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

Civil Air Regulations Amendment 41-3
Effective: May 1, 1949
Adopted: April 28, 1949

PERSONNEL LICENSING STANDARDS

On April 2, 1949, there was published a notice of proposed rule making (14 F.R. 1545) indicating our intention to implement those portions of the Personnel Licensing Standards adopted by the International Civil Aviation Organization (ICAO) deemed suitable for domestic aviation.

The following amendments to Part 41 are those deemed necessary to bring Part 41 into accord with the airman parts of the Civil Air Regulations which have been similarly amended to accomplish such implementation. These amendments adopt definitions of aircraft category, class, type, pilot in command, copilot, flight time, etc.

It will be noted that the provisions of the Convention on International Civil Aviation will permit the holder of an airman certificate issued prior to May 1, 1949, to exercise the privileges as currently authorized until May 1, 1953. However, it will not be necessary, until such date, for such a pilot certificate holder to obtain a type rating for aircraft of over 12,500 lbs. maximum certificated take-off weight provided that his current "type" (amended to "category") and "category" (amended to "class") ratings authorize operation of the aircraft. Conversely, it will be noted that class and category ratings issued after May 1, 1949, will not authorize piloting aircraft of over 12,500 lbs. and that type ratings for any such aircraft will be required for which the holder of the certificate is not currently rated by virtue of his current "type" and "class" ratings.

This amendment is effective May 1, 1949. It will be further noted that Annex 1 will become effective on May 1, 1949, and that the United States is obliged by the terms of the Convention on International Civil Aviation to bring its regulations into compliance with Annex 1, in so far as it has not filed notice of differences thereto, by that date. The notice of proposed rule making referred to above fully advised the public of the intended effective date.

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. For the reason above stated, the Board finds that good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 41 of the Civil Air Regulations (14 CFR, Part 41, as amended) effective May 1, 1949, as follows:

1. By deleting the words "model," "models," "make," or "make and model" from every section in which any or all of such words appear in this part and inserting the word "type" in lieu thereof.

2. By deleting the words "first pilot" from each and every section in which they appear in this part and inserting the words "pilot in command" in lieu thereof.

3. By deleting the words "second pilot" from each and every section in which they appear in this part and inserting the word "copilot" in lieu thereof.

4. By amending § 41.99 (i) to read as follows:

(i) Flight crew member. Flight crew member means a pilot, flight radio operator, flight engineer, or flight navigator assigned to duty on the aircraft during flight time.

5. By amending § 41.99 (j) to read as follows:

(j) Crew member. Crew member means any individual assigned by an air carrier for the performance of duty on the aircraft other than as flight crew member during flight time.

6. By adding to § 41.99 paragraphs (r), (s), (t), (u), (v), and (w) to read as follows:

(r) Category. Category shall indicate a classification of aircraft such as airplane, helicopter, glider, etc.

(s) Class. Class shall indicate a difference in basic design of aircraft within a category, such as single-engine land, multiengine sea, etc

(t) Copilot. Copilot shall mean a pilot serving in any piloting capacity other than as pilot in command on aircraft requiring two pilots for normal operations, but excluding a pilot who is on board the aircraft for the sole purpose of receiving dual instruction.

(u) Flight time. Flight time shall mean the total time from the moment the aircraft first moves under its own power for the purpose of flight until the moment it comes to rest at the end of the flight (block to block).

(v) Pilot in command. Pilot in command shall mean the pilot responsible for the operation and safety of the aircraft during the time defined as flight time.

(w) Type. Type shall mean all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics.

(Secs. 205 (a), 601, 604, 610, 52 Stat. 984, 1007, 1011, 1016; 49 U.S.C. 425 (a), 551, 554, 560)

By the Civil Aeronautics Board:

(SEAL)

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

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