Regulations
Serial Number 170

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

At a session of the Civil Aeronautics Board
held at its office in Washington, D. C.,
on the 24th day of June, 1941.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205, 601 and 604 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

AMENDMENT NO. 120
OF THE CIVIL AIR
REGULATIONS

MINIMUM AND MAXIMUM
ALTITUDES OF FLIGHT AND
WEATHER MINIMUMS

Effective July 1, 1941, Parts 60 and 61 of the Civil Air Regulations are amended as follows:

1. By amending section 60.35 to read as follows:

"60.35 Minimum and maximum safe altitudes of flight.

"60.350 Minimum safe altitudes. Exclusive of taking off from or landing upon an airport or other landing area aircraft shall not be flown below the following minimum safe altitudes of flight:

"60.3500 An altitude over the congested parts of cities, towns, or settlements, sufficient to permit at all times an emergency landing outside of such areas in the event of complete power failure, but in no case less than 1,000 feet above the ground.

"60.3501 An altitude over an area certified by the Administrator as a danger area sufficient to permit at all times an emergency landing outside of such danger area in the event of complete power failure but in no case less than 1,000 feet above the ground: Provided, That the restrictions of this paragraph shall not apply to public aircraft previously authorized by the appropriate governmental agency to make specific flights below such minimums in the public interest.

"60.3502 1,000 feet above the ground over any Federal penal institution or any open air assembly of persons.

"60.3503 500 feet above the ground or water elsewhere than as specified in §§ 60.3500, 60.3501, and 60.3502, or within 500 feet from any mountain, hill or other obstruction to flight, except as may be specifically approved by the Administrator: Provided, however, That seaplanes and amphibians may be flown below 500 feet, but not below 300 feet, if making a contact flight during daylight hours over open water and where an emergency landing may, at all times, be made, without the aid of power, into the wind and without danger of collision with craft on the surface or other obstructions: And provided, further, That the restrictions of this paragraph shall not apply to public aircraft, previously authorized by the appropriate governmental agency, to make specific flights below such minimums in the public interest.

"60.3504 1,000 feet above the ground or water, or within

1,000 feet of any mountain, hill or other obstruction to flight, if an aircraft is making an instrument flight as defined in § 60.131.

"60.3505 Any maneuver required in student instruction or solo practice under the supervision of a certificated flight instructor, the Army, Navy, Marine Corps, or Coast Guard, or in flight tests given by an inspector of the Administrator, may be conducted at the altitude above the ground or water necessary for the proper execution of such maneuver in places other than as specified in §§ 60.3500, 60.3501, and 60.3502.

"60.351 Maximum safe altitude. Aircraft, except military aircraft, shall not be flown at altitudes above 17,000 feet above sea level: Provided, however, That air carrier aircraft in scheduled air transportation may operate above that altitude when authorized by the terms of the competency letters issued to the air carrier: And provided, further, That the Administrator may authorize flights of aircraft above that altitude when necessary in the interests of safety or the development of aeronautics.

"60.3510 Military aircraft when operating above 17,000 feet above sea level must be equipped with two-way radio equipment adequate to communicate at all times with either a ground radio station maintained by one of the armed forces of the United States or with an airway communications station of the Administrator. Such aircraft shall obtain a clearance from the appropriate airway traffic control center of the Administrator before ascending to or descending from that altitude if during such ascent or descent the aircraft enters into or passes through an airway traffic control area.

"60.3511 Military aircraft while operating either contact or on instruments above the altitude of 17,000 feet above sea level in accordance with the provisions of § 60.351 shall be exempt from all other provisions of this Part except that such aircraft shall comply with the airplane light rules of § 60.61 and when flying along or crossing routes or civil airways approved for use by a scheduled air carrier authorized to operate above 17,000 feet, such military aircraft shall comply with the following flight altitudes:

(a) Eastbound flights. Aircraft making good a true course of 0° (or 360°) to, but not including, 180° shall fly at an ODD thousand-foot level plus 500 feet, above sea level (such as 17,500, 19,500 or 21,500 feet); and

(b) Westbound flights. Aircraft making good a true course of 180° to, but not including, 360° (or 0°) shall fly at an EVEN thousand-foot level plus 500 feet, above sea level (such as 18,500, 20,500 or 22,500 feet)."

2. By amending section 60.44 to read as follows:

"60.44 Weather minimums. The following weather minimums shall govern flight made in accordance with contact flight rules: Provided, however, That an airway traffic control center of the Administrator may for reasons of safety restrict or suspend contact flight operation within the airway traffic control area of such center: Provided, further, That in the interests of safety the Administrator may require higher minimums at any particular control airport, and that such minimums shall govern the control zone in which such control airport lies.

"60.440 Within control zones. Aircraft shall not be flown within a control zone unless the ceiling is at least 1,000 feet and the visibility is at least 3 miles: Provided, however, That a certificated air-traffic control-tower operator on duty in a radio-equipped airport control tower may authorize flight at altitudes of 1,000 feet or less above the ground or water when the visibility is less than 3 miles but not less than 1 mile: And provided, further, That such operator may suspend contact flight operation within the control zone when reasons of safety require such actions.

"60.441 Outside of control zone.

"60.4410 At or below 1,000 feet. Aircraft shall not be flown at or below 1,000 feet above the ground or water unless the ceiling is sufficient to permit flight at the minimum altitude prescribed in § 60.35 and unless the visibility during the hours of daylight is at least 1 mile and during the hours of darkness is at least 2 miles.

"60.4411 Above 1,000 feet. Aircraft shall not be flown above 1,000 feet above the ground or water unless the ceiling is sufficient to permit flight at the minimum altitude prescribed in § 60.35 and unless the visibility is at least 3 miles at flight altitude.

"60.442 Proximity to cloud formation. Aircraft shall not be flown closer than 500 feet vertically to an overcast or cloud formation nor closer than 2,000 feet horizontally to a cloud formation."

3. By amending section 61.742 to read as follows:

"61.742 Maximum altitude of flight operations. No scheduled air carrier aircraft shall be operated at altitudes above 17,000 feet above sea level unless specifically permitted by the terms of the competency letters issued to the air carrier. A competent cabin attendant to care for passengers shall be provided on all air carrier flights carrying passengers operating for any period of time above 12,000 feet above sea level."

4. By amending the table of contents of Part 60 by striking "60.35 Minimum safe altitudes" and inserting in lieu thereof "60.35 Minimum and maximum safe altitudes of flight."

By the Civil Aeronautics Board:

/s/ Thomas G. Early

Thomas G. Early
Secretary

(SEAL)