A-243

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

09-0

Civil Air Regulations Amendment 09-0
Effective: November 21, 1946

IT APPEARING THAT:

The proposal to adopt a new Part to provide airworthiness standards applicable to aircraft having substantial service records with military services was circulated to the aircraft manufacturers, the air carriers, and other interested aviation organizations on August 21, 1946, with the request for the submission of any comments or suggestions not later than September 13, 1946; several comments have been received and all such comments have been considered by the Board; it is desirable to permit civilian utilization of certain models of military aircraft which cannot be certificated under present regulations; these aircraft should be made available to the public without further delay;

The Civil Aeronautics Board finds that the notice and public procedure provided for in Section 4(a) of the Administrative Procedure Act is unnecessary and that this regulation should become effective immediately.

NOW THEREFORE, effective November 21, 1946, the Civil Air Regulations are amended by adding a new Part 09 to read as follows:

PART 09
AIRCRAFT AIRWORTHINESS
LIMITED CATEGORY

This part is for the purpose of making available to the public certain military surplus aircraft which were originally designed for the military services of the United States for combat and other specialized purposes and which experience in military service has shown to be safe for operation so long as the operation is confined to flights in which neither passengers nor cargo are carried for hire.

09.0 Aircraft category. Aircraft certificated in accordance with this part shall be classified in the Limited Category, suffix "L".

09.1 Type certificate.

09.10 Requirements for issuance. A type certificate will be issued if the Administrator finds:

(a) The aircraft is of a make and model which was originally designed and has been manufactured for, and accepted for use by, the military services of the United States for combat or other specialized purposes.

(b) There is no civilian aircraft of essentially the same basic model for which an approved type certificate has been issued.

(c) That information obtained from the record of operation of the make and model as a military aircraft does not disclose any characteristices which would render it unsafe when operated as a civil aircraft in accordance with the limitations and conditions prescribed by the Administrator.

(d) Application is made for the type certificate prior to December 31, 1947.

09.2 Airworthiness certificate.

09.20 Requirements for issuance. A limited airworthiness certificate will be issued by the Administrator for an aircraft eligible for a type certificate under this part, if he finds after inspection that the aircraft is in a good state of preservation and repair and is in a condition for safe operation. Such inspection shall include a flight check by the applicant. Limited airworthiness certificates shall not be issued after January 31, 1948.

09.21 Limitations. The Administrator shall prescribe in the aircraft operating record such limitations and conditions as are necessary for safe operation of the aircraft.

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)