Federal Aviation Agency
Washington, D.C.

Civil Aeronautics Manual 43

General Operation Rules

Supplement No. 3, CAM 43 dated Sept. 1959 **May 15, 1961**

SUBJECT: Revisions to CAM 43.

This supplement is issued to incorporate in CAM 43 Civil Air Regulations Amendment 43-13 and Special Civil Air Regulation No. SR-446.

Amendment 43-13 concerns installation and use of flight recorders in certain airplanes used by air carriers and commercial operators. It was issued on May 1, 1961, to become effective June 6, 1961.

Special Regulation SR-446 concerns the use of portable frequency modulation (FM) type radio receivers on aircraft during flight. It was issued on May 4, 1961, to become effective on May 25, 1961.

New or revised material is enclosed in black brackets on the pages submitted with this supplement. However, because Special Civil Air Regulation No. SR-446 is new in its entirety, it is not so marked.

Remove the following pages:	*Insert the following new pages:*
III and IV	III and IV
7 and 8	7 through 8-1
—	85 and 86
P-11	P-11 and P-12

Oscar Bakke

OSCAR BAKKE. *Director,*
Bureau of Flight Standards.

ATTACHMENTS.

SPECIAL CIVIL AIR REGULATION NO. SR–392C

Effective: Feb. 3, 1962
Adopted: Jan. 30, 1962
Published: Feb. 3, 1962
(27 F.R. 1008)

Facilitation of Experiments With Exterior Lighting Systems

Special Civil Air Regulation No. SR–392B, adopted on February 25, 1957, permits experimentation with exterior lighting systems, which do not comply with the standards prescribed in the Civil Air Regulations, on aircraft with standard airworthiness certificates. Several conditions are imposed to insure that the number of aircraft engaged in the experiments is reasonably limited; that the experimental exterior lights are in fact installed for bonafide experimentation; and that the results of such experimentation become generally available. This special regulation expires on February 25, 1962.

In a notice of proposed rule making contained in Draft Release No. 61–27 and published in the Federal Register, December 23, 1961 (26 F.R. 12294), the Agency gave notice that it has under consideration the termination of SR–392B and requested comments from interested persons concerning this matter. In response to such request, the Agency has received numerous reports, arguments and other evidence. However, the volume of the comments received is such that there is not sufficient time remaining to review and evaluate such comments prior to the termination of SR–392B. Therefore, in order to afford the Agency the opportunity to fully consider all the relevant matter presented and to take whatever additional rule making action that may be indicated, it is necessary to extend the termination date of SR–392B to June 25, 1962.

Since this regulation continues in effect the provisions of the previous regulation and imposes no additional burden upon any person, compliance with the notice and public procedure provisions of the Administrative Procedure Act is unnecessary and good cause exists for making this regulation effective on less than 30 days' notice.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted to become effective on February 3, 1962:

Contrary provisions of the Civil Air Regulations notwithstanding, experimental exterior lighting equipment which does not comply with the relevant specifications contained in the Civil Air Regulations may, subject to the approval of the Administrator, be installed and used on aircraft for the purpose of experimentation intended to improve exterior lighting for a period not to exceed 6 months: *Provided,* That

(1) The Administrator may grant approval for additional periods if he finds that the experiments can be reasonably expected to contribute to improvements in exterior lighting;

(2) Not more than 15 aircraft possessing a U.S. certificate of airworthiness may have installed at any one time experimental exterior lighting equipment of one basic type;

(3) The Administrator shall prescribe such conditions and limitations as may be necessary to insure safety and avoid confusion in air navigation;

(4) The person engaged in the operation of the aircraft shall disclose publicly the deviations of the exterior lighting from the relevant specifications contained in the Civil Air Regulations at times and in a manner prescribed by the Administrator; and

(5) Upon application for approval to conduct experimentation with exterior lighting, the applicant shall advise the Administrator of the specific purpose of the experiments to be conducted; and, at the conclusion of the approved period of experimentation, he shall advise the Administrator of the detailed results thereof.

This regulation supersedes Special Civil Air Regulation No. SR–392B and shall terminate June 25, 1962, unless sooner superseded or rescinded.

