W-126

Affects Parts: 41, 42, 47
Distribution: General

Regulation No. SR-429

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

Effective: February 3, 1959
Adopted: December 30, 1958

SPECIAL CIVIL AIR REGULATION

AUTHORIZATION FOR ALASKAN AIR TAXI OPERATORS TO CONDUCT OPERATIONS UNDER THE PROVISIONS OF PART 42 OF THE CIVIL AIR REGULATIONS

Concurrently with this regulation, the Board is adopting a new Part 293 of the Economic Regulations which reclassifies the present "Alaskan pilot-owner", covered under Part 292 of the Board's Economic Regulations, as an "Alaskan Air Taxi Operator" and enlarges the permissible activities of such Alaskan pilot-owners. Under the new Part 293, the Alaskan air taxi operator will be permitted inter alia to use aircraft having a maximum gross take-off weight of 7,900 pounds and to engage in the air transportation of persons and property within Alaska without limitation, except that scheduled service would be prohibited between points served by certificated carriers with a frequency of two or more scheduled round trips per week.

At the present time, the Alaskan air carriers using large aircraft (12,500 pounds maximum certificated take-off weight and above) are conducting their operations pursuant to the provisions of Part 41 of the Civil Air Regulations. Those Alaskan air carriers using small aircraft (less than 12,500 pounds maximum certificated take-off weight) including the Alaskan pilot-owners are presently conducting their operations under Part 42 pursuant to authorizations by the Administrator of Civil Aeronautics.

Since the air carriers operating in Alaska with small aircraft are presently conducting their operations under Part 42, the Board believes that until operating experience reveals that further or different rules are necessary, Alaskan air taxi operators should be allowed to conduct their operations pursuant to Part 42.

As the exemptions under Part 293 of the Economic Regulations are only temporary and are stated to run for two years from the effective date of that part, it seems desirable to limit the authorization contained herein to the same period of time.

This regulation is necessary in order to give effect to the new Part 293 referred to above, which was published as a notice of proposed rule making dated May 17, 1958, and on which public comment was received and considered. Since this regulation is ancillary to such part and since it continues in effect the same rules as are presently applicable to the Alaskan pilot-owners, without diminution in safety standards, the Board finds that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation effective February 3, 1959.

Notwithstanding the provisions of Parts 41 and 42 of the Civil Air Regulations, any Alaskan air taxi operator as defined in § 293.1(a)(2) of Part 293 of the 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. An air carrier operating certificate presently issued by the Civil Aeronautics Administration to an Alaskan pilot-owner shall, until its stated expiration date, be valid as an air carrier operating certificate for Alaskan air taxi operations, unless such certificate is sooner surrendered, suspended or revoked. Such certificate may be renewed as an air carrier operating certificate for Alaskan air taxi operations.

This regulation shall terminate two years after its effective date unless sooner terminated or rescinded by the Board.

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

By the Civil Aeronautics Board:

/s/ Mabel McCart

Mabel McCart
Acting Secretary

(SEAL)

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