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

Civil Air Regulations Amendment 43-4
Effective: March 15, 1957
Adopted: February 6, 1957

GENERAL OPERATION RULES
VFR MINIMUMS WITHIN A CONTROL ZONE FOR FLIGHTS
ISSUED A TRAFFIC CLEARANCE

Part 60 of the Civil Air Regulations contains the air traffic rules governing the operation of aircraft. Section 60.31 currently authorizes air traffic control to permit flight within a control zone when the flight and ground visibility are below the specified three-mile minimum. This provision was intended to permit a pilot to fly from a control zone to an area outside of controlled airspace in which the visibility minimum for VFR flight is one mile. Part 43 prohibits a pilot from flying an aircraft under instrument flight rules unless he holds a valid instrument rating issued by the Administrator and unless he satisfies certain recent flight experience requirements.

It has come to the Board's attention that some pilots who are not rated to fly their aircraft solely by reference to instruments were obtaining a traffic clearance and flying through solid overcast or in conditions of restricted visibility and, consequently, were a hazard to themselves and others. In order to clarify the Board's intention that such flights not be conducted, certain amendments to the Civil Air Regulations were proposed in Draft Release 56-7 (21 F.R. 1748), "VFR Minimums within a Control Zone for Flights Issued a Traffic Clearance." The foregoing draft release proposed to establish in Part 60 specific weather minimums below which VFR flight could not be conducted. In addition, amendments to Sections 43.65 and 43.68 (d) of Part 43 were proposed to make it clear that these sections are intended to prohibit a non-instrument-rated pilot, as well as an instrument-rated pilot who has not met the recent experience requirements for instrument flight, from operating aircraft in weather conditions below the minimums prescribed in Part 60 for VFR flight.

Interested persons have been afforded an opportunity to participate in the making of these amendments (21 F.R. 1748), and due consideration has been given to all relevant matters.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 43 of the Civil Air Regulations (14 CFR, Part 43, as amended) effective March 15, 1957.

1. By amending § 43.65 to read as follows:

43.65 Instrument flight limitations. No person shall pilot an aircraft under instrument flight rules or in weather conditions less than the minimums prescribed for flight under Visual Flight Rules unless he holds a currently effective instrument rating issued by the Administrator.

2. By amending the first sentence of Paragraph (d) of § 43.68 by inserting after the word "rules" and before the word "unless" the words "or in weather conditions less than the minimums prescribed for flight under Visual Flight Rules."

(Sec. 205 (a), 52 Stat. 984, 49 U.S.C. 425 (a). Interpret or apply Secs. 601, 602, 610, 52 Stat. 1007, 1008, 1012, as amended; 49 U.S.C. 551, 552, 560)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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