CIVIL AERONAUTICS BOARD

WASHINGTON, D. C.

CIVIL AIR REGULATIONS

PART 26.—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

Effective August 15, 1940
As Amended To October 4, 1940

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FOREWORD

Part 26 as amended by the Authority, effective August 15, 1940, represents a major change in form from that of similar Parts of the Civil Air Regulations such as Part 20, relating to pilots, and Part 24, relating to mechanics. The language used in the regulations is simpler than that used heretofore and the various provisions have been rearranged with a view to simplicity. In addition, a number of substantive changes are contained in this revision of Part 26. A discussion of them follows:

The former Part 26 provided for three types of air-traffic control-tower operator certificates based upon the experience of the operator: Junior certificates, associate certificates, and senior certificates. This revision of Part 26 drops the associate air-traffic control-tower operator certificate and rating.

Under the former Part 26, an applicant was given an examination based upon the problems existing at a particular airport and if he passed was given a certificate and rating for that airport. If he desired to move to another airport, he was required to take another examination for the new airport. In order to eliminate unnecessary duplication in examinations, this revision provides for the issuance of an air-traffic control-tower operator certificate to an applicant who has certain physical qualifications and who passes an examination upon certain fundamental subjects which all operators must know.

In addition to the basic certificate, an operator must possess either a junior or senior rating for the airport at which he intends to serve. To obtain these ratings he must pass an examination based upon conditions of traffic peculiar to that airport.

The physical requirements have been changed from those found in the former Part 26 to those required of applicants for commercial pilot certificates.

The experience and qualifications required to obtain a rating as a junior operator under this revision remain the same as in the former regulations. However, because of the elimination of the associate rating the experience and qualifications required for a senior rating have been changed. Under former Part 26, to obtain a senior rating, the operator must have been an associate operator for at least 1 year during the 18 months preceding the date of application for a senior rating. Under this revision an applicant may obtain a senior rating at an airport if he has been an operator with a senior rating at any airport for at least 6 months or has had a junior rating for the airport at which he seeks a senior rating during the 6 months immediately preceding the date of application.

In addition, the former Part 26 allowed the issuance of an *associate* rating if for 1 of the 2 years immediately preceding application the applicant had been a fixed-base operator, or had been employed in the operations department of a certificated air carrier, or had been a pilot with at least a commercial-pilot certificate. These substitutes for the required experience as an operator are dropped in this revision. Inasmuch as the new policy allows an applicant to obtain a senior rating at any airport if he has held a senior rating at any other airport for at least 6 months, it is felt that the experience requirements for a senior rating should be based solely upon experience obtained as an air-traffic control-tower operator.

The issuance and expiration of certificates and ratings are similar to the methods of issuance and expiration used in all other recent revisions of the Parts of the Civil Air Regulations which deal with airman certificates.

This revision of Part 26 contains several new provisions which regulate the activities of air-traffic control-tower operators. These are as follows:

(1) A junior operator is not permitted to exercise the authority vested in air-traffic control-tower operators by Part 60 unless the action is taken with the consent of a senior operator who is present at the time. Part 60 of the Civil Air Regulations empowers an air-traffic control-tower operator to authorize flying in a control zone when either the ceiling or visibility is

below the prescribed minimums and to suspend contact flying operations within such zone whenever, in his opinion, safety requires such action.

(2) A junior operator may control traffic at a control airport only under the supervision of a senior operator except when an emergency exists which prevents the senior operator from being on duty. In case of an emergency, the manager of the airport may authorize the junior operator to serve only if he notifies the appropriate Regional Manager of the Administrator of the facts and circumstances surrounding the emergency. This regulation has been deemed advisable because the increasing amount of air traffic at control airports makes it necessary that a senior operator be in charge of the airport control tower under ordinary circumstances.

(3) The number of hours which an operator may serve has been limited. The provision was based upon a similar provision applying to aircraft dispatchers.

