63-16

FEDERAL AVIATION AGENCY

AIRPORTS SERVICE

(14 CFR Part 151 (New))
[Notice 63-16; Docket No. 1696]

NOTICE OF PROPOSED RULE MAKING

In-Runway Lighting

The Federal Aviation Agency has under consideration a proposal to amend Part 151 (New) to provide that the determination of whether in-runway lighting is required for the approval of a project for development or improvement of an airport will be made on an individual case basis.

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 must be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue, N.W., Washington 25, D.C. All communications received on or before May 17, 1963, will be considered by the Administrator before taking action on the proposed rules. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both during and after the comment period, in the Docket Section for examination by interested persons.

§ 151.13(b)(2)(New) of the Federal Aviation Regulations (former § 550.23(x)(2)(ii)) presently sets forth specific situations where in-runway lighting will automatically be required for the approval of a project for the development or improvement of an airport as soon as design standards for such lighting have been published. It appears, however, that each airport project should be considered separately in determining the need for in-runway lighting. In making this determination, it is anticipated that the Administrator will consult with the sponsor of the project.

In addition to the change discussed above, it is proposed to delete the parenthetical statement "(narrow gauge, centerline and turnoff)", referring to the types of in-runway lighting. As presently written, the rule may be misinterpreted to mean that all three of these types of lighting are required in connection with each airport project. The purpose of this proposed change is to clarify the fact that the type of lighting required is based on a consideration of each individual airport project. All three types of lighting may not be required in each case. Additionally, it may be found that the installation of any such lighting would not contribute materially or significantly to the safe and efficient use of the airport.

This rule relates to public grants and, accordingly, compliance with notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required. However, the Administrator has decided that affording the public the opportunity to participate in the making of this rule will serve the best interest of civil aviation.

In consideration of the foregoing, it is proposed to amend § 151.13(b)(2)(New) of the Federal Aviation Regulations (14 CFR Part 151 (New) to read as hereinafter set forth.

This amendment is proposed under the authority in section 9 of the Federal Airport Act (49 U.S.C. § 1108), as amended.

§ 151.13 Federal-aid Airport Program: policy affecting landing aid requirements.

* * * * *

(b) *Specific landing aid requirements.* * * *

(1) * * *

(2) *In-runway lighting.*

(i) In-runway lighting will be required as part of a project if the project includes any of the following airport developments and only if a study of the airport shows in-runway lighting is required for the safe and efficient use of the airport by aircraft:

(*a*) Construction of a new designated instrument landing runway programmed (and included in with an IFR precision approach system, including ALS and ILS;
and ILS;

(*b*) An extension of 3,000 feet or more (usable for landing purposes) of the approach end of a designated instrument landing runway equipped, or programmed by FAA to be equipped, with an IFR precision approach system, including ALS and ILS;

(*c*) Reconstruction of a designated instrument landing runway, equipped or programmed by FAA for an IFR precision approach system, including ALS

and ILS, in a case in which the reconstruction requires the closing of a runway; or

(*d*) Any other airport development on an airport whose designated instrument landing runway is equipped, or is programmed to be equipped, by FAA with an IFR precision approach system, including ALS and ILS.

(ii) In determining whether in-runway lighting is required for safe and efficient use of an airport by aircraft, the Administrator will consider the following:

(*a*) The type and volume of flight activity;

(*b*) Other existing or planned navigational aids;

(*c*) Airport environmental factors such as local weather conditions and adjacent geographical profiles;

(*d*) Approach and departure paths;

(*e*) Effect on landing and takeoff minima; and

(*f*) In the case of projects under subparagraph (b)(2)(i)(*d*) of this section, whether installing in-runway lighting requires closing the runway for so long a time that the adverse effect on safety of its closing would outweigh the contribution to safety that would be gained by the in-runway lights or whether it would unduly interfere with the efficiency of aircraft operations.

Cole P. Lorson

Director,
Airports Service.

Issued in Washington, D.C., on April 10, 1963.

