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

Civil Air Regulations Amendment 35-3
Effective: March 15, 1951
Adopted: March 15, 1951

REEXAMINATION REQUIREMENTS OF APPLICANTS FOR FLIGHT ENGINEER CERTIFICATES

Currently effective airman Parts of the Civil Air Regulations are not consistent in their requirements for reexamining applicants who have failed to pass the tests required for obtaining airman certificates. Parts 20, 21, 22, 24, 25, 33, and 51 permit an application for reexamination after at least 5 hours of additional instruction in each subject failed, or after the expiration of 30 days from the date of failure. Parts 26, 27, 34, and 35 on the other hand, permit an application for reexamination only after the expiration of 30 days from the date of failure.

There appears to be no valid reason why the reexamination provisions for all of the airman Parts should not be the same. The alternate requirement of 5 hours of additional instruction was adopted in 1942, consistent with the interests of safety, as a wartime measure to expedite the qualification of certain airman. The Board now believes that, in view of current military needs, the issuance of airman certificates can be more effectively administered by a uniform requirement which would, in effect, permit an applicant who fails any aeronautical knowledge examination to apply promptly for reexamination by taking special instructions, or otherwise be restricted to applying for reexamination after a lapse of 30 days. Our experience has shown that this option is of substantial value in qualifying applicants expeditiously and without jeopardizing our standards for competence. In the course of this experience, we have received information from numerous interested persons which indicates a general approval of this practice.

Accordingly, we are amending § 35.14 to make available the optional requirement of additional instruction to applicants for flight engineer certificates. For the same purpose Parts 26, 27, and 34 are being revised concurrently with this amendment.

For the reasons stated above, notice and public procedure hereon are impracticable and contrary to the public interest, and the Board finds that good cause exists for making this Civil Air Regulation effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 35 of the Civil Air Regulations (14 CFR, Part 35, as amended), effective immediately.

By amending § 35.14 to read as follows:

35.14 Reexamination after failure. An applicant who has failed any prescribed written or practical examination or test may not apply for reexamination within a 30-day period unless he presents a statement signed by a certificated flight engineer, a certificated ground instructor, or an equally qualified individual acceptable to the Administrator, which attests that the applicant has received an additional 5 hours of instruction in each of the subjects failed and that the applicant is considered competent for reexamination.

[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:

/s/ M. C. Mulligan
M. C. Mulligan
Secretary

(SEAL)

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