SPECIAL CIVIL AIR REGULATION NO. SR-399C

Effective: October 26, 1960
Adopted: October 25, 1960

Provisional Maximum Certificated Weights for Certain Airplanes Operated by Alaskan Air Carriers, Alaskan Air Taxi Operators, and the Department of the Interior

Special Civil Air Regulation No. SR-399B (24 F.R. 4304) which superseded SR-399A (20 F.R. 8091) authorized the Director, Bureau of Flight Standards, and his designated representative to establish increased maximum weights for certain airplanes of 12,500 pounds or less operated entirely within Alaska by Alaskan air carriers and Alaskan air taxi operators pursuant to Parts 292 and 293 of the Civil Aeronautics Board's Economic Regulations or by the United States Department of the Interior.

SR-399B amended SR-399A to permit Alaskan air taxi operators, formerly designated as Alaskan pilot-owners, to continue operating under the increased maximum weight provisions. The authority contained in SR-399B terminates on October 25, 1960. Since the domestic economy of Alaska is greatly dependent upon the continuing use by Alaskan operators of airplanes of 12,500 pounds or less, and since the Department of the Interior expects to continue to use such airplanes in Alaska, the authority currently provided by this special regulation is being extended for a period of five years. Alaskan air taxi operators will remain subject to the 7,900-pound weight limitation imposed by Part 293.

Since this regulatory action extends the provisions of a previous regulation and imposes no additional burden upon any person, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby adopted, to become effective October 26, 1960:

1. Notwithstanding any contrary provisions of the Civil Air Regulations, the Director, Bureau of Flight Standards, and any employee of such administrative unit as he shall designate may increase the maximum certificated weight for airplanes which are:

(a) Operated entirely within the State of Alaska by an Alaskan air carrier or an Alaskan air taxi operator pursuant to Parts 292 and 293, respectively, of the Civil Aeronautics Board's Economic Regulations, or by the United States Department of the Interior in the conduct of its game and fish law enforcement activities and its management, fire detection, and fire suppression activities concerning public lands; and

(b) Type certificated under the provisions of Aeronautics Bulletin No. 7-A of the Aeronautics Branch of the United States Department of Commerce dated January 1, 1931, as amended, or under the normal category of Part 4a of the Civil Air Regulations.

2. The maximum certificated weight herein referred to shall not exceed any of the following:

(a) 12,500 pounds,

(b) 115 percent of the maximum weight listed in the FAA Aircraft Specification,

(c) The weight at which the airplane meets the positive maneuvering load factor requirement for the normal category specified in § 3.186 of the Civil Air Regulations, or

(d) The weight at which the airplane meets the climb performance requirements under which it was type certificated.

3. In determining the maximum certificated weight the structural soundness of the airplane and the terrain to be traversed in the operation will be considered.

4. The maximum certificated weight so determined will be added to the airplane's operation limitations and identified as the maximum weight authorized for operations within the State of Alaska.

This regulation supersedes Special Civil Air Regulation No. SR–399B, and shall terminate on October 25, 1965, unless sooner superseded or rescinded.

Federal Aviation Agency
Washington, D.C.

Civil Aeronautics Manual 43

General Operation Rules

Supplement No. 2, CAM 43 dated Sept. 1959 — November 15, 1960

SUBJECT: Provisional Maximum Certificated Weights for Certain Airplanes Operated by Alaskan Air Carriers, Alaskan Air Taxi Operators, and the Department of the Interior.

This supplement is issued to incorporate into CAM 43 new Special Civil Air Regulation No. SR-399C, Provisional Maximum Certificated Weights for Certain Airplanes Operated by Alaskan Air Carriers, Alaskan Air Taxi Operators, and the Department of the Interior. This regulation was issued on October 25, 1960, to become effective on October 26, 1960, and supersedes Special Civil Air Regulation No. SR-399B.

Since this regulation is new in its entirety, it is not enclosed in black brackets.

Remove the following pages:	*Insert the following new pages:*
III and IV	III and IV
29 and 30	29 and 30

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Attachments.

within the preceding ten days, and found to be within the limits of the indicated bearing error specified in this section for the particular check. The checks shall be conducted in accordance with either paragraph (a) or (b) of this section as follows:

(a)

(1) If an FAA operated or approved test signal [2] is available at the airport of intended departure, a check of the VOR equipment shall be accomplished using this test signal. The maximum permissible indicated bearing error is plus or minus 4°.

