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Regulation No. SR-424A

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

Effective: June 15, 1959
Issued: June 11, 1959

SPECIAL CIVIL AIR REGULATION

POSITIVE AIR TRAFFIC CONTROL

On May 15, 1959, notice was given that the Federal Aviation Agency had under consideration a proposal to extend for an indefinite period Special Civil Air Regulation No. SR-424 which is scheduled to expire on June 15, 1959.

The purpose of SR-424 was to determine the nature and extent of the traffic control problems involved in the application of an all-weather positive control concept.

Pursuant to authority in this special regulation positive control was implemented on three transcontinental airways linking New York and Washington with Los Angeles and San Francisco at altitudes from 17,000 to 22,000 feet. While experience gained thus far has been limited to these airways and altitudes, it has served the purpose of identifying the special problems inherent in positive control procedures. Such knowledge provides a sound basis for the continued formulation of plans, procedures and equipment improvements in the further operational development of the positive control concept. Future plans for the development of this general concept contemplate experimentation with positive control areas as well as positive control route segments. It is anticipated that specific areas at high altitudes, i.e., between flight levels 220 and 350 encompassing airspace within a 100 mile radius of a particular major air terminal (such as Chicago or Indianapolis) will be designated for such experimentation.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted (22 F.R. 3959). The Department of the Air Force has presented the sole objection to the proposed rule on the basis that it provides "* * * for extending indefinitely an experimental concept based on increased service for a relatively small segment of aviation. The exclusive feature of this concept also denies use of the affected airspace in many operations in terminal and enroute areas, thereby resulting in undue restriction to these users."

In view of the adverse comments by the Department of the Air Force it has been decided to extend the present provisions of SR-424 until September 15, 1959. This temporary extension is being made in order not to lose the increased safety which has been provided by the program, and which would be lost if it were not extended beyond the present expiration date of June 15, 1959. During this period the Agency will discuss with the Air Force the impact of this program on its operations. Following such discussions a Notice of Proposed Rule Making will be issued. A decision will then be made to continue, terminate or modify this program in light of the comments received from all interested parties.

Since this regulation extends the provisions of a previous regulation without substantive modification and since the postponement of the effective date would be contrary to the public interest, the Federal Aviation Agency finds that good cause exists for making this amendment effective with less than 30 days notice.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby promulgated to become effective June 15, 1959:

(1) The special air traffic rules prescribed in paragraphs (2), (3), and (4) of this special regulation shall be applicable to any operation of an aircraft in that portion of airspace, between the altitudes of 17,000 and 35,000 feet; having a width of not in excess of 40 miles which has been designated by the Administrator as a "positive control route segment" in Part 601 of the Administrator's Regulations (14 CFR 601).

(2) No person shall operate an aircraft within such designated airspace without prior approval of air traffic control.

(3) All VFR flight activities, irrespective of weather conditions, are prohibited from operating in this designated airspace.

(4) All aircraft operated within this designated airspace shall have the instruments and equipment currently required for IFR operations and all pilots shall be rated for instrument flight.

This Special Civil Air Regulation shall terminate September 15, 1959.

(Secs. 313(a), 307(c) of the Federal Aviation Act of 1958; 72 Stat. 752, 749; 49 U.S.C. 1354, 1348)

Issued in Washington, D.C., on June 11, 1959.

E. R. QUESADA,
Administrator.

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