

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

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Effective: May 25, 1962
Issued: May 22, 1962

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

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

**PART 41—CERTIFICATION AND OP-
ERATION RULES FOR CERTIFI-
CATED ROUTE AIR CARRIERS
ENGAGING IN OVERSEAS AND
FOREIGN AIR TRANSPORTATION
AND AIR TRANSPORTATION WITH-
IN HAWAII AND ALASKA**

**PART 42—IRREGULAR AIR CARRIER
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**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 1961, during tests conducted by the Federal Aviation Agency's Aviation Research and Development Service, 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 com-

monly used by the general public, that would create this unwanted interference. Therefore, it was found that immediate regulatory action was necessary in order to provide adequately for safety in air commerce.

Accordingly, on May 4, 1961, the Federal Aviation Agency issued Special Civil Air Regulation No. SR-446 (26 F.R. 4011) to become effective May 25, 1961. This regulation, which will expire May 24, 1962, prohibits the operation of portable FM radio receivers during flight on all civil aircraft of the United States operated by an air carrier or a commercial operator. It also prohibits the operation of portable FM radio receivers on all other VOR-equipped civil aircraft of the United States while such VOR equipment is being used for navigational purposes. The added restriction in the case of aircraft operated by an air carrier or a commercial operator was 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. In addition, although not all portable FM radio receivers utilize local oscillators which will create interference, it was necessary to make the rule applicable to all portable FM radio receivers since it would not be feasible to expect the general public, airline personnel, or air crewmembers to distinguish which will cause this interference.

The tests which disclosed the interference problems caused by FM radio receivers were not completed at the time SR-446 was issued in 1961. Therefore, to simplify revision of the rule if additional interference problems were found by the tests, SR-446 was issued as a temporary rule, effective for a one-year period. When SR-446 was issued, the Agency had intended, prior to its expiration, to incorporate the provisions of the rule into the applicable operating parts, i.e., Parts 40, 41, 42, 43, 45, and 46. However, since

the final evaluation of these tests by all interested industry parties has not been completed, this action has not been taken. Accordingly, since the conditions under which SR-446 was issued still exist, it is necessary, in order to provide adequately for safety in air commerce, to extend the provisions of that rule for a period of one year.

Since this regulation extends the provisions of a currently effective regulation which expires on May 24, 1962, and a lapse in the effectiveness of the regulation would endanger safety in air commerce, I find that notice and public procedure hereon would be contrary to the public interest, and that good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, Special Civil Air Regulation No. SR-446 is superseded by the following Special Civil Air Regulation which is hereby adopted to become effective on May 25, 1962:

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) navigational equipment while such VOR equipment is being used for navigational purposes.

This special regulation supersedes Special Civil Air Regulation No. SR-446 and 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. 1352, 1421)

Issued in Washington, D.C., on May 22, 1962.

HAROLD W. GRANT,
Acting Administrator.

[F.R. Doc. 62-5065; Filed, May 24, 1962;
8:51 a.m.]

(As published in the Federal Register 27 F.R. 4906 7 May 25, 1962)

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 omni-range (VOR) frequency band (108 to 118 Mc.) 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 omni-range (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.

[P.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)

Fm-430

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

Effective: June 3, 1961
Issued: May 26, 1961

Special Civil Air Regulation No. SR-447

[Reg. Doc. 644; Reg. No. SR-447]

PART 49—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Authority To Deviate From Certain Provisions of Civil Air Regulations Within the State of Alaska

Many of the hunting, fishing, logging, and mineral exploration sites in Alaska are in remote and relatively isolated areas where transportation by air is the only practicable means of access. Flights to these areas usually are made in small aircraft carrying passengers and their supplies and equipment. However, these passengers are not permitted to carry sufficient gasoline to operate their outboard motors, chain saws, cook stoves, lanterns, and related equipment, due to the restrictive provisions of Part 49 of the Civil Air Regulations.

The current provisions of Part 49 limit the quantity of gasoline that may be carried in passenger-carrying aircraft to 50 pounds in any cargo pit or bin when packed in one quart inside containers which are packed in a strong outside container with suitable cushioning and absorbent material to prevent breakage or leakage. Therefore, passengers desiring to transport greater quantities of gasoline packed in larger containers, such as refinery sealed cans of 5-gallon capacity, are required to utilize a cargo-only flight for this purpose. Such a requirement places an undue burden on the passengers and does not permit full utilization of the aircraft in the manner intended. The remoteness of many areas in Alaska, with the consequent dependence on air transportation as a means of access to those areas, indicates that there is a need for relief from the gasoline quantity restriction of Part 49 with respect to those small aircraft not engaged in scheduled passenger-carrying operations.