[2] FAA operated or approved test signals, and ground check points on an airport surface and airborne check points designated by the Administrator, will be shown in the Airman's Guide.

(2) If an FAA operated or approved test signal is not available at the airport of intended departure, a check shall be accomplished using a point on an airport surface designated [2] by the Administrator as a VOR system check point. The maximum permissible indicated bearing error is plus or minus 4°.[3]

[3] In making this check, caution should be exercised to head the aircraft in a direction to prevent the aircraft structure from interfering with the ground signal.

(3) If neither an FAA operated or approved test signal nor a designated check point on the airport surface is available, a check shall be accomplished using an airborne check point designated [2] as such by the Administrator. The maximum permissible indicated bearing error is plus or minus 6°.

(4) In the event none of the checks prescribed in subparagraphs (1), (2), and (3) of this paragraph can be accomplished, because of the unavailability of a check signal or point, the following airborne procedure shall be accomplished.

(i) Select the VOR radial which lies along the center line of an established VOR airway,

(ii) Choose a prominent ground point along the selected radial preferably more than 20 miles from the VOR ground facility and maneuver the aircraft directly over the point at a reasonably low altitude, and

(iii) Note the VOR bearing indicated by the receiver when over the point. The maximum permissible difference between the published radial and the indicated bearing is plus or minus 6°.

(b) If dual systems (defined as VOR units independent of each other with the exception of the antenna) are installed in the aircraft, one system may be checked against the other in the following manner in lieu of the check procedures specified above: Both systems shall be tuned to the same VOR ground facility and the indicated bearings to that station noted. The maximum permissible variation between the two indicated bearings is 4°.

(c) The person making the VOR operational check as specified in paragraphs (a) or (b) of this section shall make an entry of such check in the aircraft log or other permanent record showing the date, place, bearing error, and his signature.

[*43.32 Flight recorders.*

[(a) The holder of an air carrier or commercial operator certificate shall not operate any of the following airplanes in the conduct of flights (other than a ferry flight conducted for the purpose of delivering a newly acquired airplane from the place where an air carrier or commercial operator takes possession to a base where a flight recorder is to be installed), unless there is installed on the airplane an approved flight recorder which records at least time, altitude, airspeed, vertical acceleration, and heading:

[(1) Airplanes of more than 12,500 pounds maximum certificated takeoff weight which are certificated for operations above 25,000 feet altitude;

[(2) Turbine-powered airplanes of more than 12,500 pounds maximum certificated takeoff weight.

[(b) When an air carrier or commercial operator conducts a flight with an airplane which has a flight recorder installed as required by paragraph (a) of this section, the flight recorder shall be operated continuously from the instant the pilot commences the takeoff roll until he has completed the landing roll at a place of landing, subject to the following exceptions:

[(1) If an airplane with an inoperative flight recorder is located at a place where facilities for the repair or replacement of the recorder are not available, the airplane may be ferried with the flight recorder inoperative to a base where the recorder can be repaired or replaced.

[(2) If the flight recorder becomes inoperative after the airplane has become airborne, the particular flight may be continued and completed as originally planned.

[(3) During an airworthiness flight test, the flight recorder may be turned off for any period of time necessary to conduct tests of the operation of the recorder, or any communication or electrical equipment, installed in the airplane.

[(c) Recorded information shall be retained by the air carrier or commercial operator for a period of at least 60 days. For a particular flight or series of flights, the information shall be retained for a longer period if requested by an authorized representative of the Administrator or the Civil Aeronautics Board.

[(Amendment 43-13, published in 26 F.R. 3985, May 9, 1961, effective June 6, 1961.)]

Piloting Rules (General)

43.40 *Pilot certificate.* No person shall pilot within the United States a civil aircraft registered in the United States, unless he has in his personal possession while piloting such aircraft, a valid pilot certificate with appropriate ratings issued by the Administrator; or pilot within the United States a civil aircraft registered in a foreign country and eligible for operation in the United States, unless he has in his personal possession while piloting such aircraft a valid pilot certificate with appropriate ratings issued or rendered valid by the country of registry of the aircraft, or a valid United States pilot certificate issued by the Administrator. Such certificate shall be presented for examination to any inspector of the Administrator or State or local law enforcement officer upon the request of such inspector or enforcement officer.

