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

Civil Air Regulations Amendment 26-5
Effective: May 1, 1949
Adopted: April 28, 1949

PERSONNEL LICENSING STANDARDS

On April 2, 1949, there was published a notice of proposed rule making (14 F.R. 1545) indicating our intention to implement those portions of the Personnel Licensing Standards adopted by the International Civil Aviation Organization (ICAO) deemed suitable for domestic aviation.

The following amendments to Part 26 are those deemed necessary for such implementation. These amendments provide that an applicant for an air-traffic control-tower operator certificate with junior rating shall, in addition to meeting the other qualifications of current Part 26, successfully accomplish an examination with respect to the characteristics of local air traffic and with respect to pertinent data regarding meteorological reports available within a circular area of a radius of 125 miles measured from the airport from which the rating is sought. The current requirements for such a certificate do not specifically require an applicant to have such knowledge. However, an individual is not considered thoroughly qualified to exercise the privileges of such a certificate without such knowledge, and under the present requirements the examination has included material on these subjects. Accordingly, the specific inclusion of these two subjects in the list of required subjects on which the examination is to be based does not constitute an important substantive change but does, however, cause the amended requirements to conform more nearly to the knowledge requirements established by ICAO. It is believed that practically all current holders of an air-traffic control-tower operator certificate can meet the requirements set forth in this amendment.

However, it will be noted that while the provisions of the Convention on International Civil Aviation will permit the holder of an air-traffic control-tower operator certificate issued prior to May 1, 1949, to exercise the privileges as currently authorized until May 1, 1953, such certificate need not, after that date, be recognized by foreign States. Thus, it will be necessary for current holders of air-traffic control-tower operator certificates to obtain new certificates issued under the amended provisions of this part.

Moreover, in view of the fact that the new knowledge requirements are substantially the same as the current requirements, it is not believed that such holders will have any difficulty in obtaining new certificates.

It is anticipated that the Administrator will, in due time, issue instructions with regard to the exchange of such certificates.

These amendments shall be effective May 1, 1949. It will be noted that Annex 1 will become effective on May 1, 1949, and that the United States is obliged by the terms of the Convention on International Civil Aviation to bring its regulations into compliance with Annex 1, in so far as it has not filed notice of differences thereto, by that date. In the notice of proposed rule making referred to above it was indicated that these amendments would be made effective on May 1, 1949; thus the public was fully advised of the intended effective date.

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. For the reason above stated, the Board finds that good cause exists for making these amendments effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 26 of the Civil Air Regulations (14 CFR, Part 26, as amended) effective May 1, 1949, as follows:

1. By amending § 26.20 (a) to read as follows:

(a) Local airport rules and characteristics of local air traffic of the airport for which the rating is sought;

2. By amending § 26.20 (c) to read as follows:

(c) Teletype symbols and weather sequences of the airways converging on the airport and other pertinent data regarding meteorological reports available within a circular area of a radius of 125 miles measured from the airport for which the rating is sought.

(Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U.S.C. 425 (a), 551, 552)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

Part 26 last printed October 10, 1945.

CIVIL AIR REGULATIONS

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

As amended to November 1, 1949

CIVIL AERONAUTICS BOARD

WASHINGTON, D. C.

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AUTHORITY: §§ 26.1 to 26.37 issued sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552.

SOURCE: §§ 26.1 to 26.37 contained in Amendment 26-0, Civil Air Regulations, 7 F. R. 740, except as noted following sections affected.

QUALIFICATIONS FOR CERTIFICATE

§ 26.1 *General.* To be eligible for an air-traffic control-tower operator certificate an applicant shall be:

(a) At least 21 years of age; or, if serving as a member of the military services of the United States, at least 18 years of age: *Provided,* That certificates issued to members of the military services who are less than 21 years of age shall, until the holder thereof reaches the age of 21, be valid only when the holder is serving as a member of the military services in a control tower operated by such services.

(b) A person of good moral character;

(c) 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;

(d) A citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal air-traffic control-tower operator privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

[Amdt. 26-2, 8 F. R. 8527, as amended by Amdt. 26-1, 11 F. R. 7033, and Amdt. 26-4, 13 F. R. 4314]

§ 26.2 *Physical condition.* Applicant shall meet the physical standards of the Second Class prescribed in Part 29 of this subchapter.

[Amdt. 26-3, 7 F. R. 3924]

§ 26.3 *Knowledge.* An applicant must pass an examination in the following subjects: [1]

(a) Air traffic rules set forth in Part 60 of this subchapter;

(b) Airport traffic control procedures, and this part;

(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;

(g) Pertinent rules and regulations of the Federal Communications Commission. An applicant who presents satisfactory evidence that he possesses a restricted radiotelephone operator permit or higher grade of radiotelephone operator license issued by the Federal Communications Commission will not be required to take the examination prescribed in this paragraph.

QUALIFICATIONS FOR RATINGS

§ 26.6 *Character of ratings.* The holder of an air-traffic control-tower operator certificate (hereinafter 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.

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

(a) Local airport rules and characteristics of local air traffic 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 and other pertinent data regarding meteorological reports available within a circular area of a radius of 125 miles measured from the airport for which the rating is sought.

[1] Lists of source material covering the subject matter of these examinations can be obtained from any Regional Manager of the Civil Aeronautics Administration.

(d) Any other subject or subjects in which the Administrator may deem an examination necessary. The applicant will be given adequate notice of the subject of the examination.

[Amdt. 26-0, 7 F. R. 740, as amended by Amdt. 26-5, 14 F. R. 2195]

§ 26.8 *Qualifications for senior rating*—(a) *Knowledge.* An applicant must pass an examination in the subjects required for a junior rating and, in addition, the following subjects:

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

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

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

(4) Any other subject or subjects in which the Administrator may deem an examination necessary.

