Civil Aeronautics Manual 42a[1]

Certification and Operation Rules for Commercial Operators and Air Taxi Operators; Small Aircraft[1]

FEDERAL AVIATION AGENCY

February 15, 1960
[1] November 11, 1963

Federal Aviation Agency
Washington, D.C.

Civil Aeronautics Manual 42

Irregular Air Carrier and Off-Route Rules

Supplement No. 9, CAM 42 dated February 15, 1960 **Nov. 1, 1963**

SUBJECT: Revisions to CAM 42.

This supplement is issued to incorporate into CAM 42 Special Civil Air Regulation No. SR-395B and the changes it made in the currently effective manual.

This special regulation which becomes effective November 11, 1963, among other things redesignates current Part 42 (CAM 42) as Part 42a (CAM 42a) and amends its title to read "Certification and Operation Rules for Commercial Operators and Air Taxi Operators; Small Aircraft," and amends section 42a.0 of the redesignated Part.

New or revised material is enclosed in black brackets on the pages submitted with this supplement, except Special Civil Air Regulation No. SR-395B.

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VII and VIII	VII and VIII
1 and 2	1 and 2
—	132-1 and 132-2

G. S. MOORE, *Director,*
Flight Standards Service.

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[Certification and Operation Rules for Commercial Operators and Air Taxi Operators; Small Aircraft]

General

[42a.0 *Applicability of this part.* The certification and operations provisions of this part apply to air taxi operations as defined in section 298.2(b) of the Board's Economic Regulations and the operations provisions apply to commercial operators, as defined in section 42.5, using small aircraft only.]

[42a.0-1] *Charter flights or other special services (FAA policies which apply to sec. [42a.0]).*

(a) *General.* The policies provided in this section will be applied by the Federal Aviation Agency in amending a scheduled air carrier operating certificate to authorize charter flights or other special services.

(b) *Authority.* Upon application, a scheduled air carrier electing under section 42.0 (b) to conduct charter trips or other special services pursuant to the provisions of its scheduled air carrier operating certificate, may have such certificate amended to authorize such operations.

(c) *Application for amendment.* Application for this amendment will consist of submission of form ACA–1014, Operations Specifications, available at the local district office.[1] On the face (blank side) of the form, the air carrier will list all the operations for which authorization is desired, as outlined in paragraph (d) of this section. The air carrier will also complete the upper half of the back of the form, and submit the signed original and four copies to the local inspector.[2]

(d) *Operations specifications.* The amended scheduled air carrier operating certificate will include form ACA–1014, Operations Specifications, and an amendment to the scheduled air carrier operating certificate. The amendment will be issued by the FAA regional office having direct inspectional responsibility for the principal operations of the air carrier. The form ACA–1014 will be prepared by the applicant; and will be prefaced by the statement: "Charter Flights or Other Special Services are authorized in the following category and class aircraft under the conditions specified and within the areas of operation listed."; and will specify the category and class of aircraft authorized to be used (e. g., Airplane Multiengine Land); the flight conditions under which operations are authorized (e. g., VFR (Day), VFR (Night), IFR (Day), IFR (Night); whether the carriage of passengers, cargo, or both is authorized; and the areas of operation (e. g., continental United States, and specific United States territories or possessions and foreign countries or possessions).

(e) *Operation outside the United States, its territories or possessions.* When applying for an amendment to a scheduled air carrier operating certificate to include charter or other special services outside the United States, its territories or possessions, the following paragraph will also be included on the form ACA–1014:

When operating aircraft pursuant to the terms of this certificate and these operations specifications over or within any foreign country, the air carrier shall comply with the provisions of the air traffic rules of such country, including any special air traffic rules applicable to air carriers, except where any rule prescribed in the Civil Air Regulations is more restrictive

[1] "District office", unless otherwise specified means "Bureau of Flight Standards District Office."

[2] "Inspector", unless otherwise specified means "Bureau of Flight Standards Inspector."

and may be followed without violating the rules of such country.

(f) *Area of operation.*

(1) The air carrier should specify in the space provided under the section of the operations specifications entitled "Area of Operation Authorized" the proposed areas of operation.

(2) If the air carrier is able to show to the satisfaction of the assigned inspector that it is able to conduct charter flights or special services on a worldwide basis, the following phraseology should be used in filling out the section of the operations specifications pertaining to area of operation:

> "The air carrier is authorized to conduct charter flights or other special services within the United States and between any point within the United States and any point outside thereof."

(3) If the air carrier does not desire to conduct charter operations to the extent indicated in subparagraph (2) of this paragraph, the specific areas to and from which charter operations are contemplated should be listed in the operations specifications. Such listing should show the particular countries or possessions of such countries instead of continental areas. Operations within the United States should be shown as "Continental United States". When a country or possession is comprised of a number of islands, the island group rather than the individual islands should be listed.

(g) *Flight operations and maintenance manuals.* Prior to the conduct of operations off route, the Flight Operations and Maintenance Manuals will be revised to incorporate additional instructions to flight and ground personnel for the operation, servicing and handling of the aircraft used in this type of service.