(4) A provision has been inserted requiring an operator to relay information or instructions received from airway traffic control personnel, airway communications, or United States Weather Bureau airport stations in the manner approved by the Administrator. This provision has been found necessary because the information and instructions are often misunderstood or inaccurately relayed if the operator is allowed to use his own version. The Airport Traffic Control Section of the Civil Aeronautics Administration has issued a manual outlining the manner in which this material should be relayed.

CIVIL AIR REGULATIONS

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

Qualifications for Certificate:
26.1 General.
26.10 Physical.
26.11 Knowledge.
Qualifications for Ratings:
26.2 Character of ratings.
26.20 Qualifications for junior rating.
26.21 Qualifications for senior rating.
26.210 Knowledge.
26.211 Experience.
26.212 Other requirements.
Examinations:
26.3 General.
26.30 Physical examinations.
26.31 Reexamination.
Issuance and Expiration of Certificates:
26.4 Duration.
26.40 Periodic endorsement.
26.41 Special issuance of certificate and rating.
26.42 Transfer.
26.43 Existing certificates.
Regulations:
26.5 Rating record.
26.50 Exercise of authority.
26.51 Control airports.
26.52 Relaying information.
26.53 Maximum hours.
26.54 Display of certificate.
26.55 Inspection.
26.56 Surrender of certificate.

QUALIFICATIONS FOR CERTIFICATE

26.1. General. An applicant must be a citizen of the United States, of good moral character, and not less than 22 years of age. He must be able to read, write, and understand the English language and to speak the English language without any accent or impediment of speech which would interfere with two-way radio conversation.

26.10 Physical.

(*a*) **Eye.** An applicant must have:

(1) A visual acuity of at least 20/20 in each eye separately, without correction, and an average depth perception of 30 millimeters or less, with or without glasses: *Provided*, That if the vision in either or both eyes is not poorer than 20/50 and is brought up to 20/20 or better in each eye by glasses, or if the depth perception is greater than 30 millimeters and can be corrected to at least 30 millimeters by glasses, an applicant may be qualified in either event on condition that the correcting glasses be worn while he is on duty;

(2) No diplopia;

(3) Not more than one diopter of hyperphoria;

(4) Properly balanced eye muscles with an abduction of 3 diopters or more;

(5) Sufficient accommodation to pass a prescribed test based primarily upon ability to read official aeronautical maps;

(6) Normal fields of vision; and

(7) No pathology of the eye.

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(*b*) **Ear, nose, throat, and equilibrium.** An applicant must be able to hear the whispered voice at 8 feet with each ear separately; must have no acute or chronic disease of the middle or internal ear; no disease of the mastoid; no unhealed perforations of the ear drum; no disease or malformation of the nose or throat which would interfere with or be aggravated by the performance of his duties; and no disturbance of equilibrium.

(*c*) **General physical condition.** An applicant must have no organic or functional disease, nor structural defect or limitation.

(*d*) **Nervous system.** An applicant must have no disease of the mental or nervous system and no abnormality of the personality.

(*e*) **Exceptions.** The failure by an applicant to comply with any of the above physical requirements will not disqualify him if, in the opinion of the Administrator, such deficiencies would not interfere with the proper performance of his duties.

26.11 Knowledge. An applicant must hold a radiotelegraph operator's license of not less than the third class, or a restricted radiotelephone operator's permit, issued by the Federal Communications Commission, and must pass an examination in the following subjects:[1]

(*a*) Air traffic rules set forth in Part 60 of the Civil Air Regulations;

(*b*) Airport traffic control procedures;

(*c*) Airway traffic control procedures;

(*d*) Radio frequencies and procedures used for airport traffic control;

(*e*) Use of radio aids to air navigation;

(*f*) The making of weather observations.

QUALIFICATIONS FOR RATINGS

26.2 Character of ratings. The holder of an air-traffic control-tower operator certificate (hereafter referred to as "certificate") may receive a junior or senior rating, depending upon his qualifications to perform the duties of an air-traffic control-tower operator (hereafter referred to as "operator") at a particular airport.

