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

Civil Air Regulations Amendment 43-8
Effective: February 13, 1958
Adopted: January 9, 1958

GENERAL OPERATION RULES

DELETION OF LANDING FLARE REQUIREMENTS

Part 43 of the Civil Air Regulations currently requires that civil aircraft carrying passengers for hire at night shall be equipped with specified types and numbers of landing flares.

The value of landing flares as required equipment was discussed at the Board's 1955 Annual Airworthiness Review. Recommendations were made at that time to amend the regulations to require the carriage of flares only in large aircraft in extended overwater operations. As a result of this review and further study by the Board, Civil Air Regulations Draft Release No. 56-31, "Landing Flare Requirements of Parts 40, 41, 42, and 43 of the Civil Air Regulations," was circulated to the public (21 F.R. 10255). This notice, which proposed the deletion of the flare requirement, was issued for the purpose of obtaining the views of all interested persons to assist the Board in making a complete re-evaluation of existing flare requirements.

The consensus in the comment received from interested persons on the proposals contained in Draft Release 56-31 was that the landing flare requirements should be deleted for all Part 43 operations. In this connection, it should be noted that Civil Air Regulations Draft Release No. 55-24, "Air Taxi Certification and Operation Rules" (small aircraft of 12,500 pounds or less maximum certificated take-off weight), did not propose flares as required equipment and no adverse comment was received on this proposal. Attention is also called to the fact that the carriage of passengers for hire is governed by other parts of the Civil Air Regulations, namely, Parts 40, 41, and 42, and that concurrently with this amendment the Board is amending these parts by deleting the requirement for the carriage of flares in operations conducted over land.

The Board has carefully considered all of the comment received and other relevant information and has concluded that flares for passenger-carrying aircraft should not be required as essential or mandatory safety equipment for operations conducted within the United States. The elimination of the requirement for the carriage of flares as contained herein, however, will not prevent operators from carrying flares if they choose.

Interested persons have been afforded an opportunity to participate in the making of this amendment (21 F.R. 10255), and due consideration has been given to all relevant matter presented.

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 February 13, 1958.

By deleting § 43.30 (b) (5).

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425, Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, as amended; 49 U.S.C. 551, 553)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

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