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

Civil Air Regulations Amendment 40-19
Effective: October 29, 1959
Issued: September 24, 1959

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Frequency of Pilot Proficiency Checks

Part 40 of the Civil Air Regulations presently requires each pilot in command to successfully pass pilot proficiency checks at least twice in each 12-month period. Section 40.302(b) requires such checks to be given at intervals of not less than 4 months nor more than 8 months. Section 40.305 specifies similar requirements for pilots other than pilots in command.

Parts 40, 41, 42, and 46 specify the time interval between pilot proficiency checks differently which has resulted in varying interpretations as to requirements and administrative practices. Since no difference is intended between air carrier operations in this respect, all of the air carrier parts are being amended to make the frequency requirement of pilot proficiency checks the same.

Since this regulatory action imposes no additional burden upon any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 40 of the Civil Air Regulations (14 CFR Part 40) is hereby amended as follows to become effective October 29, 1959:

1. In § 40.302 paragraphs (b) (1) and (3) are amended to read as follows:

§ 40.302 Pilot checks.

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(b) *Proficiency check.* (1) An air carrier shall not utilize a pilot as pilot in command until he has satisfactorily demonstrated to a check pilot or a representative of the Administrator his ability to pilot and navigate airplanes to be flown by him. Thereafter, he shall not serve as pilot in command unless each 6 months he successfully completes a similar pilot proficiency check. The proficiency check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where such pilots serve in more than one airplane type, at least every other successive proficiency check shall be given in flight in the larger airplane type.

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(3) Subsequent to the initial pilot proficiency check, an approved course of training in an aircraft simulator, if satisfactorily completed, may be substituted at alternate 6-month intervals for the proficiency check required by subparagraph (1) of this paragraph. The air carrier shall show that the flight characteristics, performance, instrument reaction, and control loadings of the applicable aircraft are accurately simulated in the aircraft simulator through all ranges of normal and emergency operations in accordance with subdivisions (i) through (vii) of this subparagraph:

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2. Section 40.305 is amended to read as follows:

§ 40.305 Competence checks; other pilots.

Prior to serving as pilot, and thereafter, each 6 months each pilot not being utilized as pilot in command shall demonstrate that he is capable of flying by instruments. This demonstration may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the demonstration, if given within the preceding or following month, shall be the same as if given within the month in which it became due. The demonstration flight may be made to a pilot serving as pilot in command or a check pilot of the air carrier during scheduled flight.

(Secs. 313(a), 601, 604, 72 Stat. 752, 778, 49 U.S.C. 1354(a), 1424)

Issued in Washington, D.C., on September 24, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-8137; Filed, Sept. 29, 1959; 8:45 a.m.]

Part 40 last printed December 31, 1955

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