

# **federal register**

**MONDAY, DECEMBER 8, 1975**



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**PART IV:**

## **DEPARTMENT OF TRANSPORTATION**

**Federal Aviation  
Administration**

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### **OPERATIONS REVIEW PROGRAM**

**Miscellaneous Amendments**

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Parts 63, 91, 105, 121, 123, 129,  
135, 137, 145, and 147 ]

[Docket No. 15196; Notice No. 75-39]

[Notice No. 2]

### OPERATIONS REVIEW PROGRAM

#### Clarifying and Editorial Changes

The Federal Aviation Administration is considering amending Parts 63, 91, 105, 121, 123, 129, 135, 137, 145, and 147 of the Federal Aviation Regulations to make several clarifying and editorial changes.

Interested persons are invited to participate in this proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the Regulatory Docket or Notice Number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before March 8, 1976, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On February 28, 1975, the Federal Aviation Administration, by Notice 75-9 (40 FR 8685), invited all interested persons to submit proposals for consideration during the 1975-76 Operations Review. In that Notice, the FAA announced that it would make available for comment a compilation of the proposals which were to be given further consideration as possible agenda items for the Operations Review Conference (December 1-5, 1975).

On June 4, 1975, the FAA, by Notice No. 75-9A (40 FR 24041), announced the availability of the Compilation of Proposals described in Notice 75-9. As stated in Notice No. 75-9, not all proposals received were included in the Compilation. A number of the proposals excluded from the Compilation pertain solely to nonsubstantive editorial matters and minor clarifying revisions. Those proposals are contained in this Notice.

Many of the proposed changes involve the deletion of compliance dates which have past and no longer have application in the regulations. In some cases, deletion of the date will require minor non-substantive changes to the affected section or paragraph. In other cases, an entire section or paragraph will be deleted since the compliance date controlling the substantive requirement has passed. The following sections would be affected by this proposal: §§ 63.45; 91.4; 91.17(c); 91.24(a) and (b); 91.33(c) (3) and (e); 91.43(e); 91.45(a) (2) (iv) and (a) (3) (ii); 91.51(a); 91.52(a) and (g) (4); 91.53(a); 91.90; 91.213(a) and (c); 91.217(a), (b), and (f); 121.55(b) and (c); 121.289(a) and (d); 121.305(j); 121.343(a) (2), (f), and (g); 121.349(c); 121.357(a) and (b);

121.359(a); 121.433a(a); 121.538(b); 121.576; 123.3; 123.11; 129.17(b); 135.2(d) and (e); 135.11; 135.140(a); 135.144; 135.144a; 135.155(e); 135.163(b); 135.167(a); 147.3; and 147.7(e).

In addition to the changes described above, several other minor changes are proposed which would clarify the regulations in question. There follows an enumeration of those sections affected by such changes with a brief explanation for each.

As a result of the deletion of old compliance dates in § 91.24(b), a revision to that paragraph would be necessary for clarity. As proposed, paragraph (b) would be revised by placing the reference to Groups I, II, and III Terminal Control Areas governed by § 91.90 in one subparagraph (rather than three), with the remaining subparagraph covering all controlled airspace of the 48 contiguous States and the District of Columbia above 12,500 feet MSL excluding the airspace at and below 2,500 feet AGL.

Section 91.33(e) would be amended by clarifying the fact that the requirements therein are applicable in all 50 states and the District of Columbia. This change would be necessary due to the deletion of old dates. Furthermore, the requirement that ATC be notified of a failure of the DME at or about 24,000 feet MSL would be applied only to the pilot in command, since the current reference to "each pilot" is ambiguous, can lead to confusion, and is inconsistent with the language in § 91.43(e). With respect to § 91.43(e), the reference to the 48 contiguous States and the District of Columbia and the States of Alaska and Hawaii would be changed to merely cite the 50 states and the District of Columbia.

The deletion of dates in § 91.24 would require concomitant changes in § 91.90. These changes to subparagraphs (a) (3) (iii) and (b) (2) (iii) would significantly reduce the text. In addition, other minor changes to paragraphs (b) and (c) would be necessary to reflect the changes to § 91.24.

Section 91.181(a) would be amended to clarify the applicability of Subpart D of Part 91 to include reciprocating engine powered large airplanes. This clarification would express intent of Subpart D and FAA interpretations of the coverage thereof.

It is proposed to delete from the parachute jumping information requirements of § 105.25(a) the requirement in subparagraph (5) that the "time" of the jump be provided. That requirement is redundant, since subparagraph (1) also requires that information.

Deviation authority granted under Section 121.55(b) terminated September 30, 1970. Consequently, paragraphs (b) and (c) of § 121.55 are superfluous and it is proposed to delete them. With those deletions, the remainder of § 121.55 would be revised accordingly.

