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

Civil Air Regulations Amendment 1-7; Supp. 2
Effective: August 17, 1963
Issued: August 12, 1963

[Reg. Docket No. 1915; Amdt. 1-7; Supp. 2]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKING OF AIRCRAFT AND RELATED PRODUCTS

Special Flight Permits

Present §§ 1.76 and 1.76–1 of Part 1 (14 CFR Part 1) of the Civil Air Regulations provide for the issuance of a special flight permit for an aircraft, which may not currently meet applicable airworthiness requirements but which is capable of safe flight, for the purpose of permitting the aircraft to be flown to a base where repairs or alterations are to be made; to permit the delivery or export of the aircraft; or to permit flight tests of new production aircraft. The purpose of this amendment is to incorporate into § 1.76 provisions for the issuance of a special flight permit specifically for the purpose of permitting certain aircraft to be operated over land areas where adequate landing facilities or appropriate fuel is not available or over water, beyond the normal range of such aircraft, at weights in excess of the maximum certificated takeoff weight established for the aircraft.

With the introduction of light, twin-engine aircraft into general aviation use, it has become a common practice to effect delivery of these aircraft by flyaway rather than crating and surface shipment. Under the provisions of § 1.76, special flight permits, many delivery flights are made beyond the normal range of the aircraft involved and temporary fuel tanks and navigational equipment are installed for such flights. The extra equipment and fuel results in weights in excess of the maximum certificated takeoff weight established for the aircraft. Experience with such delivery flights has shown that aircraft which meet the conditions and limitations of a special flight permit can be temporarily operated at weights in excess of their maximum certificated takeoff weight without any adverse effect on safety.

The Agency has received numerous requests for temporary authority to operate aircraft at weights in excess of the maximum certificated takeoff weight for purposes other than the delivery or export of the aircraft. Such requests are for the purpose of conducting flights to various places overseas and return, or over various land areas where adequate landing facilities or appropriate fuel is not available when the excess weight consists only of the added fuel and navigational equipment necessary to conduct such flights. However, the provisions of § 1.76 do not specifically provide for the issuance of special flight permits for such purposes. Thus, under the present rules, prior to the operation of an aircraft on any flight beyond the normal range of such aircraft for purposes other than those specified in § 1.76, the aircraft must be recertificated at the necessary temporary weight increase in excess of the maximum certificated takeoff weight. The Agency is aware that such recertification in accordance with the applicable Civil Air Regulations is expensive and time-consuming. Moreover, the Agency believes that, in the light of the experience with operations conducted under the provisions of § 1.76, such recertification is not necessary in the interest of safety for the temporary operation of an aircraft at an increase in takeoff weight, if such aircraft meets the conditions and limitations applicable to a special flight permit.

Therefore, the Agency considers it appropriate in the public interest to permit a greater utilization of aircraft by amending § 1.76 to provide for the issuance of special flight permits for aircraft which are to be flown over land areas where adequate landing facilities or appropriate fuel is not available or over water, beyond the normal range of the aircraft. Under the provisions of this amendment, the aircraft must meet all the applicable airworthiness requirements except those provisions which it cannot meet as a result of the increased maximum certificated takeoff weight. Thus, the installation of the additional fuel-carrying facilities must be approved by the Administrator. Furthermore, the aircraft with the extra fuel-carrying facilities must be found safe for operation prior to the issuance of a special flight permit.

In addition to the foregoing, § 1.76–1 is deleted since it contains an interpretation of a regulation which became obsolete as the result of subsequent amendments to that regulation.

Since this amendment relieves a restriction, and does not impose a burden on any person, notice and public procedure hereon are not necessary, and it may be made effective on less than 30 days' notice.

This amendment is issued under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1423).

In consideration of the foregoing, Part 1 of the Civil Air Regulations (14 CFR Part 1, as amended) is hereby amended as follows, effective August 17, 1963:

1. By amending § 1.76 by designating the present text of the section as paragraph (a) and by adding a paragraph (b) to read as follows:

§ 1.76 Special flight permits.

(a) * * *

(b) A special flight permit may be issued as an authorization to operate an aircraft at a weight in excess of its maximum certificated takeoff weight, for flight beyond the normal range of the aircraft, over (1) water, or (2) land areas where adequate landing facilities or appropriate fuel is not available. The excess weight authorized by this regulation shall be limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

§ 1.76–1 [Deletion]

2. By deleting § 1.76–1.

Issued in Washington, D.C., on August 12, 1963.

N. E. HALABY,
Administrator.

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