26.20 Qualifications for junior rating. An applicant must pass an examination on the following subjects:

(*a*) Local airport rules of the airport for which the rating is sought;

(*b*) Local aircraft operations and such other aircraft operations as may affect conditions at the airport for which the rating is sought;

(*c*) Teletype symbols and weather sequences of the airways converging on the airport for which the rating is sought;

(*d*) Any other subject or subjects in which the Administrator may deem an examination necessary.[2]

26.21 Qualifications for senior rating.

26.210 Knowledge. An applicant must pass an examination in the subjects required for a junior rating and, in addition, the following subjects:

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[1] Lists of source material covering the subject matter of these examinations can be obtained from the Federal Airways Service, Civil Aeronautics Administration.

[2] The applicant will be given adequate notice of the subject of the examination.

(*a*) Air-navigation facilities within a radius of 200 miles of the airport for which the rating is sought;

(*b*) Airway traffic control procedures in the area in which the airport for which the rating is sought is located;

(*c*) Instrument approach and departure procedures at the airport for which the rating is sought;

(*d*) Any other subject or subects in which the Administrator may deem an examination necessary.[3]

26.211 Experience. An applicant must have performed satisfactory service:

(*a*) As an operator with a senior rating for at least 6 months; or

(*b*) As an operator with a junior rating at the airport for which the rating is sought for the 6 months immediately preceding application; or

(*c*) For 1 year of the 2 years immediately preceding application as:

(1) An operator with a junior rating at an airport other than that at which the rating is sought; or

(2) An operator at a landing area under military or naval jurisdiction.

26.212 Other requirements. The applicant must demonstrate his ability to supervise and manage all activities of the airport control tower or airport radio station, which shall at least include the preparation of such reports as may be required from time to time by the airport manager or the Administrator.

EXAMINATIONS

26.3 General. The prescribed examinations will be conducted by representatives of the Administrator at a designated time and place. The passing grade in any subject will be 70 percent.

26.30 Physical examinations.

(*a*) The prescribed physical requirements must be met before any practical or theoretical examination will be given and must be completed within the 60 days immediately preceding application for a certificate.

(*b*) A certified copy of a report of a medical examination for flying in the United States Army, Navy, Marine Corps, or Coast Guard, or a copy of a report of a physical examination for a commercial pilot certificate, made within the 60 days preceding the date of filing application for a certificate or any periodic endorsement, will be accepted in lieu of the physical examination required herein.

26.31 Reexamination. An applicant who has failed to pass any examination may apply for reexamination after the expiration of 30 days from the date of his failure.

[3] The applicant will be given adequate notice of the subject of the examination.

ISSUANCE AND EXPIRATION OF CERTIFICATES

26.4 Duration. A certificate will be issued for an initial period of 60 days but, if the holder is not notified to the contrary by the Administrator within that period, it will continue in effect indefinitely, expiring only in the event that:

(*a*) The holder of the certificate fails to secure an endorsement [4] thereof by an inspector of the Administrator within the last 45 days of each 12 months' period [5] after the date of issuance; or

(*b*) An inspector of the Administrator shall refuse to endorse the certificate after inspection or examination.

26.40 Periodic endorsement.

(*a*) A certificate will not receive a periodic endorsement unless the holder—

(1) Has met the physical requirements prescribed for the original issuance of his certificate within the 60 days immediately preceding the expiration of the endorsement period; and

(2) Has served satisfactorily as a rated operator at some time during the 12 months immediately preceding the date of application for endorsement.

(*b*) A certificate will not receive a periodic endorsement with respect to any rating unless the holder has served satisfactorily as an operator at the airport to which the rating applies at some time during the 6 months immediately preceding the expiration of the endorsement period.

26.41 Special issuance of certificate and rating. If a certificate and rating expires, a new certificate and rating will be issued if the applicant complies with the requirements for periodic endorsement. In applying this section, the time during which the applicant must serve as a rated operator in order to comply with the periodic endorsement requirements shall be computed from the date of the application for special issuance rather than the date of expiration of the endorsement period: *Provided*, That this section shall apply only to certificates issued after August 15, 1940.