Certain air carriers in Alaska have previously been granted individual authorizations for the carriage, under specified conditions, of not more than 20 gallons of gasoline in the cabin of small

passenger-carrying aircraft operated in charter operations. Alaska Coastal Airlines presently holds Exemption No. 149, expiring February 15, 1963, granting such authorization. The experience gained under these individual authorizations has indicated that gasoline can be carried under such specified conditions without an adverse effect on safety. Since there is a need by other operators to transport gasoline in the larger quantities under consideration, it would be consistent with present procedures to grant special authority to the operators of small aircraft, not engaged in scheduled passenger-carrying operations, to deviate from the provisions of Part 49 to the extent provided herein.

The provisions of this Special Civil Air Regulation authorizes deviations from Part 49 only with respect to the carriage of up to 20 gallons of gasoline in passenger-carrying aircraft in other than scheduled operations. The shipper and operator are required to comply with the requirements of Part 49 in all other respects.

Prior to engaging in operations pursuant to this Special Civil Air Regulation, each operator will be required to furnish the Chief, Flight Standards Field Division, Region 5, with (1) a list showing the type of aircraft, registration number, and the area in which the aircraft is to be operated, and (2) a statement that such carriage is necessary to meet the needs of passengers, and that air is the only practicable means of transportation.

This special regulation shall continue in effect until July 15, 1963. Prior to this date, the experience gained under this authorization will be evaluated for the purpose of considering the incorporation of the substance of this rule in the permanent body of the Civil Air Regulations.

Since this special regulation grants relief and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and good cause exists for making it effective immediately.

In consideration of the foregoing, the

following Special Civil Air Regulation is hereby adopted, to become effective June 3, 1961.

1. Contrary provisions of §§ 49.15 and 49.24 of Part 49 of the Civil Air Regulations notwithstanding, and subject to the conditions hereinafter set forth, an operator of aircraft of 12,500 pounds or less maximum certificated takeoff weight may deviate from the provisions of such sections to the extent necessary to permit the transportation of not more than 20 gallons of gasoline in other than one-quart containers in such aircraft operated entirely within the State of Alaska in other than scheduled passenger-carrying operations, provided that:

(a) Prior to engaging in operations pursuant to this Special Civil Air Regulation, each operator furnishes the Chief, Flight Standards Field Division, Region 5, with a list showing the type aircraft, registration number, and the area in which the aircraft is to be operated, and indicates that such carriage is necessary to meet the needs of its passengers, and that air is the only practicable means of transportation; and

(b) The gasoline is packed in airtight and leakproof inside containers of at least 28 gauge metal and of not more than 10 gallons capacity each, and each such inside container is packed in an outside wooden box of at least one-half inch thickness; and

(c) The compartment in which the gasoline container is packed is ventilated so as to prevent the accumulation of gasoline fumes within the aircraft; and

(d) Prior to each flight, the pilot in command orally informs all passengers as to the location of the gasoline, the hazards involved, and prohibits smoking, the carrying of any lighted cigar, pipe, or cigarette, the lighting of matches, or the use of any object that might cause an open flame or spark while loading or unloading the aircraft, or during flight.

This Special Civil Air Regulation shall expire July 15, 1963, unless sooner superseded or rescinded.

(Secs. 313(a), 601, 902(1); 72 Stat. 762, 775, 794; 49 U.S.C. 1354(a), 1421, 1472)

Issued in Washington, D.C., on May 26, 1961.

JAMES T. PYLE,
Acting Administrator.

[P.R. Doc. 61 5153; Filed, June 2, 1961; 8:50 a.m.]

(As published in the Federal Register 26 F. R. 4930 on June 3, 1961)

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

Effective: July 28, 1961
Issued: July 28, 1961

Special Civil Air Regulation No. SR - 448

[Reg. Docket No. 821; Special Civil Air Reg.
SR 448]

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

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

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

**Special Civil Air Regulation; Precau-
tions To Prevent Hijacking of Air
Carrier Aircraft and Interference
With Crewmembers in Performance
of Duties**