In addition to the deletion of old dates in paragraph (b) of § 121.357, it is proposed to clarify paragraph (a) to make that paragraph applicable to both passenger-carrying operations and cargo-only operations. By combining the previous substantive requirements of para-

graph (b) with paragraph (a), paragraph (b) can be deleted.

Under § 121.409(c), the programmed hours of training under an approved training program of a Part 121 certificate holder do not apply if the training program for an airplane type includes a course of pilot training and a flight check in an airplane simulator as provided in § 121.424(d). Read by itself, § 121.409(c) has led to a misinterpretation by some certificate holders that the flight check must be made in the simulator. Such an interpretation is not correct, and § 121.424(d) makes it clear that the flight check may be made in an airplane. Consequently, it is proposed to delete the reference to a flight check in 121.409(c) (1), thereby making § 121.424(d) the controlling regulation. For the purpose of consistency, § 121.409(c) (2) applicable to flight engineer training, would be amended in the same manner thereby making § 121.425(c) the controlling regulation as to that training.

It is proposed to revise paragraphs (a) and (b) of § 121.415 to make it clear that the section covers more than initial and transition training for crewmembers and dispatchers and extends to all training categories. In addition, this revision would clarify the requirements for basic indoctrination ground training.

Section 121.432 would be revised by deleting paragraphs (a) and (b) relating to check airman certification of a flight crewmember's proficiency, and the due date for flight checks. These provisions are redundant since paragraphs (b) and (c) of § 121.401 contain substantially the same provisions.

It is proposed to amend § 121.433(c) (1) (i) to clarify the fact that a flight crewmember taking recurrent training must, within the 12 months prior to his serving as a required crewmember, have completed either recurrent ground and flight training or a flight check. The current provisions of § 121.433(c) (1) appear to require both the completion of the training and the flight check, which was not intended.

Section 121.579 makes reference to "automatic pilots" in prescribing minimum altitudes for their use. However, the current term for such flight guidance systems is "autopilot" and it is proposed to adopt that term in place of automatic pilot.

It is proposed to amend Part 123 by deleting § 123.5. Section 123.5 was adopted to provide, with § 123.3, a transition phase for the air travel club regulations which were adopted in Part 123 in 1968. Since that transition period has passed with all air travel clubs now certificated and operating under Part 123, and because § 123.27 prescribes the operating rules applicable to air travel club operations it is proposed to delete § 123.5.

Under § 135.2(d), the holder of an air taxi/commercial operator certificate (ATCO) could, if he applied for operations specifications under Part 121 before February 15, 1970, continue to operate large aircraft without Part 121 operations specifications until his application was either denied or the operations specifications issued. However, since all such applications have been acted upon

by the FAA, § 135.2(d) is superfluous and should be deleted.

Section 135.43(b) would be amended to make it clear that both aircraft and airman records required under paragraph (a) of § 135.43 must be retained for 6 months.

As the result of the adoption of Subpart D to Part 91 (Amendment 91-101, effective October 23, 1972, 37 F.R. 14758), a change to § 135.67 is proposed to add a reference to § 91.217 to the list of pre-flight airworthiness checks a pilot in command must make. This change is necessary since some aircraft operated under Part 135 are required to be inspected under § 91.217.

Part 137 would be amended by changing certain of the terminology used in the Part to reflect provisions of the Federal Environmental Pesticide Control Act of 1972. The terms "economic poison" and "poison" wherever they appear in §§ 137.19 and 137.39 would be changed to "pesticide." In § 137.3, the term "Secretary of Agriculture" would be changed to "Administrator of the U.S. Environmental Protection Agency." In § 137.39, the term "U.S. Department of Agriculture" would be changed to "U.S. Environmental Protection Agency." Finally, in § 137.53(c) (1), the term "periodic inspection" would be changed to "annual inspection" to reflect current requirements.

Section 145.43(b) (3) requires that the employment summary of each employee of a certificated domestic repair station must include, with respect to his past employment record, the terms of employment by month, day, and year. Experience with this requirement indicates that requiring the term of past employment down to the day is burdensome in terms of the safety benefits derived, and therefore that requirement should be deleted.

Section 145.45(f) would be amended to clearly require the applicant for a repair station certificate to provide an inspection procedures manual. Under the current provision, the applicant must "prepare" such a manual but unlike current paragraphs (c), (d) and (e) of § 145.45, he is not specifically required to provide it. The proposed amendment would correct this inconsistency.

It is proposed to amend § 145.71 by changing the reference to "§§ 145.39 to 145.43" to "§§ 145.39 through 145.43" to make it clear that § 145.43 is included in those requirements which a foreign repair station need not meet.

