4-0-7

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

CAA Library

Civil Air Regulations Amendment 40-7
Effective: June 1, 1954
Adopted: June 1, 1954

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

AUTHORITY OF ADMINISTRATOR TO WAIVE CERTAIN PROVING TEST REQUIREMENTS FOR AIR CARRIERS

Section 40.63 (b) of revised Part 40 states that an air carrier using a type of airplane not previously used by it but previously proved in other operations shall test the airplane for at least 50 hours of which 25 hours shall be over authorized routes. The purpose of this requirement is to insure that an air carrier using a type of airplane not previously used by it or a type which has been greatly modified would acquire experience in the handling of the airplane prior to its use in passenger operation. It is also intended that by requiring a certain number of hours of proving tests to be conducted over authorized routes, personnel along the routes would become accustomed to the handling and servicing of the airplane on the ground.

Prior to using new type airplanes in scheduled passenger operation, air carriers generally conduct a fairly extensive training and familiarization program in the airplane. While the program may accomplish the purpose of familiarizing all personnel involved in the operation and handling of the new airplane, it may not comply with the proving test requirements set forth above. For example, while a new type airplane may have been proved for more than 50 hours and all personnel involved in its operation received adequate training in its handling, these proving tests may not have been conducted over authorized routes. In the past there have been several instances in which an air carrier has conducted rather extensive proving tests prior to using a new type airplane in scheduled passenger operation but under a specific waiver of the Board has not conducted 25 hours of these tests over authorized routes. In such cases it was not felt that the specific hourly requirements of § 40.63 (b) needed to be enforced since the purpose of the requirements would have been fulfilled. Since proving tests of airplanes not previously used are conducted under the surveillance of the Civil Aeronautics Administration, it is felt that the Administrator should be permitted to waive the provisions of § 40.63 (b) in those cases where the purposes of these provisions have been accomplished by the training and indoctrination program conducted by the air carrier.

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. Since this amendment imposes no additional burden on any person, it may be made effective on less than thirty days' notice.

JUN 17 1954

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 40 (14 CFR, Part 40, as amended) of the Civil Air Regulations, effective immediately:

By amending the first sentence of § 40.63 (b) to read "A type of airplane which has been previously proved shall be tested for at least 50 hours, of which at least 25 hours shall be flown over authorized routes, unless deviations are specifically authorized by the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements of this paragraph unnecessary for safety, when the airplane:"

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U.S.C. 551, 554)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

This is the seventh amendment to Part 40, which Part became effective April 1, 1954.