26.42 Transfer of a certificate is prohibited.

26.43 Existing certificates.

(*a*) Upon the expiration of a certificate in effect on August 15, 1940, the holder may be issued the certificate provided for herein if he meets the specified physical requirements and, at any time during the 12 months immediately preceding the date of expiration of the former certificate, has performed satisfactory service as an operator.

(*b*) Any person who secures a certificate under the preceding subsection and who formerly held an associate or senior rating, may be issued a senior rating as an operator at the airport for which he was rated under the former certificate. If such person formerly held a junior rating, he may be issued a junior rating as an operator at the airport for which he was rated under the former certificate.—

[4] This endorsement will be referred to hereafter as a "periodic endorsement."
[5] This 12 months' period will be referred to hereafter as the "endorsement period."

REGULATIONS

26.5 Rating record. A certificated operator shall not serve as such unless there is attached to his certificate the appropriate rating record prescribed and issued by the Administrator, nor serve otherwise than in accordance with the limitations prescribed by the Administrator in his certificate or rating record [6]: *Provided*, That the holder of a certificate in effect on August 15, 1940, may perform service pursuant to the terms of the certificate without a rating record until the suspension, revocation, or expiration of the certificate.

26.50 Exercise of authority. An operator on duty at a control airport within an airway traffic control area or a control zone of intersection shall not exercise the authority vested in such operators by Part 60 of the Civil Air Regulations,[7] unless the operator previously notifies either the airway traffic control center or airway communication station of the action to be taken: *Provided*, That an operator with a junior rating shall not exercise this authority unless such action is taken with the consent of an operator with a senior rating for the particular airport, who is on duty and is present in the control tower or radio station at the time the authorization is given.

26.51 Control airports. On and after February 15, 1941, air traffic at a control airport shall not be controlled by an operator with a junior rating for such airport, except under the supervision of an operator with a senior rating for such airport: *Provided*, That in an emergency the manager of the airport may authorize an operator with a junior rating for the airport to control air traffic during the period of such emergency if the airport manager immediately notifies the Regional Manager of the Administrator for the region in which the airport is located of the the existence of the emergency and the facts and circumstances surrounding it.

26.52 Relaying information. An operator shall not relay information or instructions received from airway traffic control personnel, airway communications, or United States Weather Bureau airport stations, otherwise than in the manner approved by the Administrator.

26.53 Maximum hours. Except in case of an emergency, a certificated operator shall be relieved of all duty for not less than 24 consecutive hours at least once during each 7 consecutive days, and shall not serve, nor be required to serve, as such:

(*a*) In excess of 10 consecutive hours;

(*b*) In excess of 10 hours during a period of 24 consecutive hours unless the operator is given a rest period of not less than 8 hours at or before the termination of such 10 hours of duty.

26.54 Display of certificate. An operator shall keep his certificate readily available when he is on duty and shall present it for inspec-

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[6] The rating record is a sheet which will be attached to all certificates when they are issued and will prescribe the airports at which the holder is authorized to serve and the class of rating held.

[7] Part 60 of the Civil Air Regulations empowers an operator on duty in a radio-equipped airport control tower in operation at a control airport to authorize flying in a control zone when either the ceiling or visibility is below the minimums which prevail in the absence of any such special authorization, and to suspend contact flying operations within such zone whenever, in his opinion, safety requires such action.

tion upon request of any officer or employee of the Administrator or Board and of any State or municipal official charged with the duty of enforcing local laws or regulations involving Federal compliance.

26.55 Inspection. An applicant or a holder of a certificate or rating, upon reasonable request by any representative of the Administrator, shall cooperate fully in any examination which may be made of him.

26.56 Surrender of certificate. Upon the suspension, revocation, or expiration of a certificate, the holder shall, upon request, surrender such certificate to a representative or employee of the Administrator.

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