FEDERAL AVIATION AGENCY

[14 CFR Parts 61 [New] 63 [New], 65 [New], 67 [New], 143 [New]]

[Notice 63-18; Docket No. 1127]

REVALIDATION OF AIRMAN AND GROUND INSTRUCTOR CERTIFICATES

Notice of Proposed Rule Making

This is a proposal to establish a revised system for the issuance of airman, medical and ground instructor certificates and for the development of necessary data concerning these certificate holders and the nature of their active participation in aviation.

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 docket or notice 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 NW., Washington 25, D.C. All communications received on or before July 15, 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, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The Agency's consideration of the proposed system was previously announced in a notice of proposed rule making dated March 31, 1962 (27 F.R. 3141) and circulated as Draft Release 62-13. That notice stated the basic objectives of the system, the essential nature of its operation and the primary elements governing its operation. It proposed to implement the new certification system by exchanging existing airman certificates for a new single certificate, identified by the holder's social security number and showing all airman privileges. It was proposed to require certificate renewal at intervals varying from 6 to 24 months, depending on the privileges held. Under the proposal, if a certificate were not renewed within the specified period of time it would expire. Thereafter, if a certificate holder wished to have the certificate reissued, he would be subject to reexamination up to the complete examination given for the original issue of that certificate. It was also proposed to condition certificate renewal upon the applicant passing an appropriate medical examination for those privileges requiring medical qualification. In all other cases the applicant would have been required to meet presently prescribed recent experience requirements.

Consideration of all comments received in response to that notice, further evaluation of the basic goals sought and an analysis of the many practical and mechanical aspects of the system have resulted in a number of decisions both as to the adoption of certain aspects of the proposal and the desirability of some changes in its elements and operation. This notice is being issued to solicit comments concerning the proposed changes. A statement of the decisions made should be of aid in evaluating the changes.

First, it has been determined to adopt a new system for issuance of airman certificates which would encompass—

(1) The issue of a consolidated certificate card listing all the airman certificates and privileges to which the holder is entitled;

(2) The submission of information each two years by airmen reflecting the extent of their active participation in aviation;

(3) The issue of a new card each two years upon providing this information; and

(4) A prohibition against exercising the privileges involved if the certificate holder has not applied for his new card on time, to last until he does so apply.

The process of submitting the required information and the issue of the new card by the Agency is referred to hereafter as "revalidation".

Second, certain changes from the original proposal are considered desirable, including—

(1) Adopting a uniform 24-month cycle for certificate revalidation in place of the 6 to 24-month variable cycle as originally proposed; and

(2) Using the holder's birth month as the specified time for revalidation in place of tieing it to the time of medical examinations or date of issue as originally proposed.

Third, certain aspects of the original proposal have been eliminated, including—

(1) Expiration of certificates that are not revalidated or renewed in time;

(2) Requiring the holder to be reexamined for reissuance of certificates which were not revalidated or renewed in time;

(3) Requiring appropriate medical qualification as a condition to certificate revalidation and renewal; and

(4) Requiring prescribed recent experience as a condition to certificate renewal.

These changes have been made in order to reduce the program to those requirements necessary to meet the two objectives considered paramount at present, the modernization of the Agency's certificate issuance system and the acquisition of data considered necessary for the proper discharge of the Agency's responsibilities. Of course, the regulations will continue to require airmen to meet the present requirements regarding medical qualification and recent experience. Whether or not these or other requirements will be adopted in the future as a condition for exercising the privileges of a certificate depends upon safety considerations not now pertinent to the establishment of the new certification system.

Various factors have contributed to the present status of the Agency's issuance system, factors going back some years in the history of Federal regulation of aviation as well as factors attributable to the rapid growth of aviation in the past 15 years. The present issuance system is virtually unchanged from the earliest days of the CAA, and no longer serves the needs of the public, the aviation community, or the Agency.

The issuance system necessarily reflects, and reflects upon, the airman records of the Agency, their currency, the efficiency with which they can be maintained, the nature and value of the recorded information available to the Agency, and the Agency's ability to extract needed information from these records. The problems created by the present system must be corrected. Correction within the framework of the present issuance system, however, is impractical, would at best be only temporary in nature and invite repetition of current problems in the future, and would in any event not produce the data which is required.

