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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 60-29
Effective: May 1, 1962
Issued: April 24, 1962

[Reg. Docket No. 1000; Amdt. 60-29]

PART 60—AIR TRAFFIC RULES

Definition of Controlled Airspace

Draft Release No. 62-8, published as a notice of proposed rule making in the FEDERAL REGISTER on March 7, 1962 (27 F.R. 2183), gave public notice that the Federal Aviation Agency proposed to amend the definition of "transition area" contained in CAR 60.60. Under this proposal, transition areas designated to complement control zones would extend upward from 700 feet or higher above the surface in lieu of 1,200 feet or higher above the surface. The reasons for the amendment were outlined in detail in the draft release. All comments received in response to the draft release have been reviewed and have been given due consideration. No comments received indicated opposition to the proposal; however, several persons suggested specific modifications to the phrasing of the definition.

The Aircraft Owners and Pilots Association (AOPA) and three individuals, while concurring with the proposal, recommended that the definition specify that such areas normally be ten statute miles in radius. The AOPA contended that this would preclude the designation of unnecessarily large transition areas and that a circular configuration would simplify charting and promote ease of understanding. The Agency agrees that unnecessarily large transition areas must be avoided and it shall be the policy of the Agency to designate transition areas of minimum lateral dimensions consistent with the requirements of Instrument Flight Rules (IFR) operations. Criteria for use in determining the lateral dimensions of transition areas have been developed. However, since many significant local factors, such as an airport elevation, adjacent terrain and the minimum en route IFR altitudes must be considered, it is not feasible to establish in the definition that transition areas will normally be of a circular configuration and ten miles in radius. A circular configuration would, in some cases, result in the designation of more controlled airspace than is actually needed for IFR operations.

While the position of the AOPA is appreciated, the size and shape of transition areas should be based solely upon the operational considerations unique to specific locations. Sufficient flexibility must be retained for the efficient designation of controlled airspace; however, this policy does not preclude the designation of a circular configuration in those cases where considered practicable. For this reason, the amendment adopted herein does not establish specific lateral limits or configurations for transition areas.

In the implementation of Civil Air Regulations Amendment 60-21 a secondary, though significant, problem has arisen. Application of a transition area overlying an airport without a control zone but for which an instrument approach procedure has been prescribed revealed that, in some cases, the existing definition required the designation of more controlled airspace than required by IFR operations. The definition now provides that the "floor" of such controlled airspace may be designated only at a level of 700 feet above the surface. In certain cases, it has been found that by designating the perimeter portions of the transition area with a floor at 1,200 feet above the surface, significant additional uncontrolled airspace may be released for the use of Visual Flight Rules (VFR) operations with no adverse impact on the IFR user.

In consonance with its policy to designate only that controlled airspace required by IFR operations, the Agency concluded that provision should be made for the designation of transition area floors at higher levels. Accordingly, this proposal was coordinated informally with representatives of the following interested user groups:

Air Transport Association.
Aircraft Owners & Pilots Association.
Air Line Pilots Association.
Air Traffic Control Association.
Department of the Air Force.
Department of the Army.
Department of the Navy.
General Aviation Council.
National Association of State Aviation Officials.
National Aviation Trades Association.
National Business Aircraft Association.
National Pilots Association.

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The representatives of all these organizations endorsed this change, with the exception of the National Aviation Trades Association, which did not choose to comment. The Air Transport Association (ATA) expressed concern regarding the retention of the base of the transition area at 700 feet above the surface when required to encompass instrument approach procedures, recommending that the definition provide a specific statement to this effect. A review of the proposed wording indicated it could be interpreted to eliminate the flexibility necessary for the efficient designation of controlled airspace. It is not necessary in all cases to designate the entire transition area with a floor of 700 feet to encompass the instrument approach procedure. It shall be the policy of the Agency to designate the floor of transition areas in conjunction with airports at 700 feet above the surface to the lateral extent dictated by the appropriate criteria for the instrument procedures and then raise the floor to 1,200 feet or higher as appropriate. Since the amendatory language adequately expressed the Agency intent, it is not considered necessary to adopt the specific language recommended by the ATA. This additional change is, therefore, being adopted in conjunction with the proposal contained in Draft Release No 62-8.

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

By amending the definition of transition area as it appears in § 60.60 to read as follows:

Transition area. Transition areas extend upward from 700 feet or higher above the surface when designated in conjunction with an airport for which an instrument approach procedure has been prescribed, or from 1,200 feet or higher above the surface when designated in conjunction with airway route structures or segments. Unless otherwise limited, transition areas terminate at the base of the overlying controlled airspace.

This amendment shall become effective May 1, 1962.

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

Issued in Washington, D.C., on April 24, 1962.

N. E. HALABY,
Administrator.

(As published in 27 F.R. 4012, April 27, 1962)