Affects Parts: 40, 41, 42
43, 45, 46

Regulation No. SR-446B

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D.C.

Effective: May 25, 1963
Issued: April 5, 1963

Special Civil Air Regulation No. SR-446B

[Reg. Docket No. 737; Reg. No. SR-446B]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

PART 41—CERTIFICATION AND OPERATION RULES FOR CERTIFICATED ROUTE AIR CARRIERS ENGAGING IN OVERSEAS AND FOREIGN AIR TRANSPORTATION AND AIR TRANSPORTATION WITHIN HAWAII AND ALASKA

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PART 43—GENERAL OPERATION RULES

PART 45—COMMERCIAL OPERATOR CERTIFICATION AND OPERATION RULES

PART 46—SCHEDULED AIR CARRIER HELICOPTER CERTIFICATION AND OPERATION RULES

Special Civil Air Regulation; Use of Portable Frequency Modulation (FM) Type Radio Receivers on Aircraft During Flight

The purpose of this special regulation is to continue in effect the provisions of currently effective Special Civil Air Regulation No. SR-446A (27 F.R. 4906). SR-446A prohibits the operation of portable frequency modulation (FM) radio receivers during flight on all civil aircraft of the United States operated by an air carrier or a commercial operator. It also prohibits the operation of portable FM radio receivers on all other VOR-equipped civil aircraft of the United States while such VOR equipment is being used for navigational purposes.

In 1961, during tests conducted by the Federal Aviation Agency, it was found that radio receivers having local oscillators operating within or near the VHF omnirange (VOR) frequency band (108 to 118 Mcs.) cause interference which adversely affects the operation of an aircraft's VOR navigational system. Various types of portable radio receivers (i.e., radio receivers capable of being carried aboard an aircraft by a passenger) were used in these tests and it was determined that the portable frequency modulation (FM) radio receiver was the only type receiver commonly used by the general public that would create this unwanted interference. Although the tests conducted by the Agency were not completed, the initial finding that FM radio receivers operated aboard an aircraft would cause unwanted interference warranted immediate regulatory aetion to prevent these radios from endangering safety in air commerce. Accordingly, SR-446 (26 F.R. 4011) was issued May 4, 1961; however, to simplify revision of the rule if additional interference problems were found by the tests, it was issued as a temporary rule effective until May 24, 1962. Since the final evaluation of these tests by all interested parties would not have been completed by the time SR-446 was to expire, the provisions of that rule were continued in effect for an additional year until May 24, 1963, by the issuance of SR-446A on May 22, 1962.

The evaluation of the tests conducted by the Agency have now been completed and the evaluations have not revealed any additional interference problems other than that caused by FM radio receivers. Accordingly, since the interference problem which prompted the issuance of SR-446A still exists and since it is necessary in order to provide adequately for safety in air commerce to continue the provisions of that regulation in effect, I find it is in the public interest to make the provisions of that rule permanent.

In the preamble to SR-446A it was indicated that when the evaluation of the tests were completed, the provisions of SR-446A would be incorporated into the applicable operating parts, i.e., Parts 40, 41, 42, 43, 45 and 46. These parts are presently being recodified and, as recodified, will contain the provisions of related Special Civil Air Regulations such as SR-446A. Until their recodification, the provisions contained in SR-446A will be continued in effect in the form of a Special Civil Air Regulation.

Since this regulation continues in effect a Special Civil Air Regulation which expires on May 24, 1963, and a lapse in the effectiveness of the regulation would endanger safety in air commerce, I find that notice and public procedure hereon would be contrary to the public interest.

In consideration of the foregoing, Special Civil Air Regulation No. SR-446A is superseded by the following Special Civil Air Regulation which is hereby adopted to become effective on May 25, 1963.

No person shall operate, nor shall any operator or pilot in command of an aircraft permit the operation of, a portable frequency modulation (FM) radio receiver on the following civil aircraft of the United States while such aircraft are engaged in flight in air commerce:

(a) Aircraft operated by an air carrier or commercial operator; and

(b) Any other aircraft equipped with VHF omnirange (VOR) navigational equipment while such VOR equipment is being used for navigational purposes.

This special regulation supersedes Special Civil Air Regulation No. SR-446A.

This Special Civil Air Regulation is issued under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354 and 1421).

Issued in Washington, D.C., on April 5, 1963.

N. E. HALABY,
Administrator.

[F.R. Doc. 63-3855; Filed, Apr. 12, 1963; 8:45 a.m.]

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