FEDERAL AVIATION AGENCY
AIR TRAFFIC SERVICE
WASHINGTON 25, D. C.

January 21, 1963

FEDERAL AVIATION REGULATIONS DRAFT RELEASE NO. 63-2

SUBJECT: Amendment of Part 65 of the Federal Aviation Regulations - Certification: Airmen Other Than Flight Crew Members

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The Air Traffic Service has under consideration a proposal which would establish a new rating system for control tower operators. The reasons therefor are set forth in the explanatory statement of the attached proposal which is being published in the Federal Register as a Notice of Proposed Rule Making.

The Agency desires that all persons who will be affected by the requirements of the proposed regulation be fully informed as to its effect upon them and is, therefore, circulating copies in order to afford interested persons an opportunity to submit comments.

Because of the large number of comments which we anticipate receiving in response to this draft release, we will be unable to acknowledge receipt of each reply. You may be assured, however, that all comments will be given careful consideration.

All comments must be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue, N. W., Washington 25, D. C. In order to insure consideration, comments must be received by the Agency prior to March 28, 1963.

D. D. Thomas

Director, Air Traffic Service

NOTICE OF PROPOSED RULE MAKING

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As published in the Federal Register
on January 26, 1963 (28 F.R. 727)

FEDERAL AVIATION AGENCY

[14 CFR Part 65 [New]]

[Reg. Docket No. 1566; Draft Release No. 63-2]

AIR TRAFFIC CONTROL TOWER OPERATORS

Proposed Rating on Control Tower Operator Certificates

Pursuant to the authority delegated to me by the Administrator (14 CFR § 11.45 [New]), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 65 [New] of the Federal Aviation Regulations by revising Subpart B—"Air Traffic Control Tower Operators," to include:

(1) A new rating system to replace the present junior and senior ratings on air traffic control tower operator certificates.

(2) Additional knowledge requirements for applicants for a control tower operator certificate.

(3) A requirement that each person engaged as an air traffic control tower operator in connection with civil aircraft hold a control tower operator certificate and appropriate rating.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. All communications received prior to March 28, 1963, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination by interested persons in the Docket Section at any time. Because of the large number of comments which we anticipate receiving in response to this draft release, we will be unable to acknowledge receipt of each comment.

Currently effective § 65.35 provides that the holder of an air traffic control tower operator certificate may receive a junior or senior rating, depending on his qualifications to perform the duties of a control tower operator at a particular airport. At the time these ratings were established, most control towers were operated by municipalities and the services they provided were substantially the same. While there was some variation in the volume of traffic handled, there was no significant difference in the kind of skill required to be an operator in one tower as compared to another. None of the control towers were responsible for the control of IFR traffic. This responsibility was later delegated to some control towers and gradually, radar equipment has been added at those control towers having the highest volume of IFR operations.

Some control towers are now responsible for control of both IFR and VFR traffic while others are concerned primarily with VFR services. Additionally, some utilize radar equipment and procedures. The current junior and senior ratings, in themselves, do not reflect the wide variation in the skill and knowledge requirements of control tower operators. Although good management practices have precluded any significant problems related to this deficiency, it is considered necessary to establish a rating system which reflects the true nature of the duties performed.

It is therefore proposed to discontinue junior and senior ratings and in lieu thereof, to substitute the following rating system:

1. Limited.
2. VFR.
3. IFR.
4. Radar.

The limited rating would be issued to an operator after he had demonstrated certain elementary capability in the noncontrol portion of the tower operation. In preparation for more advanced ratings, he would engage in the control of air traffic, but only under the supervision of an operator with appropriate ratings. After completing all requirements for the VFR rating, including a demonstration of his ability to perform VFR control services, he would qualify for a VFR rating.

The rating requirements would be progressive throughout. For an IFR rating an operator would first have to satisfactorily complete the requirements for the limited and VFR ratings. Then upon demonstration of his ability in the application of IFR nonradar separation standards, he would be eligible to receive the IFR rating. The radar rating would be issued to the holder of an IFR rating following a demonstration of his ability in the application of IFR radar separation standards.

Since the purpose of the proposed ratings is to reflect services performed at a specific airport by an operator, and since the issuance of a rating would be based primarily upon successful demonstration of skill by the applicant, a rating would be issued only if the corresponding class of service is provided by the control tower serving the location at which the rating is sought. An operator at a nonapproach control tower could obtain only a VFR rating. At an approach control tower without radar an operator could obtain an IFR rating. A radar rating could be obtained only at those towers where that equipment is used in the control of air traffic.

