40-17

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

SEP 12 1955

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Civil Air Regulations Amendment 40-19
Effective: September 1, 1955
Adopted: August 31, 1955

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

PROPELLER REVERSE PITCH INDICATORS

Currently effective § 40.172 (1) of Part 40 of the Civil Air Regulations requires that, effective September 1, 1955, a means shall be provided for each reversible propeller on airplanes equipped with reversible propellers which will indicate to the pilots when the propeller is in reverse pitch.

A notice of proposed rule making was published in the Federal Register (20 F.R. 4973) and circulated to the industry as Civil Air Regulations Draft Release No. 55-17 dated July 1, 1955, which proposed to extend the compliance date of § 40.172 (1) from September 1, 1955, to April 1, 1956. This notice was based upon consideration of information received that certain air carriers would be unable to accomplish the installation of propeller reverse pitch indicators by September 1, 1955, due to delays in the delivery of necessary parts from manufacturers.

As a result of comments received on Draft Release No. 55-17 and based on investigation by the Board and the Civil Aeronautics Administration, the Board has determined that the large majority of air carrier aircraft to which this requirement is applicable have been equipped with indicators. However, although the air carriers concerned have been diligent in their efforts to achieve compliance in all aircraft affected, some have been unable to do so because of unanticipated difficulties in the procurement of necessary parts. The Board has also determined that in the case of at least one propeller system the necessary parts will not be available in sufficient time to permit modification by April 1, 1956, the date proposed in Draft Release No. 55-17, but that all required modifications may reasonably be expected to be accomplished by July 1, 1956. The Board, therefore, concludes that the current compliance date of September 1, 1955, is not realistic and should be extended to July 1, 1956. It is expected, however, that conscientious efforts will be continued by the parties concerned to accomplish the required change as soon as possible, prior to the mandatory compliance date, in consideration of the safety factors involved.

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 without prior notice.

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 September 1, 1955:

By amending § 40.172 (1) by deleting the date "September 1, 1955" and inserting in lieu thereof the date "July 1, 1956".

(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 nineteenth amendment to Part 40 which became effective April 1, 1954.