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TITLE 14 - AERONAUTICS AND SPACE

CHAPTER I - FEDERAL AVIATION AGENCY

49

[Regulatory Docket No. 644; Regulation No. SR-447]

[Affects Part 49]

SPECIAL CIVIL AIR REGULATION

Authority to Deviate from Certain Provisions of Part 49 of the Civil Air Regulations Within the State of Alaska

Many of the hunting, fishing, logging, and mineral exploration sites in Alaska are in remote and relatively isolated areas where transportation by air is the only practicable means of access. Flights to these areas usually are made in small aircraft carrying passengers and their supplies and equipment. However, these passengers are not permitted to carry sufficient gasoline to operate their outboard motors, chain saws, cook stoves, lanterns, and related equipment, due to the restrictive provisions of Part 49 of the Civil Air Regulations.

The current provisions of Part 49 limit the quantity of gasoline that may be carried in passenger-carrying aircraft to 50 pounds in any cargo pit or bin when packed in one quart inside containers which are packed in a strong outside container with suitable cushioning and absorbent material to prevent breakage or leakage. Therefore, passengers desiring to transport greater quantities of gasoline packed in larger containers, such as refinery sealed cans of 5-gallon capacity, are required to utilize a cargo-only flight for this purpose. Such a requirement places an undue burden on the passengers and does not permit full utilization of the aircraft in the manner intended. The remoteness of

many areas in Alaska, with the consequent dependence on air transportation as a means of access to those areas, indicates that there is a need for relief from the gasoline quantity restriction of Part 49 with respect to those small aircraft not engaged in scheduled passenger-carrying operations.

Certain air carriers in Alaska have previously been granted individual authorizations for the carriage, under specified conditions, of not more than 20 gallons of gasoline in the cabin of small passenger-carrying aircraft operated in charter operations. Alaska Coastal Airlines presently holds Exemption No. 149, expiring February 15, 1963, granting such authorization. The experience gained under these individual authorizations has indicated that gasoline can be carried under such specified conditions without an adverse effect on safety. Since there is a need by other operators to transport gasoline in the larger quantities under consideration, it would be consistent with present procedures to grant special authority to the operators of small aircraft, not engaged in scheduled passenger-carrying operations, to deviate from the provisions of Part 49 to the extent provided herein.

The provisions of this Special Civil Air Regulation authorize deviations from Part 49 only with respect to the carriage of up to 20 gallons of gasoline in passenger-carrying aircraft in other than scheduled operations. The shipper and operator are required to comply with the requirements of Part 49 in all other respects.

Prior to engaging in operations pursuant to this Special Civil Air Regulation, each operator will be required to furnish the Chief, Flight

Standards Field Division, Region 5, with (1) a list showing the type of aircraft, registration number, and the area in which the aircraft is to be operated, and (2) a statement that such carriage is necessary to meet the needs of passengers, and that air is the only practicable means of transportation.

This special regulation shall continue in effect until July 15, 1963. Prior to this date, the experience gained under this authorization will be evaluated for the purpose of considering the incorporation of the substance of this rule in the permanent body of the Civil Air Regulations.

Since this special regulation grants relief and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and good cause exists for making it effective immediately.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby adopted, to become effective June 3, 1961.

1. Contrary provisions of sections 49.15 and 49.24 of Part 49 of the Civil Air Regulations notwithstanding, and subject to the conditions hereinafter set forth, an operator of aircraft of 12,500 pounds or less maximum certificated takeoff weight may deviate from the provisions of such sections to the extent necessary to permit the transportation of not more than 20 gallons of gasoline in other than one-quart containers in such aircraft operated entirely within the State of Alaska in other than scheduled passenger-carrying operations, provided that:

(a) Prior to engaging in operations pursuant to this Special Civil Air Regulation, each operator furnishes the Chief, Flight Standards Field Division, Region 5, with a list showing the type aircraft, registration number, and the area in which the aircraft is to be operated, and indicates that such carriage is necessary to meet the needs of its passengers, and that air is the only practicable means of transportation; and

(b) The gasoline is packed in airtight and leakproof inside containers of at least 28 gauge metal and of not more than 10 gallons capacity each, and each such inside container is packed in an outside wooden box of at least one-half inch thickness; and

(c) The compartment in which the gasoline container is packed is ventilated so as to prevent the accumulation of gasoline fumes within the aircraft; and

(d) Prior to each flight, the pilot in command orally informs all passengers as to the location of the gasoline, the hazards involved, and prohibits smoking, the carrying of any lighted cigar, pipe, or cigarette, the lighting of matches, or the use of any object that might cause an open flame or spark while loading or unloading the aircraft, or during flight.

This Special Civil Air Regulation shall expire July 15, 1963, unless sooner superseded or rescinded.

(Secs. 313(a), 601, 902(h); 72 Stat. 752, 775, 794; 49 U.S.C. 1354(a), 1421, 1472)

James T. Pyle
ACTING
Administrator

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