These conclusions have not been reached without strenuous efforts at their resolution since the establishment of the FAA. Automation techniques have been adopted where possible. Modern equipment has been acquired and some records converted into forms suitable for automated processing. Files have been combed in an effort to eliminate unnecessary material, to combine scattered records and those relating to the same persons, to make the records responsive to current needs, to develop guidelines for the future—in short, to seek every reasonable solution within the Agency in an effort to avoid the need to ask for any contribution to this attempt from persons outside the Agency.

Recordkeeping could be viewed as an internal problem of the Agency, of no concern outside the Agency and to be resolved within the Agency as it may best be able. This would not take into account the facts that the Agency discharges a governmental function, that the costs of its operations are not simply matters internal to the Agency, that the Agency must best serve the public, and that the Agency's difficulties very directly affect those subject to its jurisdiction. Moreover, examination of various alternatives leads to the conclusion that it is necessary for the best resolution of these problems that certificate holders participate. At the same time, however, considerable effort has been made to reduce this participation to a minimum, to make it as simple and mechanical as possible, and to construct the system so as not to affect any present rights and privileges of airmen.

Further, the new certification system will benefit the individual certificate holders as well as the Agency. One of the major objections frequently raised by airmen is that they are not timely informed of the Agency's actions and must rely upon secondary sources for their information regarding current regulations, proposed rules, Agency policy and other matters of interest to them. It is anticipated that a primary benefit to be derived from the new certification system will be an up-to-date mailing list that will allow accurate and selective contact with all airmen, active or inactive, who may be affected by its actions. This will eliminate the need for the present "shotgun" method of distribution. Airmen who presently hold more than one certificate will no longer be required

to carry multiple certificates, since all certificate privileges, including medical qualification, will be consolidated on a single card. The card will be wallet size and made of a durable material, similar to a credit card.

Airmen will also be able to refer to a single airman certificate number in communicating with the Agency and thus expedite handling of their correspondence. Moreover, information secured through the certification system about airman activity will provide a means for testing the efficiency of existing regulations and identifying areas of regulatory need and areas where present regulations may be unnecessary; and it will provide a solid base of information and statistics for budget and organization planning purposes. In short, the new system will be an effective aid to the Agency in fulfilling its mission of promoting safety in aviation and thus result in a direct benefit to both the Agency and the aviation public.

In view of the foregoing, it is proposed to implement the new certification system as follows. It should be noted that this proposal affects all airmen certificates subject to Parts 61—Pilots and Flight Instructors [New], 63—Flight Crewmembers Other Than Pilots [New], 65—Airmen Other Than Flight Crewmembers [New], medical certificates subject to Part 67 [New] and ground instructor certificates subject to Part 143 [New].

1. After the effective date of the new system (contemplated to be January 1, 1964) each person holding a certificate will be required to have that certificate revalidated each two years. For certificates issued before January 1, 1964, initial revalidation will be required before the end of the certificate holder's birth month in 1964 if he was born in an even year, or in 1965, if he was born in an odd year. However, if after January 1, 1964, the holder of an old form certificate requests any action (such as an additional rating, etc.) that would involve the issuance of a new airman or ground instructor (but not medical) certificate he will be required to revalidate at that time all certificates which he holds. Thereafter, each certificate issued under the new system or initially revalidated after January 1, 1964, must be periodically revalidated before the end of the holder's birth month occurring in each odd or even year, depending on whether he was born in an odd or even year.

2. All certificates issued or revalidated after January 1, 1964, will be in the new form and show the date by which that certificate must be next revalidated. This date will ordinarily be the last day of the holder's next birth month in an odd or even year. However, any airman certificate issued or revalidated within the 6-month period before the month in which revalidation would be required will, for purposes of determining the date for subsequent revalidation, be considered as having been issued or revalidated in that birth month. For example, a certificate issued in April 1965 to an applicant born in July 1945 would ordinarily have to be revalidated before the end of the holder's birth month occurring in an odd year, that is, July 1965. However, because that certificate was issued within six months before July 1965, the date shown on the certificate for the next revalidation would be July 1967, rather than July 1965.

