

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

Effective: November 1, 1953

Adopted: October 29, 1953

SPECIAL CIVIL AIR REGULATION

DELEGATION OF AUTHORITY TO THE ADMINISTRATOR TO PERMIT AIR
CARRIERS UNDER CONTRACT TO THE MILITARY SERVICES TO DEVIATE FROM
PARTS 40, 41, 42, 45, AND 61 OF THE CIVIL AIR REGULATIONS

On July 31, 1953, Special Civil Air Regulation SR-385A was adopted extending until November 1, 1953, the authority of the Administrator to permit air carriers under contract to the military services to deviate from Parts 40, 41, 42, 45, and 61 of the Civil Air Regulations. This limited extension was adopted at that time to permit the Board to investigate more fully the question as to the necessity for continuing this authority.

A meeting was held in Washington, D. C., which interested industry and government representatives attended, to discuss the entire problem. The result of this meeting is a proposed revised Special Civil Air Regulation, for which a notice of proposed rule making is being issued concurrently with this regulation. In view of the fact that the authority delegated to the Administrator terminates on November 1, 1953, and insufficient time exists for the promulgation of the new proposed Special Civil Air Regulation prior to that date, this regulation extends until Feb. 1, 1954, the authority previously granted to the Administrator. This extension will permit sufficient time for the study and receipt of comment concerning the new proposed Special Civil Air Regulation.

Since the time remaining prior to November 1, 1953, is insufficient to permit normal rule making procedure and delay beyond that date would operate contrary to the purpose of the regulation, the Board finds that notice and public procedure hereon are impracticable; and since this regulation imposes no additional burden on any person, the regulation may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates a Special Civil Air Regulation, effective November 1, 1953, to read as follows:

1. Contrary provisions of the Civil Air Regulations notwithstanding, the Administrator may, upon application by an air carrier, authorize an air carrier, under contract to the military services, or an air carrier furnishing civil aircraft and/or flight crews to another air carrier for use in operations conducted pursuant to a contract with the military services, to deviate from the applicable provisions of Parts 40 (including revised Part 40), 41, 42, 45, and 61 to the extent that he finds upon investigation a deviation from those regulations is necessary for the expeditious conduct of such operations.

2. Any authority granted by the Administrator pursuant to this regulation shall be limited to those operations conducted pursuant to military contracts and shall not be applicable to any other type of operation.

3. The Administrator shall, in any authorization granted pursuant to this regulation, specify the terms and conditions under which the air carrier may deviate from the currently prescribed regulations, and each carrier shall, in the conduct of operations pursuant to military contracts, comply with such terms and conditions.

This regulation shall terminate February 1, 1954, unless sooner superseded or rescinded.

(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

(SLAL)