Affects Parts: 40, 61
Distribution: General

Regulation No. SR- 400

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

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Effective: January 25, 1954
Adopted: January 25, 1954

SPECIAL CIVIL AIR REGULATION

ISSUANCE OF AIR CARRIER OPERATING CERTIFICATES FOR HELICOPTER OPERATIONS

Parts 40 and 61 of the Civil Air Regulations currently prescribe the certification and operation rules for scheduled air carriers. These parts apply primarily to air carriers operating airplanes, but also apply to the certification and operation of helicopters by air carriers. However, Special Civil Air Regulation SR-369 authorizes the Administrator to issue an air carrier operating certificate, or amendments thereto, under conditions which do not fully meet the requirements of Parts 40 and 61 to an air carrier holding a temporary certificate of public convenience and necessity issued by the Board. Because all scheduled helicopter air carrier operations are currently being conducted under temporary certificates of public convenience and necessity and, since Parts 40 and 61 were not designed particularly for such operations, the Administrator has used SR-369 as a basis for regulating helicopter air carrier operations.

Revised Part 40 which will become effective April 1, 1954, provides certification and operation rules for scheduled domestic air carriers using airplanes, the scope of which was previously covered by Parts 40 and 61. It is not applicable, however, to the operation of other aircraft such as helicopters.

At present, the Board is in the process of formulating rules governing air carrier helicopter operations. In view of this and the fact that revised Part 40 does not provide a regulatory basis for helicopter operations, this regulation continues and enlarges in scope the authority contained in SR-369 for two years. Since it appears that air carriers other than those holding temporary certificates of public convenience and necessity are considering initiation of helicopter operations, this regulation provides authority for the Administrator to issue air carrier operating certificates and to permit deviations from Parts 40 and 61 for helicopter operations for all air carriers. Since presently effective Parts 40 and 61 will be rescinded on April 1, 1954, this regulation incorporates by reference Parts 40 and 61 as in effect on December 31, 1953.

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Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation 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 makes and promulgates the following Special Civil Air Regulation, effective January 25, 1954:

An air carrier operating certificate, or amendments thereto, may be issued by the Administrator to an air carrier for the purpose of engaging in helicopter operations in accordance with the certification requirements of Part 40 of the Civil Air Regulations. Such helicopter operations shall be conducted in accordance with the operation requirements of Part 61 of the Civil Air Regulations. If the Administrator finds that any of the requirements of Parts 40 and 61 can be omitted or modified without adversely affecting safety, the Administrator may approve such omissions or modificationsand they shall be listed in the air carrier operations specifications. The Administrator shall promptly notify the Board of the omissions or modifications approved by him and the reasons therefor.

All references herein to Parts 40 and 61 are to those Parts as in effect on December 31, 1953.

This Special Civil Air Regulation supersedes Special Civil Air Regulation SR-369 and shall terminate January 25, 1956 unless sooner superseded or rescinded by the Board.

(Sec. 205 (a); 52 Stat.984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 604, 605, 52 Stat. 1007, 1010, as amended; 49 U.S.C. 551, 554,555; 62 Stat. 1216)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)