

Advance copy pending issuance
of changes to FAR Parts 91,
121, and 127

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6967; Amdt. Nos. 91-24, 121-12,
127-3]

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 121—CERTIFICATION AND OP- ERATIONS: AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

PART 127—CERTIFICATION AND OP- ERATIONS OF SCHEDULED AIR CARRIERS WITH HELICOPTERS

Presence of Crewmembers at Duty Stations

The purpose of this amendment is to clarify the present requirements of Parts 91, 121, and 127 of the Federal Aviation Regulations relating to the presence of flight crewmembers at the controls of the aircraft during flight time.

As presently written, the rules prescribe that each required flight crewmember on flight deck duty be present at his station while the aircraft is taking off or landing, and while it is en route unless his absence is necessary for the performance of duties in connection with the operation of the aircraft.

Since the adoption of this rule, the Agency has endeavored to make it clear that flight crewmembers' physical alert-

ness and comfort are necessary for the performance of duties in connection with the operation of the aircraft, within the meaning of the rule. There have, however, been occasional misunderstandings of this intent. For this reason the Agency considers that the safety purposes of the present regulation would better be achieved by amending the regulations specifically to provide for the necessary absence of crewmembers from their duty stations when required for physical alertness and comfort.

For the foregoing reasons it is determined that notice and public rule-making procedures are unnecessary and impractical in the case of this amendment and that good cause exists for making it effective within less than 30 days.

In consideration of the foregoing, effective October 5, 1965—

(1) Section 91.7(a) of the Federal Aviation Regulations is amended by inserting the words "or in connection with his physiological needs" immediately before the semicolon; and

(2) Sections 121.543 and 127.207 of the Federal Aviation Regulations are each amended by inserting the words "or in connection with his physiological needs" immediately before the period at the end of the first sentence thereof.

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

Issued in Washington, D.C., on October 8, 1965.

WILLIAM F. McKEE,
Administrator.

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