CIVIL AERONAUTICS AUTHORITY

WASHINGTON, D. C.

CIVIL AIR REGULATIONS

PART 01.—AIRCRAFT REGISTRATION AND AIRWORTHINESS CERTIFICATES

Effective July 15, 1940, As Amended

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1940

For sale by the Superintendent of Documents, Washington, D. C. - - - - Price 5 cents

FOREWORD

Part 01, as amended by the Authority, effective July 15, 1940, contains the following major changes:

1. Former Part 00 has been stricken and the contents of that Part have been transferred to Part 01, and such provisions of former Part 01 which dealt with type and production certificates have been transferred to revised Part 02. Thus, the revised Part 01 includes the provisions for the registration and certification of individual aircraft. This arrangement facilitates reference to regulations affecting the flying public without unnecessary inclusion of regulations affecting only aircraft manufacturers.

2. *The duration periods of airworthiness certificates and the methods of renewal and reinstatement of such certificates have been changed.* Under the former regulations a temporary airworthiness certificate was issued in the field and expired 90 days after issuance. The inspector's report of the examination of the aircraft was forwarded to the Washington office and if no objection was found to the issuance of a certificate in the particular case, a "permanent" certificate was issued which was of 12 months' duration. Thereafter, each 12 months the owner of the aircraft presented the airworthiness certificate for renewal and the inspector, after examination and approval of the aircraft, took up the old certificate and issued a new one. In order to eliminate delay in the issuance of permanent certificates and also the cost of issuing renewal certificates, *a new duration clause (Sec. 01.23) is provided in this revision.*

Under this revision, a permanent airworthiness certificate is issued for the aircraft in the field. The inspector's report of the examination of the aircraft is forwarded to the Washington office and, if within 60 days the holder is not notified of any objection, the certificate will be of indefinite duration. Thereafter, each 12 months the owner of the aircraft will present the airworthiness certificate to an inspector for endorsement and the inspector, after an examination and approval of the aircraft, will endorse the certificate, thus continuing it in effect for an additional 12 months' period.

If the owner of the aircraft fails to secure an endorsement at the end of the endorsement period or after reexamination by an inspector at any time, such as after a major repair or alteration, the certificate automatically expires.

3. Under the former regulations the operation limitations of a certificated aircraft, such as gross weight, no passengers to be carried, etc., in most instances appeared upon the face of the airworthiness certificate and were a part of it. Under the revision each airworthiness certificate will be accompanied by an Aircraft Operations Record which will contain these limitations (Sec. 01.22). This will facilitate the issuance and alteration of operation limitations without the necessity of issuing a new certificate in each instance.

4. An airworthiness certificate under the former regulations was issued *to the owner* of the aircraft and was not transferred upon the sale of the aircraft. Under the revision an airworthiness certificate is issued *for a particular aircraft* and not in the name of the owner. Upon the transfer of ownership, the certificate will remain with the aircraft for which it was issued.

5. The former regulations in Section 00.4 provided that upon the transfer of ownership of a registered aircraft the aircraft might be operated without registration for a period of 60 days from the date of transfer, provided the registered owner endorsed the certificate and delivered it to the purchaser and on the same day the purchaser mailed an application for a new certificate to the Authority in Washington.

This procedure caused some inconvenience to those dealing in aircraft, for quite often three or four sales will be made within a few days after the registered owner of the aircraft has transferred it. The usual course is for the manufacturer, who is the registered owner, to sell to a distributor, who sells to a dealer, who then sells to the ultimate purchaser. The regulations, of course, only provided for operation without registration by the one who had purchased the airplane from the registered owner. Thus, in the case above

cited, the dealer and the ultimate purchaser were not able to operate the airplane until their applications had been filed, properly processed in the Washington office, and a registration certificate received by them.