43.41 *Medical certificate and renewal.* No person shall pilot an aircraft under the authority of a pilot certificate issued by the Administrator unless he has in his personal possession at all times, while piloting aircraft, a medical certificate or other evidence satisfactory to the Administrator showing that he has met the physical requirements appropriate to the flight privilege exercised. Medical certificates shall be valid within the following time limits:

(a) First Class—6 calendar months for those operations requiring an airline transport pilot rating, or 12 calendar months for those operations requiring only a commercial pilot certificate, or 24 calendar months for those operations requiring only a private pilot certificate.

(b) Second Class—12 calendar months for those operations requiring a commercial pilot certificate, or 24 calendar months for those operations requiring only a private pilot certificate.

(c) Third Class—24 calendar months for those operations requiring a private or student pilot certificate.

43.41-1 *Medical certificate and renewal (FAA interpretations which apply to sec. 43.41).* A medical certificate becomes valid on the date the physical examination is conducted, and continues in effect for the remainder of that month plus the number of calendar months specified in section 43.41. A calendar month includes that period of time extending from the first day of any month as delineated by the calendar through the last day thereof.

As an example, if an airline transport pilot is issued a first class medical certificate on any day during January, he must renew such certificate within six calendar months, i.e., before July 31, in order to exercise the privileges of an airline transport pilot rating after that date.

(Published in 18 F.R. 3533, June 19, 1953, effective June 30, 1954.)

43.42 *Operation during physical deficiency.* A person shall not pilot any aircraft during a period of any known physical deficiency or increase in physical deficiency which would render him unable to meet the

physical requirements prescribed for the issuance of his currently effective medical certificate.

43.45 *Use of liquor, narcotics, and drugs.* No person shall pilot an aircraft or serve as a member of the crew while under the influence of intoxicating liquor or use any drug which affects his faculties in any manner contrary to safety. A pilot shall not permit any person to be carried in the aircraft who is obviously under the influence of intoxicating liquor or drugs, except a medical patient under proper care or in case of emergency.

43.46 *Towing by aircraft.* No pilot shall tow anything by aircraft unless authority for such operation has been issued by the Administrator.

43.46–1 *Authorization (FAA policies which apply to sec. 43.46).* Authority for towing objects by aircraft is issued by the Administrator in the form of a Certificate of Waiver or Authorization, Form FAA–663. This certificate is issued to the operator of the aircraft by the local General Aviation District Office.

(Published in 18 F.R. 6871, Oct. 31, 1953, effective Nov. 25, 1953.)

43.46–2 *Application (FAA policies which apply to sec. 43.46).* An application will be made by the operator of the aircraft in the following manner:

(a) *Application form.* Obtain three copies of Form FAA–400, Application for Certificate of Waiver, from the local General Aviation District Office, and fill out all copies as follows:

(1) Type, or print, in ink.

(2) Give complete information on items 1 through 7.

(3) Sign all copies of the application on the reverse in the space provided for the applicant's signature.

(b) *Application procedure.*

(1) Submit all copies of the application to the local General Aviation District Office, and

(2) Arrange with the local agent for inspection of the aircraft, and equipment to be used, and the aircraft records.

(c) *Inspection.* Inspection of aircraft and equipment will include:

(1) Hitches, release mechanisms, and type of rope or cable used.

(2) Loading conditions of the aircraft.

(3) Area and procedure for dropping the tow or cable.

(4) Proper lighting for aircraft and tow when night operations are involved.

(5) General airworthy condition of the aircraft and tow.

(Published in 18 F.R. 6871, Oct. 31, 1953, effective Nov. 25, 1953.)

SPECIAL CIVIL AIR REGULATION NO. SR-446

Effective: May 25, 1961
Adopted: May 4, 1961
Published: May 10, 1961
(26 F.R. 4011)

Use of Portable Frequency Modulation (FM) Type Radio Receivers on Aircraft During Flight

In the latter part of 1958, the former Civil Aeronautics Administration received reports that certain portable electronic devices operated by passengers aboard aircraft were causing interference to aircraft communications and navigational systems. The reports received were very limited in number and not conclusive enough to warrant regulatory action at that time. However, since these reports indicated that such interference was possible, the CAA published a notice to airmen (NOTAM) in the Airman's Guide warning airmen and operators of this possibility.

