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

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Special Civil Air Regulation No. SR - 444

[Reg. Docket No. 245; Special Civil Air Reg. SR444]

PART 60—AIR TRAFFIC RULES

Jet Advisory Areas

Draft Release No. 60–2, published in the FEDERAL REGISTER on January 15, 1960 (25 F.R. 610) gave notice that the Federal Aviation Agency proposed the adoption of a Special Civil Air Regulation establishing jet advisory areas and certain requirements for flight therein.

With the advent of commercial turbojet air carrier operations in the United States, procedures were adopted to provide an increased measure of flight safety for such operations. Through the cooperation of the Air Defense Command of the Department of the Air Force, selected long-range radar facilities of that Command were jointly used and the Federal Aviation Agency provides flight following and traffic advisory service to United States turbojet air carrier flights as well as to some aircraft of foreign registry. This service does not provide positive separation. It does, however, provide an increased degree of safety by advising pilots of the presence of other aircraft and by providing guidance with respect to the most effective manner to avoid collision.

Comments received in response to the draft release reflected general endorsement of the principles of the proposal, but recommended some modifications.

The proposal would require that air carrier turbojet aircraft operating within the continental control area and engaged in the carriage of passengers in scheduled air transportation be flown within airspace designated as a "jet advisory area." A jet advisory area would be a designated area of airspace within which special operating rules apply to enhance the safety of air carrier turbojet flight. Such rules would require that air carrier turbojet aircraft be operated in accordance with the Instrument Flight Rules of Part 60 of the Civil Air Regulations during all flight above 24,000 feet within the continental control area. They would also require that all air carrier turbojet aircraft be equipped with a functioning radar beacon transponder. It has since been determined that these provisions, bearing solely upon scheduled air carrier operations, should not be made a part of the Air Traffic Rules but should become a part of the regulations governing air carrier operations. For this reason, the proposed more restrictive operating rules, applicable solely to air carrier operations, do not appear in the final rule.

The International Air Transport Association (IATA) supported the proposed amendment but expressed concern with respect to the effective date of the requirement for a radar beacon transponder. Their problem stems from contemplated changes in internationally acceptable equipment specifications for the radar beacon transponders. The IATA has recommended that the effective date of the radar transponder equipment requirement for foreign air carrier turbojet aircraft be established at a date sufficiently in the future to permit international agreement on the matter as well as to provide an adequate period of time for installation of equipment after such agreement is reached. The Agency has concluded that the IATA recommendation is reasonable and valid and any future regulation will provide a reasonable period of time for equipment installation after international radar beacon transponder equipment specifications are resolved.

The Department of the Air Force acknowledged the necessity of the proposed rules, but did not concur with the proposed lateral dimensions of the jet advisory areas or with the extension of the nonradar jet advisory areas. In its comment, the Department of the Air Force contended that the establishment of jet advisory areas, 32 miles in width, would result "in a 60 percent increase in separation criteria." It states that no formal agreement to increase the current standards with respect to the jet routes has been reached, nor have statistics been developed to establish that such an increase is either necessary or desirable. The Department of the Navy also objected to expansion of nonradar jet advisory areas to flight levels 370–390.

Radar advisory areas, which comprise 90 percent of the airspace affected, are now 40 miles wide and such width will be reduced a minimum of 8 miles by the implementation of the rule. With regard to the expansion of nonradar advisory areas, which are presently 20 miles wide and exist only at flight levels 270–310, inclusive, the Agency recognizes that the number of such areas should be reduced insofar as possible. It is anticipated that such a reduction will result from the utilization of new flight checking procedures which will permit the establishment of radar advisory areas with a floor in excess of 24,000 feet. Thus, the overall effect will be to reduce the airspace within which the new rules will apply.

Certain language contained in the proposal has been modified to more clearly state the intent of the rule. Paragraphs 2 (a) and (b) now clearly state that radar and nonradar jet advisory areas will not have dimensions in excess of 16 statute miles on either side of specified jet routes. The applicability paragraph has been revised to more clearly indicate the scope of the rule. It is emphasized that this regulation does not effect flight advisory areas located outside the continental control area.

In consideration of the foregoing, the

following Special Civil Air Regulation is hereby adopted to become effective on February 14, 1961.

Jet Advisory Area Rules

1. *Applicability.* The air traffic rules contained in this regulation shall apply to the operation of all aircraft in jet advisory areas located within the continental control area.

2. *Jet advisory areas.* As used in this regulation, the term "jet advisory areas" means airspace so designated in the Regulations of the Administrator, within which the air traffic rules contained in this Special Civil Air Regulation apply for the purpose of providing additional traffic advisory service for U.S. and foreign scheduled air carrier aircraft.[1]

(a) Nonradar jet advisory areas have a lateral dimension of not more than 16 statute miles on either side of specified jet routes between flight levels 270 and 310, inclusive and 370 and 390, inclusive.

(b) Radar jet advisory areas have a lateral dimension of not more than 16 statute miles on either side of specified jet routes between 24,000 feet mean sea level and flight level 390, inclusive.

(c) Terminal radar jet advisory areas are those areas between 24,000 feet mean sea level and flight level 390, inclusive, designated to provide for the arrival and departure requirements of major air terminals.

3. *Operating rules.* In addition to the air traffic rules of Part 60, the following rules apply to any aircraft when operated within jet advisory areas in accordance with VFR, or in accordance with IFR when cleared to maintain "VFR conditions" or "VFR conditions on top."

(a) *In radar jet advisory areas.* (i) Aircraft equipped with a functioning radar beacon transponder shall operate the transponder to reply on such mode and/or code as may be specified by air traffic control for the area in which flight is conducted.[2]

(ii) Aircraft not equipped with a functioning radar beacon transponder shall obtain specific prior authorization from air traffic control, except that in the event of radio failure precluding the obtaining of authorization, such flights may transit jet advisory areas by maintaining the appropriate VFR cruising flight level specified in § 60.32 of the Civil Air Regulations.

(b) *In nonradar jet advisory areas.* All aircraft, including those equipped with a functioning radar beacon transponder, shall obtain specific authorization from air traffic control prior to operating within the area of nonradar coverage of a jet advisory area.

(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 January 9, 1961.

JAMES T. PYLE,
Acting Administrator.

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[1] Jet advisory areas (radar and nonradar) are also depicted on Flight Information Publication—"En Route—High Altitude (U.S.)" published by the Aeronautical Chart and Information Center, Air Photographic and Charting Service (MATS), USAF, Second and Arsenal Streets, St. Louis 18, Missouri, and on the U.S. Coast and Geodetic Survey Radio Facility Chart entitled—"High Altitude—En Route," compiled and printed in Washington, D.C., by the U.S. Department of Commerce.

[2] Mode and/or code requirements and other detailed operational procedures for the radar beacon transponder are published in the Airman's Guide and are also depicted on Flight Information Publication—"En Route—High Altitude (U.S.)" and U.S. Coast and Geodetic Survey Radio Facility Chart—"High Altitude—En Route."

(As published in the Federal Register /26 F.R. 292/ on January 14, 1961.)

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