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TITLE 14 - AERONAUTICS AND SPACE

CHAPTER I - FEDERAL AVIATION AGENCY

[Regulatory Docket No 1493; Regulation No. SR-455]

[Affects 14 CFR Parts 40, 41, 42, and 46]

SPECIAL CIVIL AIR REGULATION

Air Carrier Inspector's Credential; Admission to Pilot's Compartment

The purpose of this Special Regulation is to authorize Federal Aviation Agency inspectors, upon presentation of the Credential Form ACA-110A, to have access to the pilot's compartment of an aircraft for the purpose of conducting his assigned duties during an enroute or other inspection.

Under the present provisions of the regulations governing the operation of air carriers and commercial operators, inspectors of the Federal Aviation Agency are authorized to enter and have a seat available for their use in the pilot's compartment of an aircraft while conducting an enroute inspection of the air carrier or commercial operator involved.

Inspectors who are authorized by the Administrator to conduct such inspections are furnished a credential Form ACA-110A, entitled "Air Carrier Inspector's Credential". This form contains a picture and description of the inspector to whom it is issued and certifies that he is assigned to the duty of inspecting during flight air carrier aircraft, engines, propellers, appliances, route facilities, operational procedures or airman competency. It also contains an authorization for the inspector to enter and have access to the pilot's compartment in the performance of his duties. This authorization is, of course, necessary to conduct the required government inspections specified in §§ 40.22, 41.5, 42.8 and 46.22 of the Civil Air Regulations (14 CFR, Parts 40, 41, 42 and 46).

For many years the Form ACA-110A, or a similar credential has been

used by inspectors of the FAA and its predecessor agencies as the official identification of those inspectors authorized to have access to the pilot's compartment in the performance of their duties. Until recently, there were no incidents in which the authority of these inspectors was questioned by the air carriers or the crewmembers. With the introduction into service of new type turbojet airplanes the Agency adopted Special Civil Air Regulation SR-440 (25 F.R. 5146) to make it clear that these inspectors must be given full and uninterrupted access to the aircraft, including a seat on the flight deck, as determined by the Administrator, for the proper performance and discharge of their en route inspection duties.

The Agency now finds that incidents have occurred in which the flight crewmembers have questioned the validity of the Form ACA-110A, or have refused to recognize such credential as authority to enter the pilot's compartment, and thereby obstructed or impeded the official duties of the inspector presenting the credential. To avoid any further repetition of such incidents it is necessary to adopt an additional rule which authorizes an inspector, upon presentation of the Credential Form ACA-110A, to have access to the pilot's compartment of an aircraft for the purpose of conducting his assigned duties during an en route or other inspection.

Notwithstanding the adoption of this rule each inspector of the Agency will continue, whenever possible, to give prior notification of the inspection in accordance with the procedures established by the air carrier concerned. However, there will be instances in which this notification is not practicable or feasible such as in the case of an emergency or special inspection, or an inspection originating at an intermediate stop.

Therefore, in order to avoid any misunderstanding in this regard, it is to be noted that the lack of a prior notification by an inspector conducting an en route inspection does not affect his authority under this rule. In addition, it is to be noted that the inspector's authority under this rule is not affected in those cases in which the air carrier has failed to provide the necessary instructions or procedures by which an inspector may be given access to the pilot's compartment with or without a prior company clearance.

This rule, as in the case of that contained in SR-440, is declaratory of a long standing practice of the Agency. It imposes no additional burden on any person and compliance with the notice, procedures and effective date provisions may impede the due and timely execution of the functions of the FAA.

In consideration of the foregoing, this Special Civil Air Regulation is adopted with an immediate effective date to make it clear to all concerned that -

(1) the Form ACA-110A, "Air Carrier Inspector's Credential" certifies that the inspector named and described thereon is authorized to conduct en route or other inspections on aircraft of an air carrier or commercial operator, and

(2) upon presentation of this credential to the pilot in command of an aircraft he will be admitted and given access to the pilot's compartment of the aircraft for the performance of his duties.

The following Special Civil Air Regulation is hereby adopted to become effective November 28, 1962.

Whenever an inspector of the Federal Aviation Agency shall, in the performance of his duties of conducting an inspection, present his credential Form ACA-110A, "Air Carrier Inspector's Credential",[1/] to the pilot in command of an aircraft operated by an air carrier or commercial operator, he shall be given free and uninterrupted access to the pilot's compartment of such aircraft.

1/ This credential contains a picture and description of the inspector to whom it is assigned and certifies that he is assigned to the duty of inspecting during flight. It also contains an authorization for the inspector to have access to the pilot's compartment in the performance of such duty.

(Sections 313(a), 601, 604 and 609; 72 Stat. 752, 775, 778, 779; 49 U.S.C. 1354(a), 1421, 1424, 1429).

Administrator

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