Since 1958, various agencies, both government and industry, have conducted studies of this problem. Recently, during tests conducted by the Federal Aviation Agency's Bureau of Research and Development, it was found that radio receivers having local oscillators operating within or near the VHF omnirange (VOR) frequency band (108 to 118 mc.) cause interference which adversely affects the operation of an aircraft's VOR navigational system. Various types of portable radio receivers, (i.e., radio receivers capable of being carried aboard an aircraft by a passenger) were used in these tests to determine which would produce interference to the VOR equipment. It was determined that the portable frequency modulation (FM) radio receiver is the only type radio receiver, which is commonly used by the general public, that would create this unwanted interference. Therefore, I find that immediate regulatory action is necessary in order to provide adequately for safety in air commerce.

The rule adopted herein will prohibit the operation of portable FM radio receivers during flight on all aircraft operated by an air carrier or commercial operator. It also prohibits the operation of portable FM radio receivers on all other VOR-equipped civil aircraft of the U.S. while such VOR equipment is being used for navigational purposes. The added restriction in the case of aircraft operated by an air carrier or commercial operator is necessary since most of these aircraft are equipped with VOR navigational equipment and it would be difficult, if not impossible, for a passenger to know when the pilot in command was depending upon this equipment for navigational purposes.

It is realized that not all portable FM radio receivers utilize a local oscillator which will create interference with the airborne VOR equipment. However, it would not be feasible to expect the general public, airline personnel, or air crewmembers to distinguish which portable FM radio receiver will cause this interference. Accordingly, the provisions of this rule will apply to all portable FM radio receivers.

Since this Special Civil Air Regulation is of an emergency nature, I find that compliance with the notice and public procedure provisions of the Administrative Procedure Act would be impractical, and that good cause exists for making this regulation effective on less than 30 days' notice.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby adopted to become effective on May 25, 1961:

No person shall operate, nor shall any operator or pilot in command of an aircraft permit the operation of, a portable frequency modulation (FM) radio receiver on the following civil aircraft of the United States while such aircraft are engaged in flight in air commerce: (a) aircraft operated by an air carrier or commercial operator; and (b) any other aircraft equipped with VHF omnirange (VOR) navigational equipment while such VOR equipment is being used for navigational purposes.

This Special Civil Air Regulation shall remain in effect for one year unless sooner superseded or rescinded by the Federal Aviation Agency.

reference to persons authorized to perform them are contained in the applicable paragraphs of section 43.22 of Part 43. In addition, this section also provides for the acceptability of a required periodic inspection for a required 100-hour inspection. Although it is intended that the accomplishment of a periodic shall be accepted as satisfying the requirements of a 100-hour inspection, the reverse is not intended, as believed by some. The reason for this is that the performance of a periodic inspection requires a certificated mechanic to hold an inspection authorization issued in accordance with the provisions of section 24.43 of Part 24, whereas such inspection authorization is not required of mechanics performing a 100-hour inspection. A certificated mechanic holding an inspection authorization may perform 100-hour inspections in addition to performing periodic inspections. However, even though a 100-hour inspection is performed by a mechanic holding an inspection authorization, it may not be substituted for a periodic inspection since the periodic inspection has a different purpose than the 100-hour inspection.

Part 18 contains the provisions for persons authorized to perform and appprove 100-hour and periodic inspections. In order to preclude further misinterpretations, Part 43 is hereby amended to include specific reference to the pertinent sections of Part 18 which prescribe the authority of persons engaged in the maintenance of aircraft. Additionally, the "Note" at the end of section 43.22 of current Part 43 contains reference to the 100-hour and periodic inspections when related to the expiration or exchange of the old airworthiness certificate for the new type of indefinite duration. This "Note" has served its purpose and is no longer necessary. It is being deleted concurrently with the amendment to section 43.22.

Since this amendment is clarifying in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

Amendment revised section 43.22(a) and deleted the Note following section 43.22(c)(2).

Amendment 43–12

Clarification of Aircraft Limitations for Student Pilots

Adopted: Nov. 18, 1959.
Effective: Dec. 29, 1959.
Published: Nov. 24, 1959. (24 F.R. 9418)

Section 43.55 of Part 43 of the Civil Air Regulations provides that a student shall not pilot an aircraft other than that of the category, class, and type which has been endorsed on his student pilot certificate by a flight instructor. As used in this regulation, the word "type" was intended to mean the make and model of the aircraft which a flight instructor had found the student competent to operate in solo flight. It was not intended that such an endorsement would authorize the student pilot to operate any other make and model of aircraft in solo flight, regardless of its similarity to the aircraft covered by the endorsement.