3. A certificate may be revalidated simply by filling out and submitting an application form. During the 2-year period for initial revalidation it will be up to each airman to obtain and file his application. These forms may be obtained at any Agency regional or district office or by writing to the Agency. Once a certificate has been revalidated the Agency will mail an application to each holder. In order to allow time for processing and to insure that there will be no lapse in certificate privileges, the application must be filed at least 30 days before the last day for revalidation.

4. The following represents the kinds of information intended to be requested on the application form:

(a) Preliminary information such as name, address, social security number, etc.

(b) Name and address of employer, if employed in an airman or ground instructor capacity.

(c) Kinds of certificates held, and in the case of initial revalidation, the old certificate numbers and dates of issue.

(d) Class and date of medical certificate held.

(e) Kind of activity in which the certificate holder engages, e.g., air carrier operations, flying for business, personal pleasure; self-employed mechanic; employment by manufacturer, repair station, ground school, etc.

(f) In the case of flying personnel, makes and models of aircraft flown, types of large aircraft flown, total number of hours flown and kind of flying, e.g., night, cross-country, instrument, pilot, flight engineer, etc.

(g) In the case of mechanics and repairmen, principal maintenance activities, e.g., repairs, alterations, overhauls, inspection; types of aircraft and powerplants involved.

(h) In the case of parachute riggers, number and types of parachutes packed.

(i) After initial revalidation the information listed in (e)–(h) above as to the kind of activity an airman is engaged in, flying time, etc. will be requested only for the period since the last revalidation.

5. Any certificate not revalidated as required in paragraph (1) will cease to be valid and the holder would not be authorized to exercise any privileges under it. However, the holder of such a certificate may have it revalidated at any time in the same manner as if he had applied for revalidation before that certificate ceased to be valid.

6. All records relating to certificate holders will be kept in a current file for the first 4 years after the institution of the new system. Thereafter, records relating to certificates that have not been revalidated within 2 years after the time specified for their revalidation will be taken out of the current file and stored separately. If application for revalidation of such certificates is then made, a search of these stored records to establish eligibility for certificate revalidation will entail substantial additional processing over what would otherwise have been required. It is therefore proposed to charge a fee not to exceed $5.00 for this service.

7. Upon initial revalidation, applicants who hold more than one certificate will be issued a permanent card of durable material listing each certificate (including a medical certificate) to which he is entitled. However, each certificate listed on the card is deemed to be and will be treated as a separate certificate.

8. The identifying number on the card will be the holder's social security account number or a number issued by the Agency if the certificate holder does not have a social security account number. (Upon special request, holders of certificates numbered "5000" or lower may retain present number.)

9. Current medical qualification will not be a prerequisite to initial or periodic revalidation. This will not affect or change present regulations which require current medical qualification as a prerequisite to the exercise of certain airman privileges.

10. Under the new system, medical certificates will be shown on the single card, issued after the airman's medical qualification has been reviewed and approved by the Civil Air Surgeon. Aviation Medical Examiners will issue qualified applicants temporary medical certificates valid for not more than 60 days pending action by the Civil Air Surgeon. However, during the first 2 years of the system, to accommodate airmen who have not yet had their airman certificates revalidated, Aviation Medical Examiners will continue to issue separate medical certificates in the old form. Upon revalidation, this medical certificate will then be listed on the single card.

11. The Agency will continue to issue temporary certificates to applicants for new certificates or ratings, pending issuance of the permanent certificate card. Such temporary certificates will be either in the present form of temporary certificates or in the form of an endorsement by the Agency's inspector on the airman's copy of his application.

12. Inspection authorizations on mechanic certificates are presently renewed each year during the month of March. Under the new system it is proposed to place the inspection authorization on a 2-year cycle and to provide for its renewal at the same time that the mechanic's certificate is revalidated.

13. Certificates that presently have a limited duration (such as student and special purpose pilot certificates, and certain airmen certificates issued to persons who are not citizens of the United States) will continue to have a limited duration and will not be subject to revalidation. However, in those cases where the present duration is less than 24 months it will be increased to 24 months.

This amendment is proposed under the authority of sections 311, 313(a), 314, 601, 602, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1352, 1354(a), 1355, 1421, 1422, and 1427).

Issued in Washington, D.C., on May 9, 1963.

N. E. HALABY,
Administrator.

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