This revision eliminates this inconvenience to a large extent. The only duty imposed upon the persons who take title to the aircraft within the 60 days of the date the registered owner transfers ownership, is to notify the Authority in writing of the transfer of ownership, or to apply for a registration certificate. Thus, in the case cited in the foregoing, the manufacturer will endorse the registration certificate to the distributor and the distributor will notify the Authority of the transfer of ownership. The distributor will give the endorsed certificate to the dealer and the dealer will notify the Authority of this transfer of ownership. The ultimate purchaser can then file application for registration within the 60-day period and operate the airplane without registration until that period has elapsed.

6. A comparison of this revision with the former regulations will indicate that numerous other changes have been made.

THE UNITED STATES OF AMERICA

CIVIL AERONAUTICS AUTHORITY

WASHINGTON, D. C.

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 10th day of May, 1940

In the Matter of the Effective Date of Certain Amendments to the Civil Air Regulations

ORDER PRESCRIBING THE EFFECTIVE DATE OF THE AMENDMENTS TO PARTS 00, 01, 02, 27, AND 60 AND SECTIONS 04.000 AND 60.32 OF THE CIVIL AIR REGULATIONS

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority orders that: the amendment to Parts 00, 01, and 02 and section 04.000, adopted by the Authority on November 3, 1939; the amendment to section 60.32, adopted by the Authority on November 3, 1939, and further amended on this day, May 10, 1940; and the amendments to Parts 27 and 60, adopted by the Authority on December 22, 1939, and further amended on this day, May 10, 1940, shall become effective July 15, 1940.

By the Authority:

[SEAL]

(s) PAUL J. FRIZZELL,
Paul J. Frizzell,
Secretary.

CIVIL AIR REGULATIONS

PART 01.—AIRCRAFT REGISTRATION AND AIRWORTHINESS CERTIFICATES

Sec.
01.1 Registration certificates.
01.10 Application.
01.11 Duration.
01.12 Transferability and interim operation.
01.13 Invalidation.
01.2 Airworthiness certificates.
01.20 Application.
01.21 Requirements for issuance.
01.22 Aircraft Operation Record requirements.
01.23 Duration.
01.24 Transferability.
01.3 Registration and airworthiness certificate rules.
Sec.
01.30 Display, cancellation and surrender.
01.31 Inspection.
01.32 Operation of damaged or altered certificated aircraft.
01.33 Maintenance of certificated aircraft.
01.34 Periodic and other inspections of certificated aircraft.
01.35 Log-books.
01.36 Notification and report of accidents.

01.1 Registration certificates.

01.10 Application. Application for the registration of an aircraft shall be made upon the applicable form prescribed and furnished by the Authority, and shall be accompanied by proper documentary evidence of the applicant's ownership of the aircraft sought to be registered.

01.11 Duration. The registration and certificate issued pursuant thereto shall be of sixty days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter except that it shall immediately expire upon the date (1) the ownership of the aircraft is transferred, (2) the aircraft is registered under the laws of any foreign country, (3) the registration of the aircraft is cancelled at the written request of the owner, or (4) the aircraft is totally destroyed or scrapped.

01.12 Transferability and interim operation. A registration certificate is not transferable. Upon the transfer of ownership of an aircraft registered as an aircraft of the United States, the aircraft may be operated without registration for a period of 60 days from the date of such transfer,[1] if the following conditions are complied with:

(a) On the date the registered owner transfers ownership of such aircraft, he shall endorse the registration certificate in the manner provided thereon and deliver such certificate to the purchaser. The purchaser shall, on the date of the purchase, either file application for registration or advise the Authority in writing of the date of the purchase and his name and address.

(b) If, prior to the re-registration of the aircraft, a further transfer or transfers of ownership of the aircraft shall be made, each person making such transfer shall give the registration certificate to the purchaser. The purchaser shall, on the date of the purchase, either file

[1] Any operation of the aircraft without registration after this 60-day period is a violation of the Act. Therefore, if the purchaser is not going to make further transfer of the aircraft it is to his advantage to make application for a registration certificate as soon as possible in order to have the aircraft registered within the 60-day period.

an application for registration or advise the Authority in writing of the date of the purchase and his name and address.

