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

Civil Air Regulations Amendment 40-14
Effective: November 5, 1958
Adopted: October 1, 1958

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

REQUIRED RECORDS

A notice of proposed rule making was published in the Federal Register March 13, 1958, (23 F.R. 1737) and circulated to the industry as Economic Regulations Draft Release No. 92 dated March 7, 1958, which proposed to bring up to date the record requirements of Part 40 of the Civil Air Regulations and make them consistent with corresponding record retention provisions in Part 249 of the Economic Regulations.

Accordingly, concurrently with the amendment of Part 249, the record provisions of Part 40 are being amended. Since the record retention requirements in Part 40 will be consistent with corresponding requirements in Part 249 and §§ 40.501 through 40.511 each contain language requiring compliance therewith, there is no longer any necessity for § 40.500 and it is being deleted.

The retention period for manifests required by § 40.505 is being increased from "60 days" to "3 months" to accord with the retention requirement for manifests prescribed in Part 249.

Although it was proposed to change the retention period for maintenance releases required by § 40.511 from "60 days" to "3 months," it has been determined that the present period of retention will be adequate. However, the words "2 months" are being substituted for "60 days" to bring the language into accord with that used in Part 249.

Finally, a new § 40.512 is being added to require records of radio contacts by or with pilots en route to be maintained. Consistent with the retention period prescribed in Part 249 for such records, § 40.512 provides that they shall be retained for a period of 30 days.

The foregoing record requirements are considered necessary to enable the Board and the Administrator to discharge fully their respective accident investigation and safety regulatory responsibilities.

Interested persons have been afforded an opportunity to participate in the making of this regulation (23 F.R. 1737), 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) as follows effective November 5, 1958.

1. By deleting § 40.500.

2. By amending § 40.505 by deleting "60 days" from the last sentence and inserting in lieu thereof "3 months".

3. By amending § 40.511 by deleting "60 days" from the last sentence and inserting in lieu thereof "2 months".

4. By adding a new § 40.512 to read as follows:

40.512 Communication records. Each air carrier shall maintain, and retain for a period of 30 days, records of radio contacts by or with pilots en route.

The record keeping requirements contained herein have been approved by the Bureau of the Budget.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 605, 702, 52 Stat. 1007, 1010, 1013, as amended; 49 U.S.C. 551, 555, 582)

By the Civil Aeronautics Board:

/s/ Mabel McCart

Mabel McCart
Acting Secretary

(SEAL)

Part 40 last printed December 31, 1955.


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