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

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Civil Air Regulations Amendment 40-23
Effective: November 30, 1959
Issued: November 30, 1959

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Extension of Compliance Date for Oxygen System Requirements for Turbine-Powered Airplanes

Currently effective § 40.203-T(a) provides that on and after November 30, 1959, turbine-powered airplanes with pressurized cabins shall comply with the provisions of § 40.203-T. Section 40.203-T(c) requires that when operating at flight altitudes above 25,000 feet, one pilot at the controls of the airplane shall wear an oxygen mask at all times and all other flight crew members on flight deck duty shall be provided with oxygen masks, connected to appropriate supply terminals, which shall be worn in a manner that will permit immediate placing of the masks on their faces for use, properly secured and sealed.

The Administrator has received information to the effect that this requirement is not necessary to achieve the highest degree of safety in air transportation and it is claimed that compliance with this regulation may detract from the required crew coordination and adversely affect safety. The FAA intends to make further studies of this matter during the next 60 days. Under these circumstances, the effective date of this requirement will be delayed until February 1, 1960, to obtain additional information. If a change in this requirement is indicated, it will be accomplished prior to that date. If no change is required, the original rule will then become effective.

Since this amendment grants relief by extending the date for compliance with a requirement of the Civil Air Regulations, the Administrator finds that notice and public procedure hereon are not necessary, and that this amendment will be made effective immediately.

In consideration of the foregoing, § 40.203-T(c) of Part 40 of the Civil Air Regulations (14 CFR, Part 40, as amended) is amended as follows, effective November 30, 1959:

§ 40.203-T Supplemental oxygen for emergency descent and for first aid; turbine-powered airplanes with pressurized cabins.

* * * * *

(c) *Use of oxygen masks by flight crew members.* Prior to February 1, 1960, when operating at flight altitudes above 25,000 feet, all flight crew members on flight deck duty shall be provided with oxygen masks, connected to appropriate supply terminals, which shall be immediately available for use. On and after February 1, 1960, when operating at flight altitudes above 25,000 feet, one pilot at the controls of the airplane shall wear and use an oxygen mask at all times and all other flight crew members on flight deck duty shall be provided with oxygen masks, connected to appropriate supply terminals, which shall be worn in a manner that will permit immediate placing of the masks on their faces for use, properly secured and sealed.

(Secs. 313(a), 601, 604, 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424)

Issued in Washington, D.C., on November 30, 1959.

JAMES T. PYLE,
Acting Administrator.

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