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

(b) *Experience.* An applicant must have performed satisfactory service:

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

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

(3) As an air-traffic control trainee in Federal service for at least 6 months; or

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

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

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

(c) *Other requirements.* The applicant must demonstrate his ability to supervise and manage all activities of the airport control tower or airport control 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

§ 26.12 *General.* The prescribed examinations will be conducted by representatives of the Administrator at a designated time and place.

[Amdt. 26-1, 10 F. R. 8528]

§ 26.13 *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 12 months immediately preceding applica-

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tion for a certificate.

(b) In lieu of a physical examination conducted by an authorized medical examiner of the Administrator, a form acceptable to the Administrator, signed by a medical officer on duty with the Army, Navy, Marine Corps, or Coast Guard who is authorized to conduct physical examinations for flying stating that the applicant is an active member of his service and has met within the preceding 12 months the physical requirements prescribed by § 26.2.

[Amdt. 26–0, 7 F. R. 740 as amended by Amdt. 26–3, 7 F. R. 3924]

§ 26.14 *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.

ISSUANCE AND EXPIRATION OF CERTIFICATES

§ 26.18 *Duration.* An air-traffic control-tower operator certificate will continue in effect until suspended or revoked or a termination date is set by the Board.

[Amdt. 26–1, 10 F. R. 8528]

§ 26.19 *Temporary certificates.* The Administrator or his authorized representative may issue a temporary air-traffic control-tower operator certificate for a period of not to exceed 90 days, subject to the terms and conditions specified therein by the Administrator.

[Amdt. 26–2, 12 F. R. 4432, 4713]

§ 26.20 *Change of address.* Within 30 days after any change in the permanent mailing address of a holder of an air-traffic control-tower operator certificate, the holder shall notify the Administrator in writing of such change. Such notice shall be mailed to the Administrator of Civil Aeronautics, attention Airman Records Branch, Washington 25, D. C.

[Amdt. 26–6, 14 F. R. 5424]

REGULATIONS

§ 26.25 *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.[3]

§ 26.26 *Exercise of authority.* A certificated air-traffic control-tower operator shall control traffic in accordance with the procedures and practices prescribed by the Administrator to provide for the safe, orderly, and expeditious flow of air traffic and in accordance with the following requirements:

(a) When weather conditions are equal to or better than the basic minimums prescribed for VFR flight by Part 60 of this subchapter, air traffic may be controlled by an operator with either a junior or senior rating for the airport involved: *Provided,* That where the Administrator finds the volume or character of the air traffic, the type and equipment of aircraft utilizing the airport, or the airport facilities require that an operator with a junior rating be supervised, he may require all air traffic at such airport to be controlled under the supervision of an operator with a senior rating.

(b) When weather conditions are below the basic minimums prescribed for VFR flight by Part 60 of this subchapter, air traffic shall be controlled by an operator with senior rating, and such operator shall not issue an air traffic clearance for flight without prior authorization from the appropriate air traffic control center.

(c) In an emergency an operator with a senior rating may delegate his authority to an operator with a junior rating.

[Amdt. 26–3, 13 F. R. 473]

§ 26.27 *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.

§ 26.28 *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.

§ 26.29 *Display of certificate.* An operator shall keep his certificate readily available when he is on duty and shall present it for inspection 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.

§ 26.30 *Medical certificate.* A medical certificate issued by an authorized medical examiner of the Administrator or other evidence satisfactory to the Administrator that the air-traffic control-tower operator has met the physical requirements prescribed in this part shall be carried by such airman while on duty.

§ 26.31 *Equipment standards.* A certificated air-traffic control-tower operator shall not control air traffic with facilities which the Administrator has determined to be inadequate.

§ 26.32 *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.

§ 26.33 *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.

§ 26.34 *Periodic physical examination.* The holder of an air-traffic control-tower operator certificate shall not exercise the privileges thereunder unless within the preceding 12 calendar months he has met the physical standards of the Second Class prescribed in Part 29 of this subchapter by passing an examination conducted by an authorized medical examiner of the Administrator.

[Amdt. 26–4, 7 F. R. 5038]

§ 26.35 *Operation during physical deficiency.* A certificated air-traffic control-tower operator shall not serve as such during the period of any known physical deficiency which would render him unable to meet the physical requirements prescribed for the original issuance of his certificate: *Provided,* That if the deficiency is of a temporary nature, he may perform any duties not affected thereby when there is present and on duty another certificated and properly qualified air-traffic control-tower operator.

[Amdt. 26–1, 7 F. R. 6943]

§ 26.36 *Recent experience requirements.* The holder of an air-traffic control-tower operator certificate shall not exercise the privileges thereunder unless:

(a) If rated as a junior air-traffic control-tower operator he has served for at least three months as an operator at the airport to which the rating applies during the twelve calendar months immediately preceding, or

(b) If rated as a senior air-traffic control-tower operator he has served for at least three months as an operator at the airport to which the rating applies during the six calendar months immediately preceding, or

(c) He has demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the regulations of this subchapter for the issuance of the certificate and rating.

[Amdt. 26–4, 7 F. R. 5038]

§ 26.37 *Reports.* The holder of an air-traffic control-tower operator certificate shall furnish the medical examiner, at the time of each physical examination, to be forwarded by him to the Administrator, a report setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require, since his last preceding medical examination.

[Amdt. 26–4, 7 F. R. 5038]

[3] 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.

NOTICE

Advise the Civil Aeronautics Board, Washington 25, D. C., that you have purchased this part of the Civil Air Regulations and that agency will supply you with copies of amendments which have been issued since this printing. Be sure to specify the number of this part, otherwise your request cannot be filled.

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