

Affects Parts: 41, 42
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Regulation No. SR-373A

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD *CAA Library*
WASHINGTON, D. C.

Effective: June 10, 1954

Adopted: June 4, 1954

SPECIAL CIVIL AIR REGULATION

EXTENSION OF SPECIAL AUTHORIZATION TO RESORT AIRLINES, INC.

Resort Airlines, Inc., (Resort) holds a temporary certificate of public convenience and necessity to engage in all-expense tours in overseas and foreign air transportation which is effective until August 9, 1954. On November 14, 1949, the Civil Aeronautics Board promulgated Special Civil Air Regulation SR-338 which authorized the Administrator of Civil Aeronautics to issue to Resort an air carrier operating certificate under the provisions of Part 42 of the Civil Air Regulations.

In initially adopting SR-338, the Civil Aeronautics Board anticipated that the nature of Resort's operations would produce an irregularity of flight operations dissimilar to those of the usual certificated air carrier engaging in overseas or foreign air transportation. It did not appear reasonable, therefore, to require this carrier to comply fully with the provisions of Part 41 over all segments of its routes. However, recognizing the possibility that its services might expand sufficiently to warrant the application of the requirements of Part 41, the Board provided that certain provisions of Part 41 would apply to Resort should its operations exceed given frequencies. Since the same conditions that led to the promulgation of SR-338 existed at the time of its expiration, Special Civil Air Regulation SR-373, adopted September 21, 1951, continued these provisions until June 9, 1954.

In reviewing the operations of Resort we find that the circumstances which led to the promulgation of SR-338 and SR-373 are essentially the same at this time except for at least one route segment on which Resort has exceeded the frequencies specified in the regulation. However, the Board has been informed that Resort is complying with the communications, pilot route competency, and dispatching requirements of Part 41 as required by SR-373. Because it appears that the operations of Resort have been conducted safely under these special regulations, this regulation continues the provisions of SR-373. Since the extent of duration of Resort's economic authority beyond August 9, 1954, is unknown at this time, this regulation shall terminate on June 9, 1957, or upon the termination of its economic authority, or not later than 60 days after a major change to that authority, whichever shall first occur.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective on less than thirty days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective June 10, 1954:

1. Contrary provisions of the Civil Air Regulations notwithstanding, Resort Airlines, Inc., is hereby authorized to conduct its operations under the provisions of Part 42 of the Civil Air Regulations; Provided, That where the operation of aircraft carrying passengers between any two points exceeds the regularity or frequency set forth in paragraph 2 hereof, the carrier shall comply additionally with the provisions of Part 41 relating to communications, pilot route competency, and dispatching, as heretofore or hereafter amended, and promptly notify the Administrator of such compliance.

2. Two flights, or one round trip, a week on the same day or days of the week for eight or more weeks in any 90 consecutive days; or a total of 36 or more flights, or 18 or more round trips, in any 90 consecutive days.

3. This regulation supersedes Special Civil Air Regulation SR-373, and shall terminate on June 9, 1957, or upon the termination of the economic operating authority of Resort Airlines, Inc., or 60 days after a major change to that authority, whichever shall first occur, unless sooner superseded or rescinded by the Board.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U.S.C. 551, 554)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)

Point, as used herein, shall mean any airport or place where aircraft may be landed or taken off, including the area within a 25-mile radius of such airport or place.