plans will be the subject of future rule-making procedures in order to provide interested parties with full opportunity to participate.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby promulgated to become effective September 15, 1959:

1. The special air traffic rules prescribed in paragraphs (2), (3) and (4) of this special regulation shall be applicable to any operation of an aircraft in that portion of a federal airway between the altitudes of 17,000 and 22,000 feet which has been designated by the Administrator as a "positive control route segment" in Part 601 of the Administrator's regulations (14 CFR Part 601).

2. No person shall operate an aircraft within such designated airspace without prior approval of air traffic control.

3. All VFR flight activities, including VFR on top, irrespective of weather conditions, are prohibited from operating in this designated airspace.

4. All aircraft operated within this designated airspace shall have the instruments and equipment currently required for IFR operations and all pilots shall be rated for instrument flight.

This Special Civil Air Regulation shall remain in effect until superseded or rescinded by the Administrator.

(Secs. 313(a), 307(c); 72 Stat. 752, 749; 49 U.S.C. 1354, 1343).

Issued in Washington, D.C., on August 28, 1959.

E. R. QUESADA,
Administrator.

AUGUST 28, 1959.

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