CIVIL AIR REGULATIONS

PART 44

FOREIGN AIR CARRIER REGULATIONS

As Amended to September 1, 1949

CIVIL AERONAUTICS BOARD

WASHINGTON, D. C.

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AUTHORITY: §§ 44.0 to 44.7 issued under sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601, 610, 52 Stat. 1007, 1016; 49 U. S. C. 551, 560]

SOURCE: §§ 44.0 to 44.7 contained in Amendment 44–0, 10 F. R. 6366, except as noted following section affected.

§ 44.0 *General.* The regulations in this part shall apply to operations within the United States by aircraft of a foreign air carrier holding a permit issued by the Board pursuant to the provisions of section 402 of the Civil Aeronautics Act of 1938.

§ 44.1 *Definitions.* (a) As used in this part the words listed below shall be defined as follows:

(1) *Category.* Category shall indicate a classification of aircraft such as airplane, helicopter, glider, etc.

(2) *Type.* Type shall mean all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics.

(3) *United States.* United States shall mean the continental United States and any outlying Territories under its jurisdiction (including the Canal Zone).

[Amdt. 44–1, 14 F. R. 2193]

§ 44.2 *Operations specifications.* All operations within the United States shall be conducted in accordance with operations specifications issued by the Administrator of Civil Aeronautics which shall include the airports to be used, the routes or airways to be flown, and such operating rules and practices pertaining thereto as are necessary in the interest of avoiding collision between foreign aircraft and other aircraft.

§ 44.3 *Aircraft airworthiness.* Each air carrier aircraft shall be possessed of a currently effective certificate of airworthiness issued by the country whose nationality it possesses. The air carrier shall not operate any airplane within the United States at weights in excess of the maximum weights authorized by the country of origin of the airplane type involved.

[Amdt. 44–1, 12 F. R. 950, as amended by Amdt. 44–1, 14 F. R. 2198]

§ 44.4 *Radio equipment.* The air carrier shall, subject to compliance with the applicable laws and regulations governing the ownership and operation of radio equipment, provide each aircraft with such radio equipment as is necessary to make proper use of the air navigation facilities along or adjacent to the route to be flown within the United States and to maintain communication with ground stations along and adjacent to such routes.

§ 44.5 *Flight crew certificates.* Each member of the flight crew shall be possessed of a currently effective certificate or license issued by the country whose nationality the aircraft possesses, evidencing competency to perform his duties in connection with the operation of such aircraft.

§ 44.6 *Air traffic rules and procedures.* All operations within the United States shall be conducted in accordance with the air traffic rules prescribed in Part 60 of this subchapter and with such local rules as are established at the airports to be used. Each pilot assigned to serve in such operations shall be familiar with the pertinent rules, with the navigational and communication facilities to be used, and with the air traffic controls and other procedures employed in the areas to be traversed. Each air carrier shall establish procedures to insure the possession of such knowledge by its pilots and shall check the ability of each pilot to operate safely in accordance with the applicable rules and procedures. Each foreign air carrier shall conform to the same practices, procedures, and other requirements for the use of the areas to be traversed as are prescribed by the Administrator of Civil Aeronautics for domestic air carriers using such areas.

§ 44.7 *Control of traffic.* The air carrier shall, subject to compliance with immigration laws and regulations, furnish the ground personnel necessary to provide for two-way voice communication between the aircraft and ground stations at such places as the Administrator of Civil Aeronautics finds voice communication necessary, if communication cannot be maintained in a language with which ground station operators are familiar. Such personnel shall be able to speak both the English language and the language necessary to maintain communication with the aircraft and shall assist ground personnel of the United States in directing traffic. These requirements shall not be applicable in cases where the Administrator of Civil Aeronautics finds that such traffic can be adequately controlled by the use of radiotelegraphy or other means.

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