

Affects Parts: 40, 41, 42,
43, 45, 46

Regulation No. SR - 446

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D. C.

Effective: May 25, 1961

Issued: May 4, 1961

Special Civil Air Regulation No. SR - 446

[Reg. Docket No. 737; Reg. SR-446]

**PART 40—SCHEDULED INTERSTATE
AIR CARRIER CERTIFICATION AND
OPERATION RULES**

**PART 41—CERTIFICATION AND OP-
ERATION RULES FOR SCHEDULED
AIR CARRIER OPERATION OUTSIDE
THE CONTINENTAL LIMITS OF THE
UNITED STATES**

**PART 42—IRREGULAR AIR CARRIER
AND OFF-ROUTE RULES**

**PART 43—GENERAL OPERATION
RULES**

**PART 45—COMMERCIAL OPERATOR
CERTIFICATION AND OPERATION
RULES**

**PART 46—SCHEDULED AIR CARRIER
HELICOPTER CERTIFICATION AND
OPERATION RULES**

**Special Civil Air Regulation; Use of
Portable Frequency Modulation
(FM) Type Radio Receivers on Air-
craft 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 Mcs.) 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) navigation 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.

(Secs. 313(a) and 601; 72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421)

Issued in Washington, D.C., on May 4, 1961.

N. E. HALABY,
Administrator.

[F.R. Doc. 61-4294; Filed, May 9, 1961;
8:52 a.m.]

(As published in the Federal Register 26 F. R. 4011 on May 10, 1961)