A D V A N C E  C O P Y

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY

WASHINGTON, D.C.

Civil Air Regulations Amendment 60-28
Effective: April 26, 1962
Issued: March 21, 1962

[Reg. Docket No. 942; Amdt. No. 60-28]

## PART 60—AIR TRAFFIC RULES

### Instrument Flight Rules; Course To Be Flown

On October 18, 1961, notice was given in Draft Release No. 61-23 (26 F.R. 10307) that the Federal Aviation Agency had under consideration a proposal to amend Civil Air Regulations, Part 60, § 60.45 *Course to be flown*. Draft Release 61-23 proposed a restatement of the existing rule to more clearly show the applicability of the section in conjunction with other equally applicable sections of Part 60.

The comments received in response to the Draft Release indicated unanimous concurrence with the concept of the proposal. While a few of the comments contained suggestions to expand the proposal to include certain other deviations, the vast majority agreed with the amendment as proposed.

The National Business Aircraft Association and the Air Transport Association suggested expansion of the rule to permit necessary deviations from the center line when bracketing, turning corners, correcting for wind drift, etc., feeling that the lack of such provision may lead to needless enforcement actions. The Air Transport Association and the Air Line Pilots Association suggested the proposal be expanded to include maneuvering as necessary to avoid areas of turbulence or other undesirable weather. Also, in order to more closely reflect true operating conditions, they suggested the rule be worded so as to require center line flight "within tolerance of the airplane and ground navigation equipment", or, on the "indicated" center line.

Maneuvers necessary in the normal navigation of aircraft were thoroughly considered during the original drafting of this proposal. However, these maneuvers (bracketing, correcting for wind drift, turning corners, etc.) are not deviations in the sense that the maneuvers specified in the proposed rule are deviations. The former are actually maneuvers conducted for the purpose of remaining on, or returning to, the center line, and are therefore conducted in compliance with the basic intent of the rule. The deviations specified in the proposed rule are turns away from the center line which may be necessary for specific purposes as set forth in the rule. Therefore, it is not considered necessary or appropriate to authorize as "deviations," maneuvers conducted in order to remain on the center line.

In regard to the suggestion to specify that flight be conducted on the "indicated" center line, or "within tolerance of the airplane and ground navigation equipment," we feel that this is already clearly understood. The separation standards now in use consider possible equipment errors, and there can be no question of compliance if the aircraft navigation equipment indicates that the aircraft is on the center line.

Where maneuvers to circumnavigate areas of adverse weather are concerned, it is intended that deviations of this type be conducted under the authorization which may be granted by air traffic control, and, where necessary, under the pilot's emergency authority as contained in § 60.2. Deviations to avoid adverse weather may be necessary in IFR conditions, or may be necessary to the extent that a pilot will be unable to return to the center line in VFR conditions. The separation standards being utilized today do not permit deviations to circumnavigate weather without prior authorization from air traffic control.

Therefore, as proposed in Draft Release 61-23, § 60.45 of the Civil Air Regulations is hereby amended to read as follows:

**§ 60.45 IFR course to be flown.**

Aircraft operating in controlled airspace shall be flown along the center line of Federal airways or along a direct course between the navigational aids or fixes defining other routes, unless:

(a) Otherwise authorized by air traffic control;

(b) Maneuvering as necessary to pass well clear of other aircraft; or

(c) In VFR conditions and maneuvering as necessary to visually clear the intended flight path prior to and during climb or descent.

This amendment shall become effective April 26, 1962.

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

Issued in Washington, D.C., on March 21, 1962.

N. E. HALABY,
*Administrator.*

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