01.13 **Invalidation.** Any registration of an aircraft by the Authority shall be null and void if at the time of registration (a) the aircraft was registered under the laws of any foreign country; or (b) the person registered as owner was not the true and lawful owner of the aircraft; or (c) the person registered as owner was not a citizen of the United States as defined in section 1 (13) of the Civil Aeronautics Act of 1938, or the interest of such person in the aircraft was created by any transaction not entered into in good faith but for the purpose of avoiding, with or without the knowledge of the registered owner, the provision of the Civil Aeronautics Act of 1938, prohibiting the registration of an aircraft in the name of a person not a citizen of the United States.

01.2 **Airworthiness certificates.**

01.20 **Application.** Application for an airworthiness certificate may be made by the registered owner of any aircraft registered as an aircraft of the United States upon the applicable form prescribed and furnished by the Authority.

01.21 **Requirements for issuance.** Prior to the issuance of an airworthiness certificate, the subject aircraft shall be inspected by a duly authorized representative for the Authority to determine whether it is in condition for safe operation and complies with the airworthiness requirements specified in the Civil Air Regulations: *Provided*, That an airworthiness certificate may be issued for an aircraft for which no such certificate has previously been issued and which has been manufactured under a type certificate or under a type and a production certificate if the applicant for such certificate, upon request, presents to a duly authorized representative for the Authority a Statement of Conformity properly executed by the manufacturer of the aircraft on a form prescribed and furnished by the Authority, and if the aircraft satisfactorily passes an inspection made to determine whether such aircraft is in condition for safe operation: *Provided further*, That an aircraft manufactured under a type certificate only shall undergo, and an aircraft manufactured under a type and a production certificate may be required to undergo, an inspection to determine whether such aircraft conforms to the type certificate under which it is manufactured.

01.22 **Aircraft Operation Record requirements.** An aircraft for which an airworthiness certificate is currently in effect, hereinafter referred to in these regulations as a certificated aircraft, shall not be operated unless there is attached to such airworthiness certificate the appropriate Aircraft Operation Record prescribed and issued by the Authority, nor shall such aircraft be operated other than in accordance with the limitations for safe operations prescribed and set forth by the Authority in such record. An aircraft for which an airworthiness or experimental certificate is in effect on the effective date of this section may be operated without an Aircraft Operation Record until expiration, cancellation, or revocation of any such certificate.

01.23 **Duration.** An airworthiness certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely

thereafter, unless suspended, revoked, or cancelled by the Authority, except that it shall immediately expire (1) at the end of a specifically designated period [2] after the date of issuance of the certificate or after the date of the last endorsement thereof, whichever is later, if the holder of such certificate fails to secure within such period an examination or inspection by an authorized inspector for the Authority, or (2) at any time an authorized inspector of the Authority shall refuse to endorse such certificate after examination or inspection.

01.24 Transferability. An airworthiness certificate and the attached currently effective Aircraft Operation Record, upon transfer of ownership, shall remain with the aircraft for which they were issued.

01.3 Registration and airworthiness certificate rules.

01.30 Display, cancellation and surrender.

01.300 Display. A registration and an airworthiness certificate shall be carried at all times in the aircraft for which such certificates have been issued, and shall be presented upon the request of any duly authorized representative for the Authority, or any State or municipal official charged with enforcing local laws or regulations involving Federal compliance.

01.301 Cancellation. An airworthiness certificate may be cancelled upon the written request of the registered owner of the aircraft.

01.302 Surrender. Upon the cancellation, suspension, revocation, expiration, or invalidation of a registration certificate or an aircraft airworthiness certificate, the owner of the aircraft shall, upon request, surrender such certificates to any officer or employee of the Authority.

01.31 Inspection. An inspector of the Authority shall be permitted at any time and place to make such inspections as may be deemed necessary to determine compliance with the requirements of this Part of the Civil Air Regulations.

01.32 Operation of damaged or altered certificated aircraft. If any certificated aircraft shall be damaged so as to require a major repair, or shall undergo a major alteration (see Part 18 of the Civil Air Regulations), such aircraft shall not be operated until examined, inspected and approved by a duly authorized representative for the Authority. When a certificated aircraft, or any aircraft engine or propeller thereof, has undergone a major repair or major alteration, such aircraft shall, prior to carrying passengers, be test flown by a pilot having not less than 200 solo hours and holding an appropriate rating for the aircraft to be test flown.

