UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D. C.

Civil Air Regulations Amendment 40-16
Effective: April 22, 1959
Issued: April 17, 1959

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Absence of Flight Crew Members From Their Duty Stations

Section 40.354 of the Civil Air Regulations requires all flight crew members to remain at their respective stations with seat belts fastened during take-off or landing, and while en route except when the absence of one such flight crew member is necessary in connection with his "regular duties." As used in this regulation the term "regular duties" was intended to mean those duties involving the operation of the airplane. It was not intended to encompass activities related to furthering public relations or other activities not related to operational safety of the airplane. The absence of a flight crew member from his duty station for the performance of such activities reduces unnecessarily the degree of vigilance, attention to duty, and availability for emergency action required for the operation of modern aircraft under conditions of high density traffic.

Accordingly, § 40.354 is being amended to clarify its intention and application. Similar amendments are being made simultaneously to Parts 41, 42, 46, and 60 of the Civil Air Regulations to provide identical rules for the types of operations covered by those parts.

Inasmuch as this amendment is a clarification of the present requirements and imposes no additional burden on any person, compliance with the notice, procedures and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary and not required.

In consideration of the foregoing, § 40.354 of the Civil Air Regulations (14 CFR 40.354) is hereby amended as follows to become effective April 22, 1959:

§ 40.354 Flight crew members at controls.

All required flight crew members when on flight deck duty shall remain at their respective stations while the airplane is taking off or landing, and while en route except when the absence of one such flight crew member is necessary for the performance of his duties in connection with the operation of the airplane. All flight crew members shall keep their seat belts fastened when at their respective stations.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply secs. 601, 604, 72 Stat. 775, 778; 49 U.S.C. 1421, 1424)

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E. R. QUESADA,
Administrator.

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