UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D.C.

Civil Air Regulations Amendment 60-22
Effective: March 3, 1961
Issued: January 26, 1961

[Reg. Docket No. 510, Amdt. 60-22]

PART 60—AIR TRAFFIC RULES

VFR Minimum Weather Conditions

On September 14, 1960, notice was given in Draft Release No. 60-16 (25 F.R. 9060) that the Federal Aviation Agency proposed to re-establish the phrase "beneath the ceiling" in § 60.30 as it appeared in that section prior to Amendment 60-11; revise the definition "VFR conditions"; add a new definition entitled "Special VFR conditions."

In Civil Air Regulations Amendment 60-11, adopted August 7, 1958, §§ 60.30 and 60.31 were revised to provide for "Basic VFR Minimum Weather Conditions" in § 60.30 and "Special VFR Minimum Weather Conditions in Control Zones" in § 60.31.

The preamble of Amendment 60-11 made it clear, with one exception, the amendment did not contemplate the modification of the minimum VFR weather criteria. This is evident in the following statement quoted from the preamble of Amendment 60-11: "This amendment introduces the terms 'basic' and 'special' VFR flight but leaves unchanged the existing VFR weather minimums with the exception of the one-half mile rule for VFR flights which is eliminated."

Prior to the adoption of Amendment 60-11, Section 60.30 contained the phrase "beneath the ceiling." In the rule adopted by Amendment 60-11, this phrase, "beneath the ceiling," was inadvertently omitted. The significance of this omission is apparent as it would technically require the approval of Air Traffic Control for flights through the Control Zone, when the ceiling in the zone was less than 1,000 feet, even though the aircraft was above an undercast operating VFR-on-top. Such a requirement was not intended and would impose an unnecessary burden on pilots operating under VFR conditions, VFR-on-top, and also would create an unnecessary workload on air traffic control and communications facilities.

Amendment 60-11 incorporated the provisions for "special VFR" flight in § 60.31, which permitted a degree of flexibility to VFR flights when weather conditions were below the minimums specified for "basic VFR" in a control zone. While permitting greater flexibility, Amendment 60-11 did not distinguish by definition between "basic VFR" and "special VFR." Such a distinction is believed necessary in order to clearly define the difference.

The phrase "VFR conditions" is most commonly used in reference to "basic VFR minimum weather conditions;" therefore the definition of "VFR conditions" will reflect this concept. A definition for "special VFR" is added to define the term as meaning those special weather minimums as contained in § 60.31.

All relevant comments received in response to Draft Release 60-16 have been considered. These comments endorsed the proposal in varying degrees except one, which was based on a misconception of the intended result.

In consideration of the foregoing, Part 60 of the Civil Air Regulations (14 CFR Part 60, as amended) is hereby amended as follows:

1. By amending § 60.30(a)(1) to read as follows:

§ 60.30 Basic VFR minimum weather conditions.

* * * * *

(a) *Clearance from clouds*—(1) *In controlled airspace.* Aircraft shall not be flown VFR less than 500 feet vertically under, 1,000 feet vertically over, and 2,000 feet horizontally from any cloud formation except that, in the continental control area, aircraft shall not be flown VFR less than 1,000 feet vertically and one mile horizontally from any cloud formation. Aircraft shall not be flown VFR within a control zone beneath the ceiling when the ceiling is less than 1,000 feet.

§ 60.60 [Amendment]

2. By amending § 60.60 by revising the definition "VFR conditions" and by adding, in proper alphabetical order, a new definition "Special VFR conditions" to read as follows:

VFR conditions (VFR minimum weather conditions). Basic weather conditions prescribed in § 60.30 for flight under VFR.

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Special VFR conditions (special VFR minimum weather conditions). Weather conditions which are less than basic VFR weather conditions and which permit flight under Visual Flight Rules as specified in § 60.31.

This amendment shall become effective March 3, 1961.

(Sec. 307(c); 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 26, 1961.

JAMES T. PYLE,
Acting Administrator.

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