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

Civil Air Regulations Amendment 41-14
Effective: November 21, 1947
Adopted: November 21, 1947

PROVISION FOR QUALIFIED PERSONNEL OTHER THAN THAT OF THE AIR CARRIER OPERATING THE AIRCRAFT TO SIGN CLEARANCE FORMS, LOAD AIRCRAFT, AND SIGN LOAD MANIFEST FORMS

At the present time § 41.4060 of the Civil Air Regulations requires that the clearance and load manifest forms be signed by personnel of the air carrier and that the loading of the aircraft must be done by qualified personnel of the carrier. In some instances the carriers would benefit by the economic advantages which may be obtained from the consolidation of service facilities. The delegation of authority merely to sign clearances by the authorized aircraft dispatcher will in no way compromise safety, because such dispatcher remains responsible for the dispatch and continued supervision of the flight. In the case of the loading of the aircraft and the signing of the load manifest form, the responsibility for proper accomplishment of these functions remains with the air carrier operating the aircraft.

This amendment will permit the authorized aircraft dispatcher of the air carrier operating the aircraft to delegate the authority to sign the clearance form for a particular flight, and it will permit the air carrier to authorize qualified personnel other than that of the air carrier operating the aircraft to supervise the loading of the aircraft and to sign the load manifest form. It will also require the dispatch office of the air carrier, through the authorized dispatcher on duty, to maintain constant supervision of the flight as in §61.71020 which applies to scheduled domestic operations.

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 amends Part 41 of the Civil Air Regulations (14 CFR, Part 41, as amended) effective immediately:

1. By amending §§ 41.406 and 41.4060 to read as follows:

41.406 Maintenance release, clearance, and load manifest forms. All maintenance release, clearance, and load manifest forms used shall be

approved by the Administrator. The original copies of such forms shall be given to the first pilot and duplicate copies kept in the station file for at least 90 days.

41.4060 Preparation of maintenance release form. A maintenance release form shall be prepared for each aircraft delivered by the maintenance department to the operations department. This form must be signed by personnel of the air carrier charged with the duty of supervising the maintenance of the aircraft.

2. By adding new §§ 41.4061 and 41.4062 to read as follows:

41.4061 Preparation of clearance form. A clearance form shall be prepared for each flight between specified clearance points. The information for such clearance shall be prepared by the authorized aircraft dispatcher of the air carrier operating the aircraft. This form shall be signed by the first pilot and by the authorized aircraft dispatcher only when both believe the flight may be made with safety. The authority to sign such clearance may be delegated for a particular flight by the authorized aircraft dispatcher, but the authority to dispatch cannot be delegated, and such dispatcher remains responsible for the dispatch and continued supervision of the flight.

41.4062 Preparation of load manifest form. A load manifest form showing the loading of the aircraft shall be prepared and signed for each flight by qualified personnel of the air carrier charged with the duty of supervising the loading of the aircraft and the preparation of the load manifest forms, or by qualified persons authorized by the air carrier. The aircraft when loaded shall not exceed the center of gravity limits or maximum allowable weight limits set forth in the aircraft certificate for the particular aircraft.

(Sec. 205 (a), 601, 604, 52 Stat. 984, 1007, 1010; 49 U.S.C. 425 (a), 551, 554)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

(SEAL)

M. C. Mulligan
Secretary

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