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

Civil Air Regulations Amendment 20-4
Effective: June 21, 1949
Adopted: June 21, 1949

NIGHT FLIGHT REQUIREMENTS FOR COMMERCIAL PILOT RATING

Part 20 currently provides that an applicant for a pilot certificate with a commercial rating shall have 10 hours of night flight time of which at least 5 hours may be dual instruction time, and which shall include not less than 10 take-offs and 10 landings as pilot in command and as sole manipulator of the controls; and that if such applicant does not meet these requirements, his certificate shall be appropriately endorsed. In promulgating Amendment 20-2, effective May 1, 1949, which established these requirements, it was the intention of the Board to implement those portions of the Personnel Licensing Standards adopted in Annex 1 by the International Civil Aviation Organization (ICAO) deemed suitable for United States aviation. The international standards relating to night flight provide that 5 hours of the required 10 hours of night flight time may be dual instruction time. That requirement has been interpreted to mean that an applicant may have a maximum of 5 hours of dual instruction time rather than a minimum. The currently effective § 20.35 (a) was intended to implement this requirement. However, this section may be interpreted to mean that an applicant may have all dual instruction time except that necessary to comply with the take-off and landing requirement. In that event such applicant would not meet the international standards.

Accordingly, in order to avoid the possibility of having the rule interpreted as mentioned above, this amendment deletes the words "at least" from the night flight dual instruction requirement. Thus, an applicant may not receive credit for more than 5 hours of night dual instruction time in meeting the 10-hour night flight requirement. It is necessary that the amendment be made effective immediately in order that the United States may comply with the requirements of Annex 1, which became effective May 1, 1949.

It will also be noted that the international standards require an applicant for a commercial rating to have 100 hours of flight time as pilot in command, 20 hours of cross-country flight time as pilot in command, and 10 take-offs and 10 landings at night as pilot in command. It is our understanding of these requirements that the cross-country and night flight time may be credited by the applicant in computing the required total of 100 hours of flight time as pilot in command. The current provisions of Part 20 were intended to implement the international standards in accordance with this interpretation. However, the Board has been advised that the provisions of Part 20 have been interpreted as requiring an applicant to have 100 hours of flight time as

pilot in command exclusive of the flight time flown cross-country and at night. In order to clarify our requirements we are providing specifically that an applicant may credit the cross-country flight time and night flight time flown as pilot in command toward the required total of 100 hours of flight time as pilot in command. The clarifying amendment being interpretative in nature does not require compliance with rule-making procedures.

For the reasons stated above notice and public procedure hereon are impracticable and unnecessary, and good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 20 (14 CFR, Part 20, as amended) effective June 21, 1949:

By amending paragraph (a) of § 20.35 to read as follows:

20.35 Aeronautical experience.

(a) Powered aircraft. An applicant for a commercial pilot rating shall have a total of at least 200 hours of flight time credited in accordance with Part 43. This total flight time shall include at least 100 hours of flight time as pilot in command, of which 5 hours shall have been flown within 60 days immediately preceding the date of application; 20 hours of cross-country flight time as pilot in command which shall include at least one flight of not less than 350 miles in the course of which 3 full-stop landings are made at different points; and 10 hours of night flight time of which 5 hours may be dual instruction time, and which shall include not less than 10 take-offs and 10 landings as pilot in command and as sole manipulator of the controls. The required 100 hours of pilot in command flight time may include the cross-country and night flight time required to be flown as pilot in command.

(1) An applicant who does not meet the above-mentioned night flight time requirements but does meet the other requirements of this section may be issued a pilot certificate with a commercial rating, and in that event the Administrator shall appropriately endorse such certificate to show that the holder thereof does not meet the night flight time requirement. 1/ At such time as the holder of a certificate so endorsed submits reliable documentary evidence to the Administrator that he has met such night flight time requirement, he shall be reissued a certificate without such endorsement.

1/ Paragraph 2.4.1.3 (c) of Annex 1 (Personnel Licensing Standards) to the Convention on International Civil Aviation provides that an applicant for a commercial pilot certificate shall have 10 hours of night flight time as set forth in the above text. An individual holding a pilot certificate with a commercial rating who does not meet such requirement may not participate in international flight as a commercial pilot unless he receives permission from the State or States whose territory is entered. Further, pursuant to the provisions of Article 39 of the Convention on International Civil Aviation he shall have endorsed on his certificate the particulars in which he does not meet the International Standards. However, such endorsement on a commercial rating issued by the Administrator does not prohibit the holder thereof from exercising the privileges of a commercial pilot rating while flying in the United States.

(2) Not more than 25% of the flight time flown as pilot in command may be had in glider aircraft provided the applicant holds a pilot certificate with a private or commercial glider rating.

(Secs. 205 (a), 602, 52 Stat. 984, 1008; 49 U.S.C. 425 (a), 552)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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