TITLE 14 - AERONAUTICS AND SPACE

CHAPTER I - FEDERAL AVIATION AGENCY

[Regulatory Docket No. 389; Amendment 50-2 ; Supp. No. 17]

PART 50 - AIRMAN AGENCY CERTIFICATES

Flying School Curriculums and Examining Authority

This amendment contains changes of policy material pertinent to Part 50 which are necessary because of recent amendments of the private and commercial pilot (airplane rating) certification requirements prescribed in Part 20 of the Civil Air Regulations. It also includes the addition of a new §§ 50.35 to provide for the issuance of authority to certificated airman agencies to conduct examinations of their graduates to determine compliance with specified certification standards of Part 20 of the Civil Air Regulations.

Civil Air Regulations Amendment 20-12, effective March 16, 1960, requires flight instruction in the control of an airplane solely by reference to instruments as part of the aeronautical experience requirements for private pilot applicants; and 10 hours of instruction in the operation of an airplane in flight solely by reference to instruments, including at least 5 hours of dual instrument flight instruction given by a rated instrument flight instructor, as part of the aeronautical experience requirements for commercial pilot applicants. An appropriate demonstration of ability to control an airplane in flight solely by reference to instruments is also required by Amendment 20-12 as an aeronautical skill requirement for private and commercial pilot applicants.

The considerations and justifications presented in support of the instrument flight instruction required by Amendment 20-12 are equally applicable to the training given students enrolled in a primary flying school curriculum (airplanes) of a certificated airman agency. Since the aeronautical skill requirements of Part 20 must be met by primary flying school graduates who desire to be certificated, it is obvious that instruction in the control of airplanes by reference to instruments must be included in their training. This amendment specifies that such training shall be included in the approved curriculums.

Since the training standards of certificated airman agencies are expected to be equal to or higher than those of uncertificated flying schools, it is reasonable to require the minimum of 10 hours of basic instrument flying instruction (prescribed in the commercial flying school curriculum (airplanes) in §§ 50.13-1(b)(2)(v)) to be given in an airplane in flight. Thus, the use of a synthetic trainer will no longer be approved as a means of satisfying any part of the 10 hours of basic instrument flying instruction required. This amendment so provides.

New §§ 50.35 establishes the procedure whereby authority may be obtained by a certificated airman agency to examine its graduates for compliance with the certification requirements specified in §§ 20.110(b) as concurrently amended. Section 50.35 also specifies the terms and conditions under which examining authority will be granted and must be exercised.

Requirements for authorization to conduct the aeronautical skill examination for graduates of "private pilot - airplanes" courses are the only requirements which have been specifically prescribed in this amendment, since

the number of such graduates greatly exceeds that of graduates of any other course given under the provisions of Part 50. However, it should be noted that, as is provided in § 50.35(c), authorization to conduct other examinations may be issued if the need for such authority arises and comparable capability is established.

It will be noted that this amendment also includes an amendment of §§ 50.12-4 to delete the requirement that aircraft be hangared when not in use, in order to conform with Civil Air Regulations Amendment 50-1.

New § 50.35 does not create any additional burden on any person as operations under its provisions are optional. The amendments to the private and commercial pilot curriculums likewise do not impose any additional burden, since Civil Air Regulations Amendment 20-12, effective March 16, 1960, provides the regulatory basis for these changes.

In view of these facts, notice and public procedure hereon are unnecessary, and good cause exists for making the amendment effective on less than 30 days' notice.

In consideration of the foregoing, Part 50 of the Civil Air Regulations (14 CFR Part 50) is hereby amended as follows, effective May 17, 1960:

1. By inserting a new § 50.35 to read as follows:

50.35. Examining authority. If it is found that the standards of Part 20 of the Civil Air Regulations will be met, authorization may be issued to a certificated airman agency to conduct examinations of its graduates to determine compliance with both the aeronautical knowledge and skill requirements, or the aeronautical knowledge requirements only, or the aeronautical skill requirements only, prescribed by Part 20 for the issuance of certain pilot certificates and ratings. Such authorization

shall be based upon and subject to the provisions and requirements of paragraph (a) and, as appropriate, paragraphs (b) or (c) of this section. All operations conducted under such authorization shall be subject to and conducted in accordance with the terms and conditions specified therein.

(a) Application. Application for the authorization desired shall be submitted in writing to the supervising Federal Aviation Agency District Office.

(b) Aeronautical skill only, private pilot - airplanes.

(1) All students examined shall, within the preceding 60 days, have satisfactorily completed a flight training course outlined in a curriculum approved by an authorized representative of the Administrator which complies with the requirements of § 50.13(a)(1) of this part and includes:

(i) 35 hours of ground instruction on primary flight maneuvers and procedures;

(ii) At least two hours of dual flight instruction given at night, 4 hours of dual cross-country flight instruction, and 6 hours of solo cross-country practice;

(iii) Dual instruction in attitude control of airplanes solely by reference to instruments, integrated with normal primary dual flight instruction and including straight and level flight, climbs, glides, turns, stalls, slow flight, and recovery from unusual attitudes; and

(iv) Stage completion flight checks and written examinations prior to progression to next stage or graduation.

(2) The dual instruction required by subparagraph (1)(iii) of this paragraph shall be given only by certificated flight instructors who are either rated instrument flight instructors or have an instrument rating on their basic pilot certificates.

(3) The chief flight instructor of the school and each designated check pilot shall be rated instrument flight instructors or have an instrument rating on their basic pilot certificates. They shall also have successfully accomplished an appropriate standardization flight check given by the supervising Federal Aviation Agency Inspector prior to training any students who are to be examined under the authorization applied for or granted.

(4) At least 5 students enrolled in the curriculum referred to in subparagraph (1) of this paragraph shall have been given proficiency flight checks by a Federal Aviation Agency Inspector. At least 3 of such checks shall have been given after completion of the flight course.

(5) Concurrently with application for certification by the graduate, the airman agency shall submit for review by the supervising Federal Aviation Agency District Office, certified and complete records of the graduate's attendance, accomplishment, and training received.

(c) Other. If application is made for authorization other than as listed in paragraph (b) of this section, complete information

appropriate to the proposed training and testing shall be submitted in accordance with paragraph (a) of this section.

2. By amending § 50.12-4 by deleting the last sentence.

3. By amending § 50.13-1(a)(1) by inserting a new subdivision (x) to read as follows:

50.13-1(a)(1) Phase I - Basic flying. * * *

(x) Integrated instrument instruction. Dual instruction in attitude control of airplanes solely by reference to instruments, integrated with the primary dual instruction prescribed in subdivisions (v), (vi), (vii), (viii), and (ix) of this subparagraph: Provided, That the provisions of this subdivision do not apply to those students who are exempted therefrom by Special Civil Air Regulation SR-439, which terminates May 15, 1960.

4. By amending § 50.13-1(b)(2)(v) by inserting the following paragraph after the title and before the first curriculum item:

50.13-1(b)(2)(v) Basic instrument flying (minimum 10 hours, 5 hours instrument instruction).

The specified 10 hours of instrument training shall be given in an airplane in flight. At least 5 hours shall be given by a rated instrument flight instructor; the remaining 5 hours may be given by the holder of a flight instructor certificate with an airplane rating: Provided, That the provisions of this paragraph do not apply to those students who are exempted therefrom by Special Civil Air Regulation, SR-439, which terminates May 15, 1960.

(Secs. 313(a), 314, 601, 607, 72 Stat. 752, 754, 775, 779; 49 U.S.C. 1354(a), 1355, 1421, 1427).

ACTING Administrator

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