Affects Parts: 40, 41 and 42
Distribution: General

Regulation No. SR-395A

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

Effective: February 20, 1955
Adopted: February 17, 1955

SPECIAL CIVIL AIR REGULATION

AUTHORIZATION FOR AIR TAXI OPERATORS TO CONDUCT OPERATIONS UNDER THE PROVISIONS OF PART 42 OF THE CIVIL AIR REGULATIONS - EXTENSION OF EXPIRATION DATE FOR AIR TAXI OPERATOR CERTIFICATES

On January 11, 1952, the Board adopted Special Civil Air Regulation SR-378, which provided that air taxi operators as defined in §298.1(a)(2) of Part 298 of the Board's Economic Regulations, shall be certificated and shall conduct operations in accordance with the applicable provisions of Part 42 of the Civil Air Regulations. Subsequently, on June 1, 1953, the Board adopted currently effective Special Civil Air Regulation SR-395, which superseded SR-378 and provided that air taxi operator certificates should continue in effect until the termination of the economic exemption authority contained in Part 298, namely, until February 20, 1955. On December 21, 1954, the Board issued a notice of proposed rule-making (Economic Regulations Draft Release No. 71), which proposed to delete the economic exemption authority termination date of February 20, 1955, which existed in Part 298. This proposal would have put the exemption authority granted to air taxi operators on a permanent basis.

The Board concurrently with the issuance of this Special Civil Air Regulation is extending the exemption authority contained in Part 298 pending a final determination as to the proper economic limitations which should be imposed on air taxi operators. It appears certain, however, that some form of economic exemption authority for air taxi operators will be continued on a permanent basis. It therefore is desirable to extend Special Civil Air Regulation SR-395 to provide for such operations.

Part 42 of the Civil Air Regulations is presently undergoing revision. This proposed revision would make Part 42 applicable solely to large aircraft; and it would be necessary to prepare a new Part for the certification and operation of small aircraft (air taxi operators). Revised Part 42 and proposed regulations to cover air taxi operations are presently being prepared in draft release form, and it is estimated that they will be adopted by the Board for circulation as a notice of proposed rule-making in the near future. For this reason, Special Civil Air Regulation SR-395 is being extended until such time as a new permanent Part, covering the certification and operation of small aircraft, becomes effective. Notice of this extension was published in the Federal Register on January 19, 1955 at 20 F. R. 422.

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 February 20, 1955:

Notwithstanding the provisions of Parts 40 and 41 of the Civil Air Regulations, any air taxi operator as defined in §298.1(a)(2) of Part 298 of the Board's Economic Regulations shall be certificated and shall conduct operations in air transportation in accordance with the provisions of Part 42 of the Civil Air Regulations: Provided, That any air carrier operating certificate issued for air taxi operations which is in effect on, or issued after, the effective date of this regulation shall remain in effect until the expiration of this special regulation, unless such certificate is sooner surrendered, suspended, or revoked.

This regulation supersedes Special Civil Air Regulation SR-395 and shall remain in effect until such time as new air taxi certification and operation rules become effective, unless sooner terminated or rescinded by the Board.

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

By the Civil Aeronautics Board:

/s/ John B. Russell

John B. Russell
Acting Secretary

(SEAL)