U. S. DEPARTMENT OF COMMERCE
DANIEL C. ROPER, Secretary
BUREAU OF AIR COMMERCE
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CIVIL AIR REGULATIONS

23.—GROUND INSTRUCTOR RATING

As Amended to May 31, 1938

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CIVIL AIR REGULATIONS

Pursuant to the authority contained in the Air Commerce Act of 1926 (44 Stat. 568) as amended by the Act of February 28, 1929 (45 Stat. 1404), the Act of June 19, 1934 (48 Stat. 1113), the Act of June 19, 1934 (48 Stat. 1116), and Sections 11 and 12 of the Act of June 12, 1934 (48 Stat. 933, 937), the following Civil Air Regulations are hereby made, prescribed, and issued to be known as—

Part 00. Aircraft Registration Certificate.
Part 01. Aircraft Certificates.
Part 02. Aircraft Identification Mark.
Part 03. Aircraft Title Transfer.
Part 04. Airplane Airworthiness.
Part 13. Aircraft Engine Airworthiness.
Part 14. Aircraft Propeller Airworthiness.
Part 15. Aircraft Equipment Airworthiness.
Part 18. Repair and Alteration of Aircraft.
Part 20. Pilot Rating.
Part 21. Airline Pilot Rating.
Part 23. Ground Instructor Rating.
Part 24. Mechanic Rating.
Part 25. Parachute Rigger Rating.
Part 26. Airport Control Tower Operator Rating.
Part 27. Airline Dispatcher Rating.
Part 40. Scheduled Airline Certification (Interstate and Intra-Territorial).
Part 50. Flying School Rating.
Part 52. Aircraft Repair Station Rating.
Part 60. Air Traffic Rules.
Part 61. Scheduled Airline Rules (Interstate).
Part 90. Air Mail.
Part 91. Aircraft Accident Investigations.
Part 92. Hearings Upon Certificates (Issued, Renewed, Denied, Suspended or Revoked).
Part 93. Evidence.
Part 94. Penalties.
Part 95. Imposition, Remission and Mitigation of Penalties.
Part 96. Authorization to Act for the Secretary.
Part 98. Definitions.
Part 99. Mode of Citation of Regulations.

Any and all rules and regulations heretofore made, prescribed, and issued by the Secretary of Commerce pursuant to the authority first above stated are hereby repealed.

Approved May 31, 1938.

[SEAL]

DANIEL C. ROPER,
Secretary of Commerce.

PART 23.—GROUND INSTRUCTOR RATING

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23.0 Provision for rating. Pursuant to the provisions of the Air Commerce Act requiring the Secretary of Commerce to provide for the rating of instructors in civilian schools giving instruction in flying as to their competency for such service, ground instructors will be rated in accordance with the provisions of the following paragraphs.

23.1 Minimum requirements. To be eligible for a ground instructor competency rating, an applicant shall have practical and theoretical knowledge of each ground school subject which the applicant desires to teach in a certificated flying school, or elsewhere. Such knowledge shall be sufficient to accomplish satisfactorily a written examination thereon.

23.2 Instructor competency certificate.

23.20 Provision for issuance. A ground instructor certificate of competency will be issued by the Secretary upon approval of application made and satisfactory proofs submitted, to a natural person who, upon inspection and examination, is found by the Secretary to meet the minimum requirements prescribed in § 23.1 and is, therefore, rated as competent to give instruction in the aviation ground school subject, or subjects, specified.

23.201 Each holder of a valid ground instructor's rating on the date these regulations go into effect may instruct pursuant to such authority until the expiration thereof, and then, upon compliance with the provisions for renewal thereof, have issued to him a ground instructor certificate of competency as provided for herein.

23.21 Application. Application for a ground instructor certificate of competency, subscribed under oath, shall be made to the Secretary upon a form supplied for the purpose.

23.210 Application to amend. When any change in a ground instructor competency rating is desired, the applicant shall file a written request therefor with the Secretary or may make oral or written request of the local Bureau inspector.