Junior and senior ratings would remain valid for a period of one year from the effective date of this amendment; however, additional junior and senior ratings would no longer be issued. During this period, junior and senior ratings would be exchanged for the new ratings. In the exchange, a new rating would be issued to an operator dependent on the rating he currently holds, the services provided at the tower to which he is assigned, and the duties he is authorized to perform at that tower. The holder of a junior rating would receive a limited rating or, if he is authorized to control traffic under VFR, a VFR rating. The holder of a senior rating would receive a VFR rating, or if he is authorized to perform IFR or radar services, an IFR or radar rating, as appropriate. However, an IFR or radar rating would be issued

only if the tower to which he is assigned performs those services.

In addition to the new rating system, two other changes are proposed in Subpart B. First, a new § 65.30 is proposed to require each person engaged in the control of air traffic to hold an air traffic control tower operator certificate and appropriate rating. Although the Federal Aviation Act of 1958 defines an air traffic control tower operator as an "airman" and provides that it is unlawful for any person to serve as an airman, in connection with any civil aircraft without an airman certificate, the Agency's regulations concerning control tower operators have never contained a similar requirement. The purpose of this amendment is to explicitly state that requirement of the Act in the regulations.

Secondly, it is proposed to revise the written test in § 65.33 that an applicant for a control tower operator certificate must pass. The subjects of this examination now are substantially the same as they were in 1940. During this period of time, however, the demands made on control tower operators have become increasingly complex. Because of this the Agency has for a number of years required its own employees who are applicants for control tower operator certificates to be tested in two additional areas—communications operating procedures and flight assistance services. Basically, these two subjects require an applicant to be familiar with the handling of air traffic control information, search and rescue services, and emergency procedures. Due to the importance of these subjects, it is now considered that all applicants for a control tower
operator certificate should be familiar with these additional knowledge requirements.

In addition to the changes enumerated above, paragraph (b) of § 65.45 is being revised to state the class of medical certificate required in order to act as an air traffic control tower operator, and its duration. This provision was formerly contained in § 26.34 of the Civil Air Regulations but was inadvertently omitted in the recodification of that Part.

No changes are proposed in §§ 65.31 and 65.43; however, those sections are included here for convenient reference.

In consideration of the foregoing, notice is hereby given that it is proposed to amend Part 65 of the Federal Aviation Regulations (14 CFR Part 65 [New]) by revising Subpart B to read as follows:

Subpart B—Air Traffic Control Tower Operators

§ 65.30 Certificate and rating required.

No person may act as an air traffic control tower operator in connection with any civil aircraft in air commerce unless he holds an air traffic control tower operator certificate and appropriate rating issued to him under this subpart.

§ 65.31 Eligibility requirements: general.

To be eligible for an air traffic control tower operator certificate, a person must:

(a) Be at least 21 years of age or, in the case of a member of the Armed Forces of the United States, at least 18 years of age;

(b) Be of good moral character;

(c) Be able to read, write, and understand the English language and speak it without accent or impediment of speech that would interfere with two-way radio conversations;

(d) Hold at least a second-class medical certificate issued under Part 67 of this chapter within the 12 months before the date he applies; and

(e) Comply with § 65.33.

A certificate that is held by a member of an Armed Force who is less than 21 years of age is valid only while he is serving as a member in a control tower operated by an Armed Force.

§ 65.33 Knowledge requirements.

Each applicant for a certificate must pass a written examination on:

(a) The air traffic rules in Part -- of this chapter (Present Part 60);

(b) Airport traffic control procedures, and this subpart;

(c) En route traffic control procedures;

(d) Communications operating procedures;

(e) Flight assistance service;

(f) Air navigation and aids to air navigation; and

(g) Aviation weather.

§ 65.34 Exchange of ratings.

(a) Each person who has a junior or senior rating on his control tower operator certificate may exercise the privileges of that rating until (one year from the effective date of this amendment). Before that date he may exchange:

(1) A junior rating for a limited rating, or, if he is authorized to control traffic under VFR, a VFR rating; or

(2) A senior rating for a VFR rating, or, if he is authorized to perform IFR or radar services, an IFR or radar rating, as appropriate. However, an IFR or radar rating is issued only if the tower to which he is assigned performs those services.

(b) After (one year from the effective date) a person who has a junior or senior rating may not exercise the privileges of that rating, but he may qualify for a limited, VFR, IFR or radar rating, as appropriate, by meeting the requirements of this subpart.

§ 65.35 Ratings.

(a) The following ratings are issued under this subpart:

(1) Limited.

(2) VFR.

(3) IFR.

(4) Radar.

Each rating is based on the applicant's ability to perform the duties of an air traffic control tower operator at a particular tower and is valid only for that tower. An IFR or radar rating is issued only if the tower to which the applicant is assigned performs those services.