The recent hijackings of air carrier aircraft have highlighted a necessity to provide additional controls over the conduct of passengers in order to avoid a serious threat to the safety of flights and persons aboard them. The Federal Aviation Agency has the responsibility to see that air carriers take such steps as are possible to prevent such occurrences. We have requested the air carriers to take every practicable precaution to prevent passengers from having access to the pilot compartment. In addition, we are adopting a regulation which will prohibit any person, except one who is specifically authorized to carry arms, from carrying on or about his person while aboard an air carrier aircraft a concealed deadly or dangerous weapon. The regulation being adopted will also make it a violation of the CARs for any

person to assault, threaten, intimidate, or interfere with a crewmember in the performance of his or her duties aboard an air carrier aircraft or to attempt to or cause a flight crewmember to divert the flight from its intended course or destination. Because of the emergency nature of the situation and the present threat to safety of persons being carried in air transportation, I find that compliance with the notice, procedures, and effective date provisions of the Administrative Procedure Act would be impracticable and contrary to the public interest. Therefore good cause exists for making this Special Regulation effective immediately.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby adopted and is effective immediately:

1. No person shall assault, threaten, intimidate, or interfere with a crewmember in the performance of his duties aboard an aircraft being operated in air transportation; nor shall any person attempt to or cause the flight crew of such aircraft to divert its flight from its intended course or destination.

2. Except for employees or officials of municipal, State or Federal Governments who are authorized or required to carry arms and except for such other persons as may be authorized by an air carrier, no person, while a passenger aboard an aircraft being operated by an air carrier in air transportation, shall carry on or about his person a concealed deadly or dangerous weapon.

(Secs. 313, 601; 72 Stat. 752, 775, 49 U.S.C. 1854, 1421)

Issued in Washington, D.C., on July 28, 1961.

N. E. HALABY,
Administrator.

[F.R. Doc. 61-7350; Filed, Aug. 3, 1961;
8:47 a.m.]

(As published in the Federal Register [26 F.R. 7009] on August 4, 1961)

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

Effective: August 29, 1962
Issued: August 31, 1962

Chapter I—Federal Aviation Agency
[Reg. Docket No. 107; Reg. No. SR-450A]

- PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES
- PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES
- PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES
- PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES
- PART 43—GENERAL OPERATION RULES

Airspeed Operation Limitation for Transport Category Airplanes; Special Civil Air Regulation

Special Civil Air Regulation No. SR-450, effective May 3, 1962, (37 F.R. 2995), contained a number of requirements dealing with airspeed operating limitations to airplanes certificated under the provisions of Part 4b in effect prior to May 3, 1962. A revision of the Airplane Flight Manual statement concerning airspeed operating limitations was prescribed for all such airplanes. Consistent revision of airspeed placards and instrument markings, and the installation of a speed warning device, were additionally prescribed for turbine-powered airplanes. The special regulation required compliance with the speed warning device provision on or before February 1, 1963; with all other provisions, on or before September 1, 1962.

Several operators of airplanes affected by SR-450 have requested extensions of the compliance dates specified therein, contending that compliance before these dates would be unnecessarily and excessively burdensome in relation to the attained increment of safety. With respect to the September 1, 1962, compliance date specified in section 1(a)(2), they point out that remarking airspeed instruments generally involves removal of the instrument seal. When this is

done, the instrument is processed through a time-consuming overhaul schedule to make certain that its calibration has not been changed. They state, in addition, that the airplane manufacturer delayed delivery of the detailed service information required for the modification until necessary technical consultations with the instrument manufacturer, and with representatives of this Agency, could be completed. With respect to the February 1, 1963, date established for compliance with section 1(b), operators of turbine-powered airplanes not already equipped with a speed warning device report that they cannot obtain delivery of the device in less than 5 months; that installation of the device involves extensive electrical modifications, rework of the pitot-static pressure system, and other installation changes; that ground and flight tests are necessary to insure proper functioning of the modified systems; and that such modifications and tests, to be conducted in a safe manner, should be scheduled during a major airplane overhaul.

The Agency has determined that, for the reasons stated above and despite diligent efforts on their part, many persons affected by SR-450 will not be able to comply with its provisions before the specified dates and that a period of relief may be granted without adversely affecting safety. Accordingly, SR-450 has been amended by extending the September 1, 1962, compliance dates to March 1, 1963, and by extending the February 1, 1963, compliance date to February 1, 1964.

