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

Civil Air Regulations Amendment 20-9
Effective: October 30, 1950
Adopted: September 15, 1950

ISSUANCE OF PRIVATE AND COMMERCIAL PILOT CERTIFICATES BASED ON MILITARY COMPETENCE

Currently effective Part 20 provides for the issuance of pilot certificates with private or commercial ratings and appropriate category, class, and type ratings on the basis of military competence to members of the armed forces of the United States and civilian employees thereof who are serving on solo flying status or who have been discharged therefrom within 12 months preceding date of application therefor. Generally, an applicant for a private rating may be issued such rating if he is currently serving with the armed forces or, if discharged, he has had at least 10 hours of solo flying in military aircraft within 12 months preceding the date of application, irrespective of the date of discharge. On the other hand, an applicant for a commercial rating must be on duty or, if discharged, must have served on active duty as a rated pilot for at least 6 months within 18 months preceding the date of application. Thus, no provision is currently effective which would authorize the issuance of a commercial rating to an individual who has been discharged longer than 12 months. In each instance he must pass an examination covering the provisions of Parts 43 and 60.

The Board has recently received requests for waiver of the time limits in which an applicant must file after discharge from former military pilots who did not apply for pilot certificates within the currently specified period but who have since found that the holding of civilian pilot ratings is essential to their livelihood.

This amendment provides for the issuance of pilot certificates with private or commercial ratings to members of the armed forces of the United States and civilian employees of the ferry or transport services thereof who have been on solo flight status as rated pilots or the equivalent (as currently provided) and to graduates of military flying schools who are considered to be technically qualified to act as rated military pilots but who, because of budgetary or other limitations, may not have served on active duty with the armed forces as rated military pilots. In addition, this amendment provides for the issuance of commercial ratings to such military pilots who have been discharged for a period longer than 12 months preceding the date of application therefor. (The current regulations provide for such issuance only to applicants for private ratings.) This amendment does not change the current rule with respect to the issuance of private and commercial ratings to military pilots who apply therefor during the time they are on extended active duty and within 12 months subsequent to their discharge or release, except to authorize graduates of military flying schools to apply for such ratings even though, as previously explained, they may not have served on active duty as rated pilots. Those ratings will be issued to such graduates on a basis similar to that established for other military pilots.

Provision is also made whereby subsequent to 12 months after discharge or release an applicant for a private pilot rating may be issued such rating

if he has had, within 12 months preceding the date of application therefor, at least 10 hours of flight time as pilot in command in military aircraft. However, an applicant for a commercial rating who has been discharged or released for a period longer than 12 months preceding the date of application therefor will have to pass an appropriate flight test. Because of the privileges accorded the holder of a commercial rating, i.e., of carrying passengers and cargo for compensation or hire, we believe that former military pilots applying for a commercial rating who have been discharged or released for a period longer than 12 months should demonstrate, by passing a flight test, that they are competent to exercise those privileges safely.

Accordingly, a military pilot or former military pilot, if he passes a written examination covering Parts 43 and 60 and applies for such rating within the periods specified, may obtain a pilot certificate with a private rating based upon military competence without taking the flight test required of all applicants for a private rating. An applicant for a commercial rating, on the other hand, will be relieved of taking the prescribed extensive written examination if he passes a written examination covering only Parts 43 and 60 and applies therefor either while a member of the armed forces or within 12 months subsequent to the date of his honorable discharge or release therefrom, or graduation from a military flying school, or at any time subsequent to 12 months from the date of such discharge, or release, or graduation, if he passes a flight test.

This rule continues the current provision that an applicant for a particular aircraft category, class, or type rating either coincident with or subsequent to the original issuance of a pilot certificate with appropriate aircraft ratings on the basis of military competence or otherwise may be issued such aircraft ratings upon the submission of reliable documentary evidence that he has had at least 10 hours of flight time as pilot in command in military aircraft of the same category, class, and type for which the rating is sought. It also provides for the issuance of such ratings for each aircraft in which a flight test is taken.

