FEDERAL AVIATION AGENCY

FLIGHT STANDARDS SERVICE

[14 CFR Part 61 [New]]

[Notice 63-24 ; Docket No. 1807]

NOTICE OF PROPOSED RULE MAKING

Prerequisites to Written Examinations

The Federal Aviation Agency has under consideration a proposal to amend Part 61 [New] of the Federal Aviation Regulations to prescribe prerequisites for the taking of certain written examinations.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Notice or Docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, Room A-103, 1711 New York Avenue, N. W., Washington 25, D. C. All communications received on or before August 26, 1963, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This is a proposal to establish prerequisites for the taking of written examinations for pilot and flight instructor certificates and ratings. Part 61 [New] which prescribes requirements for issuing these certificates and ratings contains prerequisites for the taking of the airline transport pilot written examination. However, there are no prerequisites for taking a written examination for a private, commercial, or flight instructor certificate or instrument rating. This absence of prerequisites has resulted in a practice of taking the examinations for the purpose of disclosing the contents to others, rather than fulfilling the requirements for a certificate. Thus, some persons have taken the written examination appropriate to a certificate which they already hold. In many instances this activity has contributed to the preparation of "sample" examinations and "keys" which are sold to prospective pilot certificate applicants. Such applicants then concentrate on learning the keys or answers to specific questions instead of obtaining a comprehensive knowledge of the aeronautical material which they are required to know in order to properly exercise the privileges of their pilot certificates. This method of passing the required written examinations minimizes the effectiveness of such examinations and adversely affects safety in air commerce.

At Air-Share meetings it was recommended that "reasonable" prerequisites to the taking of written examinations required by the Federal Aviation Regulations should be established as a partial solution to this problem. In order to limit admission to the examinations to bona fide students, it was recommended that only persons who have had flight training be allowed to take the written examination. This recommendation appears reasonable. However, it appears that persons who have not had flight training but have completed an appropriate pilot ground school training course sponsored by a high school, college, or FAA-approved ground school should also be permitted to take the written examination prior to their flight training. Accordingly, the proposed amendment would require flight or ground training as a prerequisite to the pilot written examinations. Applicants for the written examinations required by § 61.31 (military competence) and § 61.33 (foreign pilots) would be exempted from the provisions of the proposed amendment because of the special circumstances involved.

In consideration of the foregoing, it is proposed to amend Part 61 of the Federal Aviation Regulations (14 CFR Part 61) by adding a new § 61.20 to read as follows:

§ 61.20 Prerequisites for written examinations.

(a) To be eligible for any written test required by this Part, except those required by §§ 61.31 and 61.33, an applicant must -

(1) Present satisfactory evidence of completion of a college or high school ground school course or an FAA-approved ground school course on the matters to be tested or

(2) Present evidence that he has soloed an aircraft, if applying for a private pilot certificate or

(3) Hold at least private pilot certificate or have at least 50 hours of flight instruction and solo flight time, if applying for a commercial pilot certificate, flight instruction certificate, or instrument rating

(b) No person may apply for a written test for a certificate or rating if -

(1) He already holds that or a higher certificate or rating, or

(2) He has already passed that written test,

unless the Administrator or an applicable regulation requires it.

These amendments are proposed under the authority of sections 313(a), 601 and 602 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1422).

Acting Director,
Flight Standards Service

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