Since this regulation provides relief from the provisions of the previous regulation, and imposes no additional burden upon any persons, compliance with the notice and public procedure provisions of the Administrative Procedure Act is unnecessary, and 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 August 31, 1962:

Contrary provisions of the Civil Air Regulations notwithstanding, the following requirements shall be applicable to transport category airplanes certificated under the provisions of Part 4b in effect prior to May 3, 1962:

1. Turbine-powered airplanes. (a) On or before March 1, 1963: (1) The airspeed operating limitations in the Airplane Flight Manual shall be revised by deleting the term "normal operating limit speed" and the corresponding symbols " V_{NO}/M_{NO} ", together with statements explaining the significance of this term, and inserting in lieu thereof the term "maximum operating limit speed", the corresponding symbols " V_{MO}/M_{MO} ", and the following statement explaining the significance of the new term:

The maximum operating limit speed shall not be deliberately exceeded in any regime of flight (climb, cruise, or descent), except where a higher speed is specifically authorized for flight test or pilot training operations, or in approved emergency procedures.

(2) Airspeed placards and instrument markings shall be consistent with subparagraph (1) of this paragraph. Where color markings are used on airspeed or Mach indicators, the red radial line shall be at V_{MO}/M_{MO} . Where a maximum allowable airspeed indicator is used, the limit hand shall indicate V_{MO}/M_{MO} .

(b) On or before February 1, 1964, each airplane shall be equipped with a speed warning device which shall provide aural warning to the pilots, which is distinctly different from aural warnings used for other purposes, whenever the speed exceeds V_{NO} plus 6 knots or $M_{NO} + 0.01$. The upper limit of the production tolerances permitted for the warning device shall be at a speed not greater than the prescribed warning speed.

2. Reciprocation engine-powered airplanes. On or before March 1, 1963, the airspeed operating limitations in the Airplane Flight Manual shall be revised as necessary to state that the normal operating limit speed, or the maximum structural cruising speed (whichever term is used in the particular manual), shall not be deliberately exceeded in any regime of flight (climb, cruise, or descent), except where a higher speed is specifically authorized for flight test or pilot training operations, or in approved emergency procedures.

This regulation supersedes Special Civil Air Regulation No. SR-450.

(Secs. 313(a), 601, 603, 604; 72 Stat. 752, 775, 776, 778; 49 U.S.C. 1354, 1421, 1423, 1424)

Issued in Washington, D.C., on August 29, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-8814; Filed, Aug. 31, 1962; 8:51 a.m.]

(As published in the Federal Register [27 F.R. 8760] September 1, 1962)

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

Effective: June 12, 1962

Issued: May 7, 1962

[Reg. Docket No. 1189; Reg. No. SR-451]

**PART 20—PILOT AND INSTRUCTOR
CERTIFICATES**

**PART 43—GENERAL OPERATION
RULES**

**Special Civil Air Regulation; Require-
ments for Solo Flight in Single-Place
Rotorcraft of Gyroplane Class by
Holders of Student Pilot Certificates**

The Federal Aviation Agency has received requests for relief from the pre-solo requirements for rotorcraft by individuals who (1) hold a student pilot certificate; (2) have made many flights in gyrogliders while being towed by a surface vehicle or boat; (3) wish to obtain authority to solo gyroplanes during powered flight; (4) are unable to obtain instruction in gyroplanes capable of carrying at least two persons because at the present time there are but 12 such certificated gyroplanes in the country (manufactured and certificated as autogyros); and (5) find that dual flight instruction in a helicopter (which is a class of rotorcraft and consequently would count toward dual flight instruction requirements), is not significant with respect to gyroplane techniques, and is consequently an economic burden not related to safety.

When Part 20 was revised on August 23, 1956, it provided for a single rotorcraft category instead of previous category ratings designated as helicopter and autogyro. This was done because no autogyros had been built for many years. Since then, amateur-built gyrogliders have come into common use. They are single-place and flown by towline attached to a surface vehicle or boat. Some of these have been modified to incorporate a powerplant, and thus the amateur-built, single-place gyroplane has come into use.

The policy of the Agency until recently was to classify gyrogliders as kites when confined to flights at the end of a towline from the surface. On April 5, Part

48 was amended, effective June 4, 1962, by revising the definition of "kite" to include a gyroglider attached by towline to a vehicle on the surface. Therefore, under this policy and under Part 48 as amended (1) a pilot certificate is not required, and (2) the towed flights are subject to the requirements of Part 48.

Under the present regulations, a person who wishes to solo a gyroplane under the terms of a student pilot certificate has no means for qualifying, practically speaking, since there are so few gyroplanes available that are capable of carrying two persons. It is possible to meet the regulatory requirements by receiving dual instruction in a helicopter following which a certificated flight instructor with a rotorcraft rating could endorse the student pilot certificate for the particular make and model of gyroplane to be soloed, provided he has determined that the student is competent to exercise such privileges with safety as required by § 43.64(c).

