42-27

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

Civil Air Regulations Amendment 42-27
Effective: October 13, ~~1954~~
Adopted: September 8, 1954

IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PILOT TRAINING AND CHECK PROGRAM

Part 42 currently contains certain requirements for the training and checking of pilots operating in irregular air transportation. Revised Part 40, which became effective on April 1, 1954, and Part 41 contain similar requirements for scheduled air transportation. The scheduled air carriers conduct most of their operations under Parts 40 and 41 and thus organize their training programs in accordance with the requirements of these parts. However, these air carriers also conduct charter and special flights which they may operate in accordance with Part 42.

While the training requirements of Parts 40 and 41 are complete, there are some differences between them and the requirements of Part 42 which raise administrative problems for scheduled air carriers with respect to checking the qualifications of pilots to be assigned to a charter or special flight. For example, in revised Part 40 there is more flexibility in the requirements pertaining to the periodic checking of pilots. Since the pilots are continuously receiving training and experience in operations, it was believed that more flexibility would permit smoother administration by an air carrier of a program of periodic checks, without adversely affecting safety.

A pilot who may be engaged alternately in scheduled and irregular air carrier operations, may be subject both to the applicable scheduled air carrier operating part and to Part 42. In view of the differences in form between the pilot training and qualification requirements of the scheduled and irregular air carrier rules, unnecessary duplication under these requirements results in such a case. The Board believes that the requirements of Parts 40 and 41 adequately fulfill the intent of the provisions of Part 42 even though there may be specific minor differences. Accordingly, this amendment provides that the recent flight experience and crew member proficiency provisions of Part 42 shall not apply to pilots who for the previous six months have been continuously in the employ of an air carrier which has established pilot training and check procedures in accordance with the requirements of Part 40 or Part 41.

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 October 13, 1954:

By amending § 42.40 (a) to read as follows:

42.40 Airman requirements.

(a) No air carrier shall utilize an individual as an airman unless he has met the appropriate requirements of the Civil Air Regulations: Provided, That the provisions of §§ 42.44 (a) and 42.45 shall not be applicable to pilots who for the previous six months have been continuously in the employ and participating regularly in the training program of an air carrier which has established pilot training and check procedures in accordance with the requirements of Part 40 or Part 41 of this subchapter.

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

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

Part 42 last printed June 1, 1949.