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

Civil Air Regulations Amendment 22-14
Effective: August 7, 1962
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[Reg. Docket No. 1069; Amdt. 22-14]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

Issuance of Free Balloon Pilot Certificates Limited to Hot-Air Balloons

Section 22.13 of the Civil Air Regulations currently provides for the issuance of free balloon pilot certificates. This section also provides for the issuance of free balloon pilot certificates which are limited to hot-air balloons. An applicant for such a certificate must comply with certain requirements of age, character, citizenship, education, and physical condition. He does not have to comply with any requirement of aeronautical knowledge, experience, or skill. As a result, anyone who holds an airman medical certificate of the third class or higher, and who is at least 17 years of age, can secure a free balloon pilot certificate limited to hot-air balloons. These requirements are easily met by many certificated airmen, and hundreds of them have acquired a hot-air balloon certificate merely as a novelty and with no serious intention of operating any kind of free balloon.

Until recently each ascent of a hot-air balloon was necessarily of short duration; when the heated air cooled, the balloon descended. A new development for hot-air balloons provides a gas-fired heater to generate hot air as needed and hot-air balloons using this device can now ascend and descend at the operator's will, and can remain aloft as long as there is fuel for the heater. This substantial change in the operation of such balloons requires a demonstration of skill by the applicant to assure his use of safe and proper piloting technique. Accordingly, the Federal Aviation Agency, on February 7, 1962, issued a notice of proposed rule making on this subject which was published in the FEDERAL REGISTER (27 F.R. 1363) and circulated as Civil Air Regulations Draft Release No. 62-6. This notice proposed to amend the introductory paragraph of § 22.13 to require that an applicant for a free balloon pilot certificate limited to the operation of a hot-air balloon demonstrate his ability to pilot and maneuver a free balloon in actual solo flight. In addition, in order to avoid placing a hardship on the holder of a student lighter-than-air pilot certificate who seeks a hot-air balloon certificate, it was proposed to amend § 22.31(a)(1)(ii) to omit the 6 instruction flights now required for endorsement of his certificate for solo in free balloons.

Interested persons have been afforded an opportunity to participate in the making of this regulation and due consideration has been given to all relevant matter presented.

Although most of the comments received in response to Draft Release 62-6 were favorable, several suggested that the proposed regulation was not stringent enough. However, some comments recommended further amendments to the present requirements for a minimum of 6 instruction flights, each of not less than one hour duration, presently contained in §§ 22.31(a)(1)(ii) and (2)(ii). It was pointed out that the duration of such individual flights, after flight equilibrium has been established, is relatively unimportant, and that the training value of takeoffs and landings is more significant. Therefore, it was recommended that the requirement of one hour duration for such flights should be deleted.

After consideration of these comments, the Agency believes that it is desirable, as a part of this regulatory action, to delete the requirement that the 6 instruction flights be of one hour duration each while still requiring a minimum of 6 instruction flights and a total of 6 hours of instruction time. The Agency agrees that this change would tend to increase the skill of the students by applying training emphasis where it is needed. Since this change relieves a present restriction and imposes no additional burden on any person, notice and public procedure thereon are unnecessary for its adoption as a part of this amendment.

This amendment will be included in the recodification of the provisions of Part 22 under the Agency's recodification program announced in Civil Air Regulation Draft Release No. 61-25 (26 F.R. 10698).

In consideration of the foregoing, Part 22 of the Civil Air Regulations (14 CFR Part 22) is hereby amended as follows, effective August 7, 1962:

1. By amending the introductory paragraph of § 22.13 to read as follows:

§ 22.13 Free balloon pilot certificate.

An applicant for a free balloon pilot certificate shall comply with the requirements of paragraphs (a) through (h) of this section. An applicant for a free balloon pilot certificate which is limited to the operation of hot-air balloons shall comply only with the requirements of paragraphs (a) through (e), and paragraph (h) of this section.

2. By amending § 22.31(a) by revising subparagraphs (1)(ii) and (2)(ii) to read as follows:

§ 22.31 Flight limitations and privileges.

(a) *Student lighter-than-air pilot.*

(1) * * *

(ii) He shall have had a minimum of 6 instruction flights in free balloons, which total not less than 6 hours, and such fact has been certified to by his instructor on the student pilot certificate. This subdivision does not apply to the flight demonstration required by § 22.13(h) for a free balloon pilot certificate limited to hot-air balloons.

(2) * * *

(ii) He shall have had a minimum of 6 instruction flights in free balloons, which total not less than 6 hours, and shall have logged at least one hour of actual solo flight in a free balloon and such fact shall be certified to by his instructor on the student lighter-than-air pilot certificate. If the student possesses a free balloon pilot certificate, such certification shall not be required.

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on June 28, 1962.

N. E. HALABY,
Administrator.

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