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

Civil Air Regulations Amendment 43- 8
Effective: August 27, 1952
Adopted: August 27, 1952

GENERAL OPERATION RULES - RATING REQUIREMENTS

Prior to May 1, 1949, aircraft category and class ratings issued to private or commercial pilots did not include provisions for differentiating between large and small aircraft. A rating, such as airplane multiengine land, applied equally to a twin-engine Cessna or a four-engine Constellation. Effective May 1, 1949, Part 43 of the Civil Air Regulations was amended to require the holding of a type rating to pilot an aircraft exceeding 12,500 pounds maximum certificated weight when carrying passengers. However, the amendment permitted the holder of a certificate issued prior to May 1, 1949, to continue until May 1, 1953, to pilot all types of aircraft within his category and class rating without weight limitation. Thus, after May 1, 1953, the present regulations will prohibit the holder of a pilot certificate with class and category ratings but without a type rating from serving as pilot in command of aircraft exceeding 12,500 pounds maximum certificated weight while carrying passengers.

One of the purposes of this amendment is to provide a means whereby the holder of appropriate category and class ratings can obtain, without further demonstration of competency, a type rating for those aircraft exceeding 12,500 pounds maximum certificated weight in which he either has had at least 10 hours of flying time since May 1, 1949, as pilot in command and sole manipulator of the controls or at any time has passed an official rating test.

In addition, this amendment modifies present rating requirements by prescribing that the pilot in command of large aircraft shall hold an appropriate aircraft type rating not only for the carriage of passengers, but also when cargo is carried for hire in an aircraft. It does not affect the privileges of a pilot to fly in command of aircraft of 12,500 pounds or less maximum certificated weight, nor does it affect his present copilot privileges. This change will also bring the regulation into conformity with the requirements of Annex 1 to the Convention on International Civil Aviation. Article 38 of the Chicago Convention requires the United States either to take such action or to file a notice of deviation with ICAO.

It is desired that each private or commercial pilot who is eligible to obtain a type rating by reason of the provisions of this amendment make application as soon as possible to the nearest CAA office for the issuance of appropriate type rating, because it is anticipated that the CAA will require the better part of 9 months in order to accomplish this changeover.

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. Since this amendment imposes no additional burden on any person, it may be made effective without prior notice.

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 immediately.

By deleting footnotes 1 and 2 to § 43.63 and by amending § 43.63 to read as follows:

43.63 Rating requirements. A private or commercial pilot shall not serve as pilot in command of an aircraft carrying passengers or operated for remuneration other than in aircraft of the category and class for which he is rated. After May 1, 1953, a private or commercial pilot shall not serve as pilot in command of aircraft exceeding 12,500 pounds maximum certificated weight when carrying passengers or operated for remuneration unless, in addition to proper category and class ratings, he also holds an appropriate type rating. Upon application to the Administrator prior to May 1, 1953, by the holder of a valid private or commercial pilot certificate, type ratings for each aircraft exceeding 12,500 pounds maximum certificated weight will be issued to such holder, without further showing of competency, upon presentation of reliable evidence that the certificate holder either has passed an official rating test, as prescribed by the Administrator, in that type aircraft; or has served as pilot in command and sole manipulator of the controls for at least 10 hours since May 1, 1949, and such aircraft was within his category and class ratings. A private or commercial pilot may serve as pilot in command of aircraft for which he is not rated when it is being flown without passengers and is not being operated for remuneration, unless other limitations placed on his certificate prohibit him from doing so.

NOTE: Nothing contained in this section shall be construed as relieving the restrictions with respect to private pilots operating aircraft for hire.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008; 49 U.S.C. 551, 552; 62 Stat. 1216)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

Part 43 last printed August 1, 1949