01.33 Maintenance of certificated aircraft. A certificated aircraft shall not be operated unless maintained in condition for safe operations.

01.34 Periodic and other inspections of certificated aircraft.

01.340 Periodic inspection. A certificated aircraft shall not be operated unless, within the 100 hours of flight time last preceding such operation, such aircraft shall have been given a periodic inspection. Such inspection shall be made by a person to whom there has been issued a currently effective and appropriate mechanic certificate, and shall be made in accordance with the Periodic Aircraft Inspection

[2] A statement of duration in substantially the form of § 01.23 will appear on all airworthiness certificates. The above reference to a "specifically designated period" means the period which will be designated on each airworthiness certificate. Under ordinary circumstances an airworthiness certificate will have to be endorsed each year.

Report form prescribed and furnished by the Authority: *Provided*, That in the case of aircraft operated in scheduled air transportation service, such inspection shall be made in accordance with a form acceptable to the Authority. The results of such inspection shall be entered in the aircraft log-book and on the Periodic Aircraft Inspection Report form over the signature and certificate number of the person making the same.

01.341 Other inspections. In all cases, except inspections following repairs or alterations to certificated aircraft, the registered owner shall be responsible for having such aircraft given a periodic inspection, by a person to whom there has been issued a currently effective and appropriate mechanic certificate, within a reasonable time prior to presentation for inspection by a duly authorized representative of the Authority. In cases of inspections following repairs or alterations of aircraft, such representative may require such inspection of the aircraft as he deems necessary, by a person to whom there has been issued a currently effective and appropriate mechanic certificate. The results of such inspections shall be entered in the aircraft log-book over the signature and certificate number of the person making the same.

01.35 Log-books. The registered owner of a certificated aircraft shall be responsible for the maintenance and, upon request, the presentation to a duly authorized representative for the Authority, of a log-book for the aircraft and a log-book for each engine installed therein. Such log-books shall be current, accurate, legible, and permanent records. The aircraft log-book shall contain a complete operating history of the aircraft which shall include, but shall not be limited to, flight time of the aircraft, reports of periodic or other inspections, repairs, and alterations of the aircraft structure and propellers. Each engine log-book shall contain a complete operating history of the aircraft engine to which it pertains, which shall include, but shall not be limited to, the running time of the engine, both on the ground and in the air, reports of periodic or other inspections, repairs, and alterations of the aircraft engine.

01.36 Notification and report of accidents. Notification and report of accidents involving aircraft shall be made in accordance with the Air Safety Board regulations on this subject.[3]

---

[3] The Air Safety Board regulations on this subject are as follows:

(1) *Notification.* When death or serious injury to person or substantial damage to property results from an accident involving aircraft, the airman concerned and the registered owner or operator of the aircraft, if physically able, shall notify the Air Safety Board of the Civil Aeronautics Authority immediately, either in person or by telegraph or telephone, stating the identification mark of the aircraft and the time, place and nature of the accident: *Provided*, That notification, for the attention of the Air Safety Board, to the Civil Aeronautics Authority or any of its inspectors, shall be deemed to constitute notification to the Air Safety Board in accordance with this paragraph. If notification is to be given direct to the Air Safety Board, such notification may be made to either the principal office of the Air Safety Board in Washington, D. C., or to its nearest known branch office or field representative.

(2) *Report.* All accidents involving aircraft which cause death or injury to person, or damage to the aircraft or other property, shall be *reported* without delay by, or on behalf of, the airman and by, or on behalf of, the registered owner or operator of the aircraft to the Air Safety Board of the Civil Aeronautics Authority at its nearest office. Such reports shall be submitted on accident report forms provided for this purpose by the Air Safety Board and shall include all facts, conditions, and circumstances relating to the accident and all pertinent information for which space is provided on the report form.

NOTE: See § 60.32 for identification mark requirements for aircraft.