Affects Parts: 18, 25, 42, 43, 45, 49, 54, and 60.
Distribution: General

Regulation No. SR-397

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Effective: June 30, 1953
Adopted: June 30, 1953

SPECIAL CIVIL AIR REGULATION

AUTHORIZATION FOR THE UNITED STATES FOREST SERVICE TO DEVIATE FROM THE CIVIL AIR REGULATIONS

The Forest Service of the United States Department of Agriculture uses both public and civil aircraft to carry personnel and equipment to fire areas. The aircraft and pilots are certificated and, where possible, Forest Service operations are conducted in accordance with the Civil Air Regulations. In order to deal effectively with fire control and other Forest Service specialized activities, however, it is often necessary to use uncertificated personnel as parachute riggers during peak-load periods, to remove seats and safety belts from aircraft in which fire fighters are carried, to drop equipment and supplies from aircraft, and to deviate from other provisions of the Civil Air Regulations such as minimum altitudes and visibility conditions. Due to the exigencies of the particular situation, it is usually impracticable for the Forest Service to seek authority in each particular instance to deviate from the provisions of the Civil Air Regulations. In view of the public service rendered by this organization and the well organized supervisory control which the Forest Service exercises over its operations, it is considered desirable that the Board authorize the Forest Service to deviate from the Civil Air Regulations and normal practices thereunder when necessary for their operations.

This regulation authorizes the Chief of the Forest Service to permit aircraft and airmen, while engaged in Forest Service operations, to deviate from the Civil Air Regulations to the extent that he finds necessary for the expeditious conduct of such operations. The regulation also provides that the Administrator shall establish a procedure for notification by the Chief of the Forest Service of those deviations which he has authorized.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective immediately:

Contrary provisions of the Civil Air Regulations notwithstanding, the Chief, Forest Service, United States Department of Agriculture, is authorized to permit aircraft and airmen, while engaged in operations conducted for the United States Forest Service, to deviate from the provisions of the Civil Air Regulations to the extent that he finds necessary for the expeditious conduct of such operations. The Chief, Forest Service, shall notify the Administrator of any deviation which he has authorized and the reasons therefor in accordance with a procedure established by the Administrator.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 602, 603, 604, 605, 52 Stat. 1007, 1008, 1009, 1010, as amended; 49 U.S.C. 551, 552, 553, 554, 555)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)