(h) *Scheduled air carriers holding irregular air carrier operating certificates.* A scheduled air carrier holding an irregular air carrier operating certificate may conduct charter flights or other special services both on route and off route under the provisions of such certificate and this part without amending its scheduled air carrier operating certificate in accordance with the above. However, if a scheduled air carrier, holding an irregular operating certificate elects to amend its scheduled operating certificate to include charter flights or other special services, the irregular operating certificate will be surrendered to the Federal Aviation Agency for cancellation at the time the amendment to the scheduled operating certificate becomes effective.

(Published in 15 F. R. 3150, May 24, 1950, effective upon publication in the Federal Register; amended in 18 F. R. 1719, Mar. 27, 1953, effective Apr. 15, 1953 further amended in 21 F. R. 1697, Mar. 17, 1956 effective May 17, 1956; amended effective June 15, 1957.)

[42a.0–2] *Provisions of [Part 42a] which are applicable to air taxi operators (FAA interpretations which apply to sec. [42a.0] and SR–395A).* See appendix B.

(Published in 19 F. R. 1601, Mar. 25, 1954, effective Apr. 1, 1954; amended effective June 15, 1957.)

[42a.0–3] *Operations for which an Air Taxi Operator Certificate is not required (FAA interpretations which apply to sec. [42a.0] and SR–395A).* See appendix B.

(Published in 19 F. R. 1601, Mar. 25, 1954, effective Apr. 1, 1954; amended effective June 15, 1957.)

[42a.1] *Definitions.* As used in this part the words listed below shall be defined as follows:

***Accelerate-stop distance.* Accelerate-stop distance is the distance required to reach the critical point of takeoff and, assuming failure of the critical engine at that point, to bring the airplane to a stop using approved braking means. (See the airworthiness requirements under which the airplane was type certificated for the manner in which such distance is determined.)**

***Air carrier.* Air carrier means any citizen of the United States who undertakes directly the carriage by aircraft of persons or property as a common carrier for compensation or hire, whether such carriage is wholly by aircraft or partly by aircraft and partly by other forms of transportation between any of the following places: A place in any State of the United States, or the District of Columbia, and a place in any other State of the United States, or the District of Columbia; places in the same State**

SPECIAL CIVIL AIR REGULATION NO. SR-395B

Effective: November 11, 1963
Adopted: July 6, 1963

Part 42a—Certification and Operation Rules for Commercial Operators and Air Taxi Operators; Small Aircraft

Part 45—Commercial Operator Certification and Operation Rules

Miscellaneous Amendments

Currently effective Part 42 of the Civil Air Regulations contains provisions which are applicable to supplemental air carriers, commercial operators, and air taxi operators, who conduct operations in large or small aircraft.

In the enactment of Part 42, which is being adopted by the Agency, the requirements for small aircraft operations have been deleted. In lieu thereof, the Agency has circulated proposed Part 125 [New] of the Federal Aviation Regulations which will govern air taxi operations, as defined in section 298.2(b) of the Board's Economic Regulations, commercial operators using small aircraft, and scheduled air carriers who are permitted by the Administrator to operate their small aircraft under this part.

However, until the proposed Part 125 is adopted and becomes effective, it is necessary that the air taxi provisions of currently effective Part 42 remain in effect. Accordingly, this special regulation continues currently effective Part 42 in effect and redesignates it as Part 42a.

Currently, Part 45 governs commercial operators using small or large aircraft. Proposed Part 42, effective November 11, 1963, provides for the certification and operation of commercial operators using large aircraft. This obviates the need for the provisions of Part 45 governing them. Special Regulation 395B incorporates the provisions of Part 45 relating to commercial operators using small aircraft. The enactment by the Agency of new Part 42 and this special regulation completely obviates the need for Part 45. The Agency is therefore rescinding Part 45, as previously indicated in the preamble to revised Part 45 (28 F.R. 2001), which became effective May 1, 1963.

Current Special Regulation 395A authorizes air taxi operators to be certificated and to operate under the provisions of current Part 42. By revising the applicability of that part, Special Regulation 395B authorizes air taxi operators as well as commercial operators using small aircraft to be certificated and to conduct operations under Part 42a. The Agency is therefore rescinding Special Regulation 395A.

In consideration of the foregoing, effective November 11, 1963, the following Special Civil Air Regulation is adopted.

1. Part 45 of the Civil Air Regulations is rescinded.

2. Special Regulation 395A of the Civil Air Regulations is rescinded.

3. Current Part 42 is redesignated as Part 42a and its title is amended to read as follows: Part 42a—Certification and operation rules for commercial operators and air taxi operators; small aircraft.

4. Section 42a.0 is amended to read as follows:

42a.0 *Applicability of this part.* The certification and operations provisions of this part apply to air taxi operations as defined in section 298.2(b) of the Board's Economic Regulations and the operations provisions apply to commercial operators, as defined in section 42.5, using small aircraft only.

This Special Civil Air Regulation is issued under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1424).

U. S. GOVERNMENT PRINTING OFFICE : 1963 O - 711-581