

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

Civil Air Regulations Amendment 60-5
Effective: December 9, 1954
Adopted: November 4, 1954

AIR TRAFFIC RULES

CHANGES IN TERMINOLOGY OF AIRSPACE RESTRICTED AREAS

Section 60.13 of Part 60 of the Civil Air Regulations, covering airspace restricted areas, currently states that the Administrator may designate as a danger area an area within which he has determined that an invisible hazard to aircraft in flight exists. It also states that no person shall operate an aircraft within an airspace reservation or danger area unless permission has been obtained from the appropriate authority. Section 60.65 defines an airspace reservation as an area established by Executive Order of the President of the United States or by any State of the United States, and defines danger area as an area designated by the Administrator within which an invisible hazard to aircraft in flight exists. These areas are shown on aeronautical charts and in publications of aids to air navigation. It would appear from these definitions and their use in §60.13 that the flight of aircraft is prohibited in both an airspace reservation and a danger area unless prior approval has been obtained. This is not necessarily true, however, since flight in both areas may not be completely prohibited but limited only in accordance with restrictions which have been placed on the area.

The term "prohibited area" describes more completely and accurately the airspace in which flight is prohibited at all times except when appropriate permission is obtained, and the term "restricted area" more aptly describes the airspace in which flight is subject to certain stated restrictions. This amendment, therefore, eliminates the terms "danger area" and "airspace restricted area," and defines the terms "prohibited area" and "restricted area" so as to include an area within which the flight of aircraft is either prohibited or restricted. It also states who may set up a prohibited or restricted area. This terminology will tend to eliminate any confusion that may currently exist in having different terms apply to the same type of area on domestic and international aeronautical charts since the proposed terms are currently used on international charts. These terms will also conform with the definitions of such airspace areas by the International Civil Aviation Organization.

Section 60.13 is amended to make clear the extent to which avoidance of prohibited and restricted areas is necessary and the necessity of obtaining permission for flight in such areas contrary to the restriction or prohibition applicable thereto. Restriction to flight in such areas will be prescribed in publications of aids to air navigation and on the backs of aeronautical charts. The authority of the Administrator to designate restricted areas, which was previously in § 60.13, has been placed in a new § 60.13a.

Interested persons have been afforded an opportunity to participate in the making of this amendment and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 60 of the Civil Air Regulations (14 CFR, Part 60, as amended), effective December 9, 1954:

1. By amending § 60.13 to read as follows:

60.13 Avoidance of prohibited and restricted areas.

(a) Prohibited area. No person shall operate an aircraft within a prohibited area unless prior permission has been obtained from appropriate authority.

(b) Restricted area. No person shall operate an aircraft within a restricted area contrary to the restrictions imposed unless prior permission has been obtained from appropriate authority.

NOTE: Prohibited and restricted areas are established in order to conduct certain essential activities either on the ground or within the airspace area. Avoidance of prohibited areas and

operation within restricted areas strictly in accordance with the published restrictions are imperative to the safety of flight or the protection of the activity on the ground. Any person desiring to secure permission to fly in such areas contrary to the prohibition or the restrictions imposed, should contact the agency controlling that area. Prohibited and restricted areas, indicating the prohibitions or restrictions to flight and the name of the using agency, are shown on aeronautical charts or in publications of aids to air navigation.

2. By adding a new § 60.13a to read as follows:

60.13a. Authority for designation of restricted areas by the Administrator. The Administrator is authorized to designate restricted areas when he finds that a hazard to aircraft in flight exists. (Areas previously designated as danger areas will hereafter be designated as restricted areas.)

3. By amending § 60.65 to read as follows:

60.65 Prohibited and restricted areas.

(a) Prohibited area. Airspace identified by an area on the surface of the earth within which the flight of aircraft is prohibited. A prohibited area may be established by the President of the United States or any State of the United States pursuant to the Air Commerce Act of 1926, or it may be established pursuant to the Civil Aeronautics Act of 1938, as amended.

(b) Restricted area. Airspace identified by an area on the surface of the earth within which the flight of aircraft, while not wholly prohibited, is subject to restrictions. A restricted area may be established by the President of the United States or by any State of the United States pursuant to the Air Commerce Act of 1926, or it may be established pursuant to the Civil Aeronautics Act of 1938, as amended, or it may be established by the Administrator of Civil Aeronautics pursuant to the provisions of § 60.13a of this part.

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

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)