(b) A limited rating authorizes the holder to assist in the control of air traffic under the supervision of an air traffic control tower operator with a VFR, IFR or radar rating.

(c) A VFR rating authorizes the holder to control air traffic that is being operated under VFR or IFR. However, he may not issue clearance for flights requiring the application of IFR separation standards without prior authorization by a person with an IFR or radar rating.

(d) An IFR rating authorizes the holder to control air traffic that is being operated under VFR or IFR. However, he may not issue clearance for flight requiring the application of radar separation standards without prior authorization by a person with a radar rating.

(e) A radar rating authorizes the holder to control air traffic that is being operated under VFR or IFR.

(f) In an emergency, an air traffic control tower operator with a VFR, IFR or radar rating may delegate his authority to control air traffic to any other certificated control tower operator.

§ 65.36 Skill requirements; limited rating.

For a limited rating, an air traffic control tower operator must pass a practical test that includes:

(a) Control tower equipment and its use;

(b) Weather reporting facilities and use of reports;

(c) Use of the Airman's Guide and Flight Information Manual;

(d) Use of operational forms; and

(e) The performance of noncontrol operational duties.

§ 65.37 Skill requirements; VFR rating.

For a VFR rating, an air traffic control tower operator must meet the requirements for a limited rating, and pass a practical test that includes:

(a) Airport traffic control procedures;

(b) The airport, including rules, facilities, runways, taxiways, and obstructions;

(c) The control zone, including terrain features and obstructions;

(d) VFR operational agreements;

(e) Traffic patterns and associated procedures for use of preferential runways and noise abatement;

(f) Emergency procedures; and

(g) The application of VFR separation standards, and those IFR separation standards required in the control of special VFR operations.

§ 65.38 Skill requirements; IFR rating.

For an IFR rating, an air traffic control tower operator must meet the re-

quirements for a VFR rating, and pass a practical test that includes:

(a) IFR air traffic control procedures;

(b) Those airways, routes, and air navigation facilities normally used for IFR control in the terminal area;

(c) Prescribed instrument approach and departure procedures;

(d) IFR operational agreements; and

(e) The application of IFR nonradar separation standards.

§ 65.39 Skill requirements: radar rating.

For a radar rating, an air traffic control tower operator must meet the requirements for an IFR rating, and pass a practical test that includes:

(a) Radar air traffic control procedures;

(b) Radar alignment and technical operation;

(c) Radar operational agreements; and

(d) The application of IFR radar separation standards.

§ 65.43 Maximum hours.

Except in an emergency, an air traffic control tower operator must be relieved of all duties for at least 24 consecutive hours at least once during each 7 consecutive days. He may not serve or be required to serve:

(a) For more than 10 consecutive hours; or

(b) For more than 10 hours during a period of 24 consecutive hours, unless he has a rest period of at least 8 hours at or before the end of 10 hours of duty.

§ 65.45 General operating rules.

(a) The holder of an air traffic control tower operator certificate shall keep it readily available when performing duties under it, and must show it for inspection upon the request of the Administrator or an authorized representative of the Civil Aeronautics Board, or of any State or local law enforcement officer.

(b) No person may act as an air traffic control tower operator under a certificate issued to him under this Part unless he has in his personal possession a second-class (or higher) medical certificate issued under Part 67 of this chapter within the preceding 12 months.

(c) An air traffic control tower operator may not perform duties under his certificate during any period of known physical deficiency that would make him unable to meet the physical requirements for his current medical certificate. However, if the deficiency is temporary, he may perform duties that are not affected by it whenever another certificated and qualified operator is present and on duty.

(d) An air traffic control tower operator may not control air traffic with facilities that the Administrator has found to be inadequate.

(e) The holder of an air traffic control tower operator certificate or an applicant for one, shall, upon the reasonable request of the Administrator, cooperate fully in any test that is made of him.

(f) An air traffic control tower operator shall perform his duties in accordance with the limitations on his certificate and rating and the procedure and practices prescribed in Air Traffic Service Manuals of the FAA.

§ 65.47 Recent experience.

The holder of an air traffic control tower operator certificate may not perform any duties under that certificate unless within the six-month period before the date he is to perform those duties:

(a) He has served for at least three months as an operator at the airport to which his rating applies; or

(b) He has shown to the satisfaction of the Administrator that he meets the standards for the issue of his certificate and rating.

These amendments are proposed under the authority of sections 307, 313(a) and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1422).

Issued in Washington, D.C., on January 21, 1963.

D. D. THOMAS,
Director, Air Traffic Service.