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

Civil Air Regulations Amendment 42- 16
Effective: February 16, 1953
Adopted: January 12, 1953

IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MODIFICATION OF APPROACH AND LANDING LIMITATIONS

Section 42.56 of Part 42 of the Civil Air Regulations currently prohibits the execution of an approach or landing at an airport when the latest United States Weather Bureau report indicates weather conditions less than the authorized minimums. This limitation was intended to prohibit descent below the authorized minimum altitude to "take a look" when weather is reported to be less than the authorized minimums. The language presently used in this limitation does not take into account certain impractical situations which are frequently encountered. The weather report received by the pilot at the time he commences his letdown and approach procedure may indicate weather conditions better than the authorized minimum; however, if during the approach the weather deteriorates and becomes less than the authorized minimum and the pilot continues his approach and landing, the landing would be in violation of the present limitation. Technically this would be true even though at the time the latest report was received the airplane was in landing configuration but had not made actual touchdown.

The Civil Aeronautics Administration and the Board concur that it would not be rational to hold a pilot in violation were he to continue and land in good faith in such cases. However, it is considered desirable that the wording of the regulation be amended so as to remove the question of technical violations arising in such cases. In order to clarify the intent of this limitation, it is necessary that the regulation permit the continuance of the approach in certain instances when the aircraft has entered a phase of the approach and landing procedure which will be easily cognizable to either the pilot or an enforcement official. This exception uses distinct geographical and altitude references in order to preclude the undesirable features of "take a look" and to remove doubt in the minds of the pilot and enforcement officials with regard to whether or not a violation has occurred.

In view of the foregoing, this amendment to the approach and landing limitations permits the pilot to continue his approach after receiving a weather report indicating less than the authorized minimums only in those instances when the aircraft has passed the outer marker on an ILS final approach, is on final approach using GCA procedure, or has passed the appropriate minimum altitude on a final approach utilizing a radio range

station or comparable facility. Thereafter, the pilot may make a landing, if upon reaching the approved minimum altitude he finds that the weather conditions are equal to or better than the prescribed minimums.

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.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 42 of the Civil Air Regulations (14 CFR, Part 42, as amended) effective February 16, 1953:

By adding a new sentence at the end of section 42.56 to read:

"Provided, That, if an instrument approach procedure is initiated when the current U.S. Weather Bureau report indicates that the prescribed ceiling and visibility minimums exist and a later weather report indicating below minimum conditions is received after the aircraft (1) is on an ILS final approach and has passed the outer marker, or (2) is on a final approach using a radio range station or comparable facility and has passed the appropriate facility and has reached the authorized landing minimum altitude, or (3) is on GCA final approach and has been turned over to the final approach controller, such approach may be continued and a landing may be made in the event weather conditions equal to or better than the prescribed minimums for the airport are found to exist by the pilot in command of the flight upon reaching the authorized landing minimum altitude."

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

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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