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TITLE 14 - AERONAUTICS AND SPACE

CHAPTER I - FEDERAL AVIATION AGENCY

[Regulatory Docket No. 1235; Amendment 49-47]

PART 49 - TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Authorization for Use of Facsimile Signature

Section 49.13(a) of the Civil Air Regulations prohibits a shipper from offering, or an air carrier or other operator of civil aircraft from knowingly accepting, explosives and other dangerous articles for carriage by air unless the package is accompanied by or shows a clear and plainly visible statement signed by the shipper or his duly authorized agent that the shipment complies with the requirements of Part 49 of the Civil Air Regulations. Section 49.13(b) requires that this certification of compliance be made upon the ICC label affixed to each package when there is a provision on the face of the label for such certification. When the label used does not have such a provision, the certification must be made in duplicate and signed by the shipper or his duly authorized agent for each consignment.

The increase in the manufacture of new chemicals and other restricted materials has resulted in a greater demand for the shipment of these articles by air. Manufacturers who produce and ship by air large quantities of these articles have met with delays in preparing them for shipment because of the necessity of having each label or statement actually signed by the shipper or a duly authorized agent. It has been recommended that

the shipper be permitted to have the label or statement stamped with a facsimile signature of the shipper or his authorized agent as an alternative to the actual signature. This practice is permitted in other forms of transportation which are regulated by the Interstate Commerce Commission. It has been determined that the use of the stamped certificate of compliance is satisfactory and has caused no safety problems.

The authorization for the use of a facsimile signature under Part 49 would conform with the requirements for the shipment of these articles in other forms of transportation and thus facilitate their acceptance for shipment by air. The use of a facsimile signature identifies the shipper as clearly as an actual signature, thus meeting that purpose of the regulation.

Since this amendment relieves a restriction and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 49 of the Civil Air Regulations (14 CFR Part 49) is hereby amended as follows, effective June 7, 1962:

1. By amending § 49.13(a) by substituting for the first sentence in that section the following two sentences:

> "No shipper shall offer, and no air carrier or other operator of aircraft shall knowingly accept, explosives and other dangerous articles for carriage by air unless the package is accompanied by, or shows, a clear and plainly visible statement that the shipment complies with the requirements of this

part which shall be signed by the shipper or his duly authorized agent. The shipper or his duly authorized agent may use a facsimile stamp of his signature in lieu of his actual signature.

2. By amending the Note following § 49.13(a) by inserting in the first sentence the words "or stamped with the facsimile signature of" after the words "signed by".

3. By amending § 49.13(b) by inserting in the second sentence the words "or stamped with the facsimile signature of" after the words "signed by".

4. By amending § 49.13(b) by inserting in two places in the third sentence between the words "signed" and "copy" the words "or stamped".

(Secs. 313(a), 601, 604, 902; 72 Stat. 752, 775, 778, 784; 49 U.S.C. 1354(a), 1421, 1424, 1472)

Administrator

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