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Regulation No. SR-430

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D. C.

Effective: December 31, 1958

SPECIAL CIVIL AIR REGULATION

CHANGES IN CIVIL AIR REGULATIONS TO CONFORM WITH FEDERAL AVIATION ACT OF 1958

Under the provisions of the Federal Aviation Act of 1958, the Civil Air Regulations promulgated by the Civil Aeronautics Board continue in effect according to their terms until modified, terminated, superseded, or repealed by the Administrator of the Federal Aviation Agency. However, a review of the Civil Air Regulations indicates that many of the regulations by their terms authorize the Board to perform regulatory functions and duties which are to be performed by the Administrator of the Federal Aviation Agency on and after December 31, 1958, the effective date of the safety regulatory provisions of the Federal Aviation Act of 1958. Therefore, these regulations are hereby amended without delay in order to make them consistent with the Act and provide the public with current information in regard to the persons authorized to perform such functions.

The principal changes contained in this blanket amendment apply to all parts of the Civil Air Regulations and are divided into the following categories:

(1) Regulations providing for termination dates of aircraft, airmen, air carrier and air agency certificates. These regulations now provide, among other things, that such certificates shall remain in effect until a termination date is otherwise established by the Board. Since the regulatory authority to establish a termination date will be exercised by the Administrator of the Federal Aviation Agency, the regulations are amended to provide that the Administrator may establish a termination date for such certificates instead of the Board.

(2) Regulations providing for safety inspections by representatives of the Administrator and the Board. Since the Board will no longer exercise safety regulatory powers, these regulations are amended to eliminate safety inspections by representatives of the Board. This amendment is not intended to affect, in any way, the authority of the Board to conduct investigations pursuant to the aircraft accident investigation provisions of the Federal Aviation Act of 1958.

(3) Regulations requiring notice to be given to the Board in regard to deviations from regulations. These regulations are amended to require such notice to be given to the Administrator of the Federal Aviation Agency instead of the Board.

(4) Regulations providing for review of safety actions of the Administrator by the Board. Sections 40.21 and 60.13a are amended by deleting the provisions which provide for review by the Board of safety regulatory functions. This amendment will not in any way affect the right of the air carrier to petition the Administrator informally for reconsideration of his actions in regard to the issuance of an operations specification which was formerly subject to review by the Board.

(5) Regulations defining the Administrator as the Administrator of Civil Aeronautics. These regulations are amended by redefining the word Administrator to mean the Administrator of the Federal Aviation Agency.

The changes in this amendment are necessary for conformance of the Civil Air Regulations with the provisions of the Federal Aviation Act of 1958, and involve no additional burden upon the public. Accordingly, compliance with the notice, procedure and effective date provisions of the Administrative Procedure Act is unnecessary and they are adopted to become effective December 31, 1958, the effective date of the safety regulatory provisions of the Federal Aviation Act of 1958.

In consideration of the foregoing, the Administrator of the Federal Aviation Agency hereby adopts the following amendments to the Civil Air Regulations to become effective on December 31, 1958:

1. Amend §§ 1.1 (a) (1), 3.1 (a) (1), 4b.1 (a) (1), 5.1 (a) (1), 6.1 (a) (1), 7.1 (a) (1), 8.1 (a) (1), 10.1 (a) (1), 13.1 (a) (1), 14.1 (a) (1), 27.2, 33.2, 34.2, 40.5, and 46.5, by deleting the words "Administrator of Civil Aeronautics" as they appear in those sections, and inserting "Administrator of the Federal Aviation Agency".

2. Amend §§ 1.16, 1.44, 1.64 (a), 1.75 (c), 20.11 (b), 21.24 (a), 22.21 (b), 24.7 (a), 24.102, 26.18 (a), 27.7 (a), 33.7 (a), 34.7 (a), 35.7 (a), 40.16, 46.16, 51.4, 52.7, and 53.7, by deleting the words "terminated by Order of the Board" appearing in those Sections and inserting "terminated by Order of the Administrator".

3. Amend §§ 40.22 and 46.22 by deleting the words "authorized representative of the Board or the Administrator" and inserting "authorized representative of the Administrator".

4. Amend §§ 42.8, 50.30, and 53.11 by deleting the words "or the Board" as they appear in those sections.

5. Amend §§ 40.13 (b), 41.1 (a), 42.5 (b), and 46.13 (b), by deleting the last sentence appearing in each of these sections.

6. Amend § 42.2 (d) to read as follows:

(d) Grants of deviation authority issued pursuant to this section may be terminated at any time by the Administrator.

7. Amend § 60.13a by striking the last sentence of that section.

8. Amend §§ 40.21 and 46.21 by striking the last two sentences of those sections.

9. Amend the definition of operations specifications, appearing in §§ 40.5 and 46.5 by deleting the words "under delegated authority from the Board".

10. Amend §§ 3.11 (a), 4b.11 (a), 5.11 (a), 6.11 (a), 7.11 (a), 13.11 (a), and 14.11 (a), by striking the word "Board" and inserting in lieu thereof the word "Administrator".

11. Amend §§ 3.11 (d), 4b.11 (d), 5.11 (d), 6.11 (d), 7.11 (d), 13.11 (d), and 14.11 (d), by deleting the words "Except as otherwise provided by the Board, or by the Administrator" and inserting in lieu thereof the words "Except as otherwise provided by the Administrator".

12. Delete the note to § 49.1.

13. Delete the words "the Civil Aeronautics Board" appearing at the end of the first paragraph of the note to § 49.13, and insert in lieu thereof the words "Administrator of the Federal Aviation Agency".

14. Delete the words "or the Board" appearing at the end of § 49.23.

15. Delete the words "or Board" appearing at the end of the second sentence of § 41.120 (a).

16. Wherever the terms "Administrator of Civil Aeronautics", Civil Aeronautics Administration", "authorized representative of the Administrator of Civil Aeronautics", or "approved by the Administrator of Civil Aeronautics" are used in the Civil Air Regulations, these terms shall mean "Administrator of the Federal Aviation Agency", "Federal Aviation Agency","authorized representative of the Administrator of the Federal Aviation Agency", "approved by the Administrator of the Federal Aviation Agency", and such other words as the context of the regulations shall require.

(Sec. 313 (a) of the Federal Aviation Act of 1958, Act of August 23, 1958, 72 Stat. 752 (Pub. Law 85-726). Interpret or apply Secs. 307 (a) and 307 (c), 601-608, inclusive, and 1501 (a); 72 Stat. 749, 750, 775-779 and 809)

By the Federal Aviation Agency:

/s/ E. R. Quesada

E. R. Quesada
Administrator

(SEAL)