It should be noted that the current requirements provide that the flight time acquired in military aircraft shall be either "solo flying" time or shall have been flown as "first pilot or as sole manipulator of the controls." To avoid using several terms having the same meaning, we are substituting in lieu of the aforementioned terms the phrase "pilot in command." That phrase is currently defined in § 20.80 as meaning the pilot responsible for the operation and safety of the aircraft during the time defined as flight time, and includes flight time acquired as sole occupant of the aircraft, as first pilot, and as sole manipulator of the controls. Moreover, this amendment removes any possibility of interpreting the 10-hour "solo flying" time requirement for a private rating as meaning that such flight time must be acquired while the applicant was the sole occupant of the aircraft.

We realize that the issuance of pilot certificates on the basis of military competence is not dictated by safety considerations. However, we believe that the service of individuals as pilots in the armed forces of the United States may properly be recognized since by so doing the administrative burden of certificating those men by compliance with usual procedures is lessened and safety is not jeopardized.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 20 of the Civil Air Regulations (14 CFR, Part 20, as amended) as follows, effective October 20, 1950:

1. By amending § 20.55 to read as follows:

20.55 Military competence. Pilot certificates and appropriate ratings granted on the basis of military competence shall be issued in accordance with the provisions of paragraphs (a), (b), (c), and (d) of this section.

(a) Private pilot rating. An applicant for a pilot certificate with a private rating shall be deemed to have met the aeronautical knowledge, experience, and skill requirements for the issuance of such certificate, if he passes a written examination on Parts 43 and 60 and presents reliable documentary evidence showing:

(1) That he is a member of the armed forces of the United States or a civilian employee of the ferry or transport services thereof, and either is on solo flying status as a rated pilot or the equivalent or has, within 12 months preceding the date of application, been graduated from and rated as a pilot by a military flying school; or

(2) That he has been honorably discharged or released from such forces and was, at the time of such discharge or release, on solo flying status as a rated pilot or the equivalent or had been graduated from and rated as a pilot by a military flying school: Provided, That if he has been honorably discharged or released from such forces for a period longer than 12 months preceding the date of application, he shall pass the flight test prescribed by § 20.26, unless he can show that he has had, within 12 months preceding the date of application, at least 10 hours of flight time as pilot in command in military aircraft.

(b) Commercial pilot rating. An applicant for a pilot certificate with a commercial rating shall be deemed to have met the aeronautical knowledge, experience, and skill requirements for the issuance of such certificate, if he passes a written examination on Parts 43 and 60 and presents reliable documentary evidence showing:

(1) That he is a member of the armed forces of the United States or a civilian employee of the ferry or transport services thereof, and has been on active duty on solo flying status as a rated pilot or the equivalent for a period of at least 6 consecutive months prior to the date of application or has, within 12 months preceding the date of application, been graduated from and rated as a pilot by a military flying school; or

(2) That he has been honorably discharged or released from such forces, and had been on active duty on solo flying status as a rated pilot or the equivalent for a period of 6 consecutive months preceding such discharge or release or had been graduated from and rated as a pilot by a military flying school: Provided, That if he has been honorably discharged or released from such forces for a period longer than 12 months preceding the date of application, he shall pass the flight test prescribed by § 20.36.

(c) Aircraft category, class, and type ratings. An applicant for a particular category, class, and type rating who has applied for or holds a pilot certificate issued on the basis of military competence or otherwise shall be issued appropriate ratings upon the presentation of reliable documentary evidence that he has had, within 12 months preceding the date of application, at least 10 hours of flight time as pilot in command in military aircraft of a category, class, and type for which the rating is sought, or has taken a flight test.

(d) Instrument rating. An instrument rating shall be issued to an applicant who holds a currently effective military instrument rating if the requirements for the issuance of such a rating and the privileges authorized by it are not less than those of the Civil Air Regulations with respect to such rating.

2. By adding § 20.83 to read as follows:

20.83 Authorized representative of the Administrator. An authorized representative of the Administrator shall mean any employee of the Civil Aeronautics Administration or any private person, authorized by the Administrator to perform any of the duties imposed upon him by the provisions of this part.

(Sec. 205 (a), 52 Stat. 984, 49 U.S.C. 425 (a). Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008, 62 Stat. 1216, 49 U.S.C. 551, 552, Act of July 1, 1948)

By the Civil Aeronautics Board:

(SEAL)

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

Part 20 last printed August 1, 1948.