23.211 Proceeding to amend. A proceeding to amend a ground instructor competency rating may be instituted by the Secretary

when, in his opinion, the instructor is no longer competent in respect of some matter specified in the certificate. Notice of such proceeding shall be addressed to the instructor with opportunity for a hearing. In the interim, the certificate may be suspended in whole or in part by a duly authorized Bureau inspector or by the Secretary. Following the hearing, the Secretary may issue a re-rating as to competency.

23.22 Issuance. Upon approval of an application duly made, proofs submitted and examinations and tests satisfactorily completed, a ground instructor certificate of competency will be issued.

23.220 Temporary certificate. Following application made for a ground instructor certificate, but prior to approval thereof and issuance of the certificate, a temporary ground instructor certificate may be issued by the local Bureau inspector. Likewise, for the period of time elapsing between application for renewal of a certificate and the issuance of the renewal, a temporary certificate may be issued by the local Bureau inspector.

23.23 Display. A ground instructor certificate of competency shall be kept in the personal possession of the instructor at all times when he is engaged in giving instruction in ground school subjects to students in any certificated flying school, or elsewhere, and shall be presented upon the demand of any student, school officer, or of any authorized official or employee of the Department of Commerce, or upon the reasonable request of any other person.

23.24 Duration. A ground instructor certificate, unless sooner suspended or revoked, as provided in § 23.27, will remain in force for the period of one year from date of issuance.

23.25 Renewals. A ground instructor certificate may be renewed, for a like period as the original certificate, upon application within 30 days prior to the expiration thereof and upon satisfactory showing that the holder has served in a capacity of ground instructor in an approved school, or elsewhere, for a period of time not less than one-half the duration of his certificate.

23.26 Non-transferability. A ground instructor certificate of competency is not transferable.

23.27 Suspension or revocation. A ground instructor certificate of competency may be suspended by a duly authorized Bureau inspector or by the Secretary or revoked by the Secretary by reason of any of the following on the part of the holder thereof:

23.270 (*a*) Any false statement in an application for a ground instructor certificate.

23.271 (*b*) Any demonstration of incompetency in giving instruction in ground school subjects.

23.272 (*c*) Refusal to exhibit ground instructor certificate upon demand.

23.273 (*d*) Carelessness or inattention to duty.

23.274 (*e*) Violation of any provision of the Air Commerce Act or any rules or regulation duly issued thereunder.

23.28 Surrender. Upon notice from a duly authorized Bureau inspector of the suspension of a ground instructor certificate by such inspector or by the Secretary, and upon demand of either of the same for the surrender of such certificate, or upon notice from the Secre-

tary of the revocation of such certificate, the holder thereof shall immediately surrender such certificate to such inspector or immediately return such certificate to the Secretary, as the case may be. In case of revocation, notwithstanding any failure or refusal to surrender a ground instructor certificate, it shall be deemed canceled and of no further force or effect.

23.29 Re-application. An applicant for a ground school instructor certificate, who has failed to successfully accomplish any prescribed examination or test for such rating or certificate, may apply for re-examination therefor after the expiration of 30 days from the date of such failure.

23.3 Examinations and tests.

23.30 General. The examinations and tests prescribed in the foregoing regulations will be conducted by an authorized officer or employee of the Department of Commerce or by a properly qualified person designated by the Secretary. The Secretary may, in his discretion and at any time, require any applicant or the holder of any ground school instructor certificate to undergo a re-examination in any theoretical or practical test prescribed as requisite for such rating or certificate.

23.31 Time and place. All examinations and tests will be held at such time and place as the Secretary may designate.

23.32 Inspection. The applicant for any ground instructor certificate of competency shall offer full cooperation in respect of any inspection and examination which may be made of said applicant upon proper demand by any authorized representative of the Secretary prior or subsequent to the issuance of a ground instructor certificate of competency.

23.33 Standard of performance. All practical and theoretical examinations and tests shall be accomplished to the satisfaction of the Secretary and the minimum passing grade in the subject of examination or test shall be 70 per cent.

23.34 Reports. The person giving any examination or test in behalf of the Secretary will promptly report the result thereof to the Secretary.

23.4 Ground instructor regulations. The following rules will govern the giving of instruction in ground school subjects in certificated flying schools:

23.40 No instruction without certificate. No person shall give, or offer to give, any instruction in ground school subjects to students of a certificated flying school unless such person is possessed of a valid ground instructor certificate.

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