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Regulation No. SR-410

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

Effective: April 18, 1955
Adopted: April 18, 1955

SPECIAL CIVIL AIR REGULATION

FLIGHT TIME LIMITATIONS FOR TRANSCONTINENTAL NONSTOP IRREGULAR AIR CARRIER INTERSTATE OPERATIONS

On June 14, 1954, the Board adopted Special Civil Air Regulation No. SR-405 which permitted air carriers in the conduct of scheduled transcontinental nonstop flights to schedule flight crew members for more than eight but not more than ten hours of continuous duty aloft on flights conducted in pressurized airplanes carrying at least two pilots and a flight engineer. Special Civil Air Regulation No. SR-405 will terminate with the effective date of any final action taken by the Board in respect of Draft Release No. 54-16, which was circulated to the public on May 28, 1954.

Subsequently a request was made to the Board by an irregular air carrier to provide that Part 42 operators may make nonstop flights on the same basis extended to the scheduled operators under SR-405.

The Board believes that the nonstop flight time limitations should be extended to irregular air carriers on substantially the same basis as they are currently applied to scheduled air carriers. The scheduled air carrier operating rules of Part 40 contain requirements for dispatch and company communications systems not currently required under the irregular air carrier operating rules of Part 42. In order to insure equivalent safety, therefore, the Board believes it necessary to add certain provisions concerning dispatch and company communications systems for the operations herein contemplated. The petitioner has advised the Board that it considers these provisions reasonable. Therefore, by this Special Civil Air Regulation the Board applies to irregular air carriers the provisions of SR-405 provided that the air carrier is able to show an independent air/ground communications service and a dispatch organization serving terminal points which are essentially similar to those required of scheduled air carriers.

It should be noted that the independent air/ground communications system specified by this rule is required to be approved by the Administrator as adequate to serve terminal points. This requirement is intended to provide an operational control system which insures reliable and rapid communications either direct or via acceptable point-to-point circuits between the pilot and the dispatcher under normal operating conditions. While the Board is not in this instance establishing firm criteria with respect to the geographic coverage of such a communications system, we envisage that it will normally permit communication between the pilot and the dispatcher at least during the last hour of the flight.

As is the case in scheduled air carrier operations, the Board contemplates that the dispatcher will be responsible for monitoring the progress of each flight and issuing instructions and information necessary for the continued safety of the flight within the area of communications provided under this rule. It is expected that the dispatch office will be so located with respect to the terminal point and so equipped with necessary communications facilities as to insure that the dispatcher will be in possession of necessary information to determine the flight may be terminated safely and to communicate such information to the pilot.

The Board anticipates that the air carrier shall determine that prior to serving in operations conducted under this rule, an aircraft dispatcher shall be familiar with all essential operating procedures and with the equipment and facilities to be used.

The Board contemplates that at the termination of SR-405 this regulation will have been reexamined and necessary action will then be taken with regard to flight time limitations for irregular long-range nonstop interstate operations.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation is in the nature of relieving from a restriction, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective April 18, 1955:

Notwithstanding the requirements of §42.48 of the Civil Air Regulations, air carriers in the conduct of interstate transcontinental nonstop flights, in accordance with Part 42, may schedule flight crew members for more than eight but not more than ten hours of continuous duty aloft without an intervening rest period: Provided, That the flight is conducted in pressurized airplanes with a flight crew of at least two pilots and a flight engineer: And provided further, That the carrier utilize in the conduct of such operations an air/ground communications service independent of systems operated by the Federal Government, and a dispatch organization, both of which have been approved by the Administrator as adequate to serve the terminal points concerned. This regulation shall terminate with the effective termination of SR-405.

(Sec. 205(a), 52 Stat. 984; 49 U.S.C. 425(a). Interpret or apply §§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)