Since the flight characteristics of helicopters and gyroplanes are different in fundamental respects, the flight instructor would still be obliged to use some means other than the dual instruction given in a helicopter to make this determination. It is thus apparent that the present requirements are impractical, and burdensome upon a person who holds a student pilot certificate.

Following the type certification of gyroplanes capable of carrying at least two persons, and because of the present interest in them, it is expected that their use may become sufficiently common so that it will be practical in the future for gyroplane student pilots to obtain dual flight instruction in gyroplanes. In the meantime, this special regulation will permit a certificated flight instructor holding a pilot certificate with an airplane or rotorcraft category rating to endorse a student pilot certificate for solo flight in a single-place gyroplane during powered flight if he has witnessed a certain number of towed flights and determined that the student pilot is

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A D V A N C E C O P Y

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY

WASHINGTON, D.C.

Effective: September 2, 1962
Issued: August 3, 1962

Special Civil Air Regulation No. SR-452

[Reg. Docket No. 1328]

[Special Civil Air Regulation No. SR-452]

PART 60—AIR TRAFFIC RULES

Prohibition of Flight During Operation Sky Shield III

A large-scale military aerial exercise known as "Sky Shield III" will be conducted in the contiguous 48 States between 1900Z, September 2, 1962, and 0030Z, September 3, 1962, and in the State of Alaska between 1900Z and 2230Z, September 2, 1962. This exercise will be executed over the entire North American land and water north of the Mexican border. The conduct of this exercise is in the interest of the national defense.

The number of participating military aircraft, the types of maneuvers conducted, the widespread use of electronic counter measures and chaff and the consequent jamming of Agency air traffic control radars and air-ground communications, all combine to render unsafe the simultaneous use of the navigable airspace by civil aircraft. Therefore, nonparticipating aircraft shall not be permitted to operate in the continental United States including Alaska during the exercise, unless specifically exempted in this regulation.

Information is available in all Agency air route traffic control centers which will enable pilots to determine the latest times that aircraft intending to depart from the continental United States and Alaska will be authorized to take off so as to be clear of the exercise area when the exercise begins. Similar information is available to pilots who intend to depart overseas points at a time which

will insure arrival in the contiguous United States or Alaska after the exercise has terminated. Pilots must plan their flights so as to be either on the ground or outside the exercise area by 1900Z, September 2, 1962, giving consideration to such delay factors as weather and air traffic delays.

This regulation permits certain operations which may be required in the interest of health or safety, such as those which may be necessary to prevent or to provide relief from fire, flood, or accidents or for emergency medical treatment or assistance. It is emphasized that during the period of Sky Shield III, air traffic separation service by the FAA will not be provided to any nonparticipating aircraft; however, advisory information will be provided to the extent possible.

In addition, provision is made in this regulation to exempt pilots, participating in Sky Shield III, from certain other regulations in consonance with the requirements of the exercise. Such action is considered justified as necessary for the national security and in consideration of the fact that nonparticipating pilots are required to avoid the exercise area.

I have determined that a situation exists which requires the immediate adoption of this regulation for the safety of air commerce. Accordingly, I find that notice and public procedure hereon are impracticable, and that good cause exists for making this regulation effective immediately.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted:

1. A person shall not operate an aircraft within the contiguous 48 States of the United States during the period 1900Z, September 2, 1962, through 0030Z, September 3, 1962, and in the State of Alaska during the period of 1900Z through 2230Z, September 2, 1962, except:

a. Aircraft operated under the auspices of the Department of Defense in the military exercise known as "Sky Shield III" or any other operation accorded a higher priority by DOD, and

b. Aircraft operated in the interest of health or safety, such as those which may be necessary to prevent or to provide relief from fire, flood, accident or for emergency medical treatment or assistance; Provided, That air traffic control is advised by the operator prior to take-off of the point of departure, route, altitude, destination and purpose of flight.

2. To the extent necessary, aircraft operated under the auspices of the Department of Defense in the military exercise known as Sky Shield III are exempted from the following Civil Air Regulations:

a. Special Civil Air Regulation No. SR-424C.

b. Special Civil Air Regulation No. SR-444.

c. Civil Air Regulations, § 60.44 (b) and (c).

This regulation is effective upon issuance and is terminated at 0030Z, September 3, 1962.

(Sec. 307, 72 Stat. 748, 49 U.S.C. 1348)

Issued in Washington, D.C., on August 3, 1962.

N. E. HALABY,
Administrator.

(As published in 27 F.R.
7758, August 7, 1962)