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

Civil Air Regulations Amendment 42-30
Effective: January 1, 1961
Issued: December 30, 1960

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

Recent Flight Experience Requirements for Flight Crewmembers

Currently effective § 42.44(a) (3) of the Civil Air Regulations requires that the pilot in command on any aircraft under IFR conditions shall have successfully accomplished an instrument check within the preceding 6 months. This and certain other provisions of Part 42 are presently applicable to air taxi operations and to commercial operations with small aircraft, and such operations will continue to be governed by the provisions of Part 42 until such time as Part 47 of the Civil Air Regulations, "Certification and Operation Rules Governing the Carriage of Persons or Property for Compensation or Hire with Small Aircraft," becomes effective.

Civil Air Regulations Amendment 42–23, issued December 1, 1959, and to become fully effective January 1, 1961, includes a revision of the recent flight experience for pilots contained in § 42.44(a) (3). At the time this amendment was issued, it was anticipated that Part 47 would become effective before January 1, 1961; consequently, the revised § 42.44(a) makes no provision for instrument checks of the pilot in command on small aircraft.

Since Part 47 will not become effective by January 1, 1961, a serious safety deficiency will be created when Amendment 42–23 becomes fully effective on that date, as there will then be no regulatory basis for requiring periodic instrument proficiency checks for pilots in command engaging in IFR air taxi and small aircraft commercial operations. In view of this safety deficiency, which will otherwise occur on January 1, 1961, it is necessary to extend the present requirements of § 42.44(a) (3), as they apply to pilots in command on small aircraft used in IFR operations, until such time as Part 47 becomes effective.

This amendment reinstates a present requirement which will be eliminated by Amendment 42–23 on January 1, 1961. The periodic instrument proficiency checks of pilots in command of small aircraft used in air taxi and commercial operations have long been a required safety standard, and it is imperative that this standard be maintained without interruption. Therefore, notice and public procedure hereon are impracticable, and the amendment may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 42.44(a) of Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) is hereby amended by adding a new subparagraph (5) to read as follows, effective January 1, 1961:

§ 42.44 Recent flight experience requirements for flight crewmembers.

* * * * *

(a) *Pilots.* * * *

(5) *Proficiency check for pilot in command on small aircraft.* Within the preceding 6 months the pilot in command on any small aircraft under IFR conditions shall have successfully accomplished an instrument check demonstrating his ability to pilot and navigate by instruments, to accomplish a standard instrument approach using radio range facilities, and to accomplish an instrument approach in accordance with ILS, GCA, or D/F procedures when such facilities are to be used. This instrument check shall be given by an authorized representative of the Administrator or a check pilot of the air carrier, on an aircraft of a type on which the pilot in command is to serve.

(Secs. 313(a), 601, 604; 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424)

Issued in Washington, D.C., on December 30, 1960.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 61-95; Filed, Jan. 5, 1961; 8:47 a.m.]

(As published in the Federal Register /26 F. R. 93/ January 6, 1961)