Part 26
10-4-40

Regulations
Serial Number 87

THE UNITED STATES OF AMERICA
CIVIL AERONAUTICS AUTHORITY
WASHINGTON, D. C.

At a session of the Civil Aeronautics Authority
held at its office in Washington, D. C.
on the 14th day of June , 1940.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

AMENDMENT NO. 58
OF THE CIVIL AIR
REGULATIONS

PROVIDING FOR A NEW METHOD OF CERTIFICATION AND RATING OF AIR-TRAFFIC CONTROL-TOWER OPERATORS

1. Effective August 15, 1940 , Part 26 of the Civil Air Regulations, as amended, is amended to read as ~~follows:~~

PART 26

AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

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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 5 diopters or more;

(5) Sufficient accomodation 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.

(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 Authority, such deficiencies would not interfere with the proper performance of his duties.

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

(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.

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*Lists of source material covering the subject matter of these examinations can be obtained from the Airport Traffic Control Section of the Civil Aeronautics Authority.

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 Authority may deem an examination necessary.*

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:

(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

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

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 subjects in which the Authority may deem an examination necessary.*

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 Authority.

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

EXAMINATIONS

26.3 General. The prescribed examinations will be conducted by representatives of the Authority 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.

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 Authority 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* thereof by an inspector of the Authority within the last 45 days of each 12 months' period**after the date of issuance; or

(b) An inspector of the Authority 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

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* This endorsement will be referred to hereafter as a "periodic endorsement".

** This 12 months' period will be referred to hereafter as the "endorsement period".

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 (effective date of revision).

26.42 Transfer of a certificate is prohibited.

26.43 Existing certificates.

(a) Upon the expiration of a certificate in effect on (effective date of revision), 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.

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 Authority, nor serve otherwise than in accordance with the limitations

prescribed by the Authority in his certificate or rating record*: Provided, That the holder of a certificate in effect on (effective date of revision) 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,** 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 (six months after effective date of revision), air traffic at a control airport shall not be controlled by an operator with a junior rating

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* 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.

** 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.

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 Authority for the region in which the airport is located of 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 Authority.

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 inspection upon request of any officer or employee of the Authority 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 Authority, 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 Authority.

For the Authority:

/s/ Paul J. Frizzell

Paul J. Frizzell
Secretary

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