

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER G—AIR CARRIER AND COMMERCIAL OPERATOR CERTIFICATION AND OPERATIONS

[Docket Nos. 719, 873, 1093, and 6161;
Amdt. No. 121-10]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Miscellaneous Amendments

The purpose of this amendment to FAR Part 121 is to clarify certain provisions contained in the recent revision to the training programs requirements (Amendment 121-7) published in the *Federal Register* on May 18, 1965 (30 F.R. 8725), and to clarify other provisions to preserve the substance of former CAR sections on which the Part 121 requirements were based. The training program revision contained several requirements that were unintentionally made more stringent than those proposed in the notice of proposed rule making and that are not contained in the training programs the Agency has approved in the past.

Section 121.418(c)(2) as written would require during recurrent training night takeoffs and landings in each type airplane in which the trainee is to serve as pilot. This subparagraph also could be interpreted to limit the substitution of a proficiency check for recurrent training to those type airplanes in which the trainee is "required" to take a proficiency check. Since neither of these results was intended, this amendment to § 121.418(c)(2) makes it clear that night takeoffs and landings are not required during recurrent training and that under § 121.418 a proficiency check may be substituted for recurrent training in each type airplane in which the trainee seeks to retain qualification. Sections 121.419(b) and 121.420(b)(2) are also amended to make it clear, that to be substituted for recurrent training, a proficiency check need not be a "required" check.

Section 121.419(a)(6) is being amended to make it clear that for certain turbojet powered airplanes for which the Administrator has determined that

a zero flap landing is not appropriate, training in zero flap approaches is required. The Agency is presently conducting studies that are expected to lead to further rule making in the flight maneuvers area generally, and it is anticipated that these studies and the resulting rule making will include specific determinations as to the appropriateness of zero flap landings for each type turbojet airplane.

This amendment also deletes the parenthetical reference in § 121.425(a) to "Appendix E, columns I and II." This deletion will make it clear that the hours specified in Appendix E do not control if fewer hours have been approved in a particular training program. The reference in § 121.449(b)(2) to § 121.420(a) is amended to make it clear that the proficiency check requirements for second in command and certain other pilots are comparable to the recurrent training requirements rather than the initial training requirements.

Appendix E, column III requires 10 hours (except for one case where 6 hours are required) of simulator training when the proficiency check requirements of § 121.441 or § 121.449 are to be met by completion of a simulator training course under § 121.442. However, § 121.442(b) provides that the minimum number of hours of actual simulator training required to obtain approval of a training course under that section is 4 hours. To remove this apparent conflict column III of Appendix E is amended to provide the same minimum programmed hours of simulator time for recurrent training as contained in § 121.442(b).

In addition, to correct a typographical error the cross-reference to "§ 121.424" in footnote (e), to Appendix E is changed to "§ 121.425."

Section 121.643(a)(3) is based on the first phase of former CAR § 42.396(a)(iii) which stated "to fly for a period of at least 45 minutes at normal cruising consumption." In recodifying this provision into Part 121 the phrase "at normal cruising consumption" was inadvertently omitted and is therefore being added to retain the original intent of this section.

Section 121.645 is based in part on CAR § 42.396(b) which contained separate fuel requirements for turbine engine powered airplanes operated by a supplemental air carrier or commercial operator depending on whether the operation was within or outside the 48 contiguous States and the District of Columbia. As recodified into Part 121 the turbine engine

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fuel requirements applicable within the 48 contiguous States and the District of Columbia were omitted. Accordingly, § 121.645 is amended to require that the fuel requirements of § 121.643 shall be complied with for turbine operations within the 48 contiguous States and the District of Columbia.

Section 121.705(a) which is based on former CAR §§ 40.509, 41.509, and 42.509, requires the reporting of each interruption to a "scheduled" flight. Since this section is based on § 42.509 as well as the comparable Parts 40 and 41 requirements, the word "scheduled" is inappropriate and therefore is being deleted.

Since this amendment merely clarifies certain of the requirements in the recent training program amendment effective August 16, 1965, and certain other provisions as recently recodified, I find that notice and public procedure hereon are unnecessary and it may be made effective in less than 30 days.

In consideration of the foregoing, Part 121 of the Federal Aviation Regulations is amended effective August 16, 1965 as follows:

1. Paragraph (c) of § 121.418 is amended to read as follows:

§ 121.418 Flight training: all pilots.

(c) Each certificate holder shall give each pilot—

(1) Any additional flight training necessary to ensure qualification in new equipment, procedures, or techniques; and

(2) Recurrent training each 12 calendar months consisting of at least the approved programmed hours of flight instruction and practice in the items set forth in paragraph (a) of this section (except takeoffs and landings during night) and any required flight checks, in each type airplane in which the pilot serves as a pilot.

Satisfactory completion of a proficiency check in a particular type airplane under §§ 121.441, 121.442, or 121.449 is considered to satisfy the recurrent flight training or flight check required by this paragraph in that type airplane.

§ 121.419 [Amended]

2. Section 121.419(a)(6) is amended by adding a new sentence thereto reading as follows: "If the Administrator finds for a certain turbojet powered airplane that zero flap landings are not appropriate, training in zero flap ap-

proaches in that type airplane is required."

3. Sections 121.419(b) and 121.420(b)(2) are amended by striking the word "required" where it appears before the words "proficiency check."

§ 121.425 [Amended]

4. Section 121.425(a) is amended by striking the parenthetical phrase "(Appendix E columns I and II)".

§ 121.449 [Amended]

5. Section 121.449(b)(2) is amended by inserting before the period the words "(1) through (5) and in emergency procedures".

§ 121.643 [Amended]

6. Section 121.643(a)(3) is amended by inserting before the period the words "at normal cruising fuel consumption".

7. Section 121.645 is amended by adding a new paragraph (d) thereto reading as follows:

§ 121.645 Fuel supply: turbine-engine-powered airplanes, other than turbo-propeller: flag and supplemental air carriers and commercial operators.

(d) For a supplemental air carrier or commercial operator operation within the 48 contiguous States and the District of Columbia with a turbine engine powered airplane the fuel requirements of § 121.643 apply.

§ 121.705 [Amended]

8. Section 121.705(a) is amended by striking the word "scheduled" contained therein.

9. Footnote (e) to Appendix E is amended by striking the reference to "§ 121.424" and by inserting a reference to "§ 121.425" in place thereof.

10. Appendix E, column III is amended by striking the number "10" wherever it appears opposite the recurrent training (R) requirements, and the number "6" where it appears in the recurrent training requirement opposite "Viscount and Argosy" in the "21C,FE" column and by inserting the number "4" in place of each number stricken.

(Secs. 313(a) and 601-610 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421-1430))

Issued in Washington, D.C., on August 10, 1965.

D. D. THOMAS,
Deputy Administrator.