It is also true that similarity in design of some aircraft, especially those of the same manufacturer, could present substantial difficulty in determining whether two particular aircraft are, or are not, of the same type. The lack of clarification of this point has resulted in some student pilots operating, or attempting to operate, aircraft which they were not competent to fly.

Civil Air Regulations Draft Release No. 59–8 proposed substitution of the words "make and model" in lieu of the word "type". The words "category" and "class" have also been deleted as they are superfluous when the words "make and model" are used.

This amendment should increase safety by eliminating the possibility of misinterpretation of the intent of the regulation.

Interested persons have been afforded an opportunity to participate in the making of this amendment (24 F.R. 5613), and due consideration has been given to all relevant matter presented.

Amendment revised section 43.55.

Amendment 43–13

Installation and Use of Flight Recorders in Certain Airplanes Used by Air Carriers and Commercial Operators	Adopted: May 1, 1961 Effective: June 6, 1961 Published: May 9, 1961 (26 F.R. 3985)

The currently effective provisions of Parts 40, 41, and 42 of the Civil Air Regulations require the installation and use of an approved flight recorder on all large airplanes (more than 12,500 pounds maximum certificated takeoff weight) certificated for operations above 25,000 feet, and on all large turbine-powered airplanes, when such airplanes are being operated under the terms of an air carrier or commercial operator certificate. These rules are not applicable while the airplanes are being used by an air carrier or a commercial operator for flight checks, training flights, ferry flights, airworthiness test flights, or other operations conducted in accordance with the general operation rules of Part 43.

Civil Air Regulations Draft Release No. 60–18, dated November 23, 1960 (25 F.R. 12299, 12524), proposed to amend Part 43 to require the holder of an air carrier or commercial operating certificate to have installed and in operation an approved flight recorder on all large turbine-powered airplanes, and on all other large airplanes certificated for operation above 25,000 feet, when such airplanes are being used for flights conducted in accordance with the general operation rules. For purposes of clarity, the usual types of operation to which the rule would be applicable were listed in the proposal as flight checks, training flights, ferry flights, or airworthiness test flights. Provisionally certificated airplanes falling within the scope of this proposed rule were to be allowed until May 1, 1961, to comply.

As stated in Draft Release 60–18, the safety considerations which formed the basis of the flight recorder provisions of Parts 40, 41, and 42 are equally applicable to other operations, such as flight checks, training flights, airworthiness test flights, and ferry flights, when such flights are conducted by air carriers and commercial operators with large airplanes certificated for operation above 25,000 feet and with large turbine-powered airplanes. It is essential, therefore, that information be obtained for accident investigation and other safety purposes when these airplanes are being used to conduct any flight, regardless of the regulations under which such flights are conducted.

All comments received in response to Draft Release 60–18 indicated general concurrence with the rule as proposed. However, several persons pointed out the need for greater flexibility in the conduct of ferry flights with an inoperative flight recorder, and of airworthiness test flights with the recorder turned off. In light of these comments, the rule as adopted herein will permit the ferry flight of a newly acquired airplane not equipped with a flight recorder from the place of delivery to a base where a recorder is to be installed. Also, the rule will permit an airplane with an inoperative flight recorder, when located at a place where repair or replacement facilities are not available, to be ferried to a place where the recorder can be repaired or replaced. In addition, in the event of failure of the flight recorder after the airplane becomes airborne on a ferry flight, the flight will be permitted to continue as planned, rather than required to terminate at the next stop where repairs or replacements can be made. Provisions have also been included to allow the flight recorder to be turned off during airworthiness test flights conducted to test the operations of the recorder, or communication or electrical systems, when the successful conduct of such tests so requires.

Since the effective date of this amendment is later than the May 1, 1961, compliance date proposed for provisionally certificated airplanes, the requirement for flight recorders on such airplanes is not stated as a separate provision in the rule. However, the requirement for flight recorders, as set forth herein, is applicable to provisionally certificated airplanes.

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

Amendment added new section 43–32.

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