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

Civil Air Regulations Amendment 40-11
Effective: May 17, 1958
Adopted: April 15, 1958

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

AMENDMENTS RESULTING FROM THE
1957 ANNUAL AIRWORTHINESS REVIEW

The Board has been advised that the descent flight provision of the two-engine-inoperative en route requirement of Part 40 is in need of clarification. The language of this provision does not make clear the generally understood intent that the descent may be based on a net flight path. Section 40.75 (b) (2) is therefore being amended to clarify the intent.

During this year's annual airworthiness meeting, the subjects of interior markings and emergency lighting for exits were discussed. As a result, changes are being made to the certification requirements to eliminate the need for the marking and lighting of crew compartment exits. Since it is considered that the operating parts should be consistent with the certification requirements, a similar amendment is being made to Part 40.

Interested persons have been afforded an opportunity to participate in the making of this amendment (22 F.R. 9116), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 40 of the Civil Air Regulations (14 CFR Part 40, as amended) effective May 17, 1958:

1. By amending § 40.75 (b) (2) to read as follows:

40.75 En route limitations; two engines inoperative.* * *

(b) * * *

(2) Where the engines are assumed to fail at an altitude above the prescribed minimum altitude, compliance with the prescribed rate of climb at the prescribed minimum altitude need not be shown during the descent from the cruising altitude to the prescribed minimum altitude if, at the end of the descent and during the subsequent portion of the flight, the prescribed rate of climb is met at the prescribed minimum altitudes. The descent shall be assumed to be along a net flight path and the rate of descent for the appropriate weight and altitude shall be assumed to be 0.01 $V_{S_0}^2$ greater than indicated by the performance information approved by the Administrator.

2. By amending § 40.173 (f) (1) and (2) by inserting in the first sentence of each subparagraph between the words "all" and "emergency" the word "passenger".

(Sec. 205, 52 Stat. 984; 49 U.S.C. 425. Interpret or apply secs. 601, 603, 604, 52 Stat. 1007, 1009, 1010, as amended; 49 U.S.C. 551, 553, 554)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

793

Part 40 last printed December 31, 1955.

USCOMM-DC-10929