It is proposed to delete § 147.3(b) since all mechanic schools currently in operation are considered by the FAA to be aviation maintenance technician schools under Part 147. Also, in Part 147, it is proposed to amend § 147.38a by making the word "test" plural wherever it appears, to clearly indicate that more than one test is required under Part 147.

In addition to the proposals discussed above, it is also proposed to make several section citation revisions to update cross references to certain sections in Part 61, which was revised in 1973 (Amendment 61-60, effective November 1, 1973, 38 F.R. 3156). The follow-

ing changes would be made: in § 91.17 (a) (1), the reference to § 61.38 would be changed to § 61.69; in § 135.27, the reference to § 61.47(d) would be changed to § 61.57(e); and in § 135.138(b), the references to various provisions of §§ 61.117 and 61.121 would be changed to §§ 61.61 and 61.127, as appropriate.

These amendments are proposed under the authority of sections 313, 314, and 601 through 610 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1355, and 1421 through 1430) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Parts 63, 91, 105, 121, 123, 129, 135, 137, 145, and 147 of the Federal Aviation Regulations, as follows:

**PART 63—CERTIFICATION: FLIGHT CREW MEMBERS OTHER THAN PILOTS**

1. By revising § 63.45 to read as follows:

§ 63.45 Addition of class ratings to flight engineer certificates.

The holder of a flight engineer certificate who applies for an additional rating on that certificate must—

- (a) Pass a practical test for a flight engineer certificate;
- (b) Successfully complete an approved flight engineer training course or air carrier training program; or
- (c) Submit satisfactory evidence that he has acquired at least 25 hours of flight experience performing the duties and functions of a flight engineer on an airplane specified in § 63.37(a).

**PART 91—GENERAL OPERATING AND FLIGHT RULES**

§ 91.4 [Amended]

2. By amending § 91.4 by deleting the words "After November 1, 1974, no" and inserting the word "No" in place thereof.

§ 91.17 [Amended]

3. By amending § 91.17(a) (1) by deleting "§ 61.38" and inserting "§ 61.69" in place thereof and by deleting and reserving § 91.17(c).

4. By amending § 91.24 as follows:

§ 91.24 ATC transponder and automatic pressure altitude reporting equipment.

(a) *All airspace: U.S. registered civil aircraft.* For operations not conducted under Parts 121, 123, 127, and 135 of this chapter, ATC transponder equipment used in U.S. registered civil aircraft must meet the performance and environmental requirements of any class of TSO-C74b or any class of TSO-C74c as appropriate, except that the Administrator may approve the use of TSO-C74 or TSO-C74a equipment if the applicant submits data showing that such equipment meets the minimum performance standards of the appropriate class of TSO-C74c and environmental conditions of the TSO under which it was manufactured.

(b) *Controlled airspace: all aircraft.* Except for persons operating helicopters in terminal control areas at or below

1,000 feet AGL under the terms of a letter of agreement, and except for persons operating gliders above 12,500 feet MSL but below the floor of the positive control area, no person may operate an aircraft in controlled airspace unless that aircraft is equipped with an operable coded radar beacon transponder having a Mode 3/A 4096 code capability, replying to Mode 3/A interrogation with the code specified by ATC, and is equipped with automatic pressure altitude reporting equipment having a Mode C capability that automatically replies to Mode C interrogations by transmitting pressure altitude information in 100-foot increments. This requirement applies to—

- (1) Group I, Group II and Group III Terminal Control Areas covered by § 91.90 except as provided therein; and
- (2) All controlled airspace, of the 48 contiguous states and the District of Columbia, above 12,500 feet MSL, excluding the airspace at and below 2,500 feet AGL.

5. By revising the first sentence of § 91.33(c) (3) and by revising § 91.33(e) to read as follows:

§ 91.33 Powered civil aircraft with standard category U.S. airworthiness certificates; instrument and equipment requirements.

(3) An approved aviation red or aviation white anticollision light system on all U.S. registered civil aircraft.

(e) *Flight at and above 24,000 feet MSL.* If VOR navigational equipment is required under paragraph (d) (2) of this section, no person may operate a U.S. registered civil aircraft within the 50 states, and the District of Columbia, at or above 24,000 feet MSL unless that aircraft is equipped with approved distance measuring equipment (DME). When DME required by this paragraph fails at and above 24,000 feet MSL, the pilot in command of the aircraft shall notify ATC immediately, and may then continue operations at and above 24,000 feet MSL to the next airport of intended landing at which repairs or replacement of the equipment can be made.

6. By revising the first sentence of § 91.43(e) to read as follows:

§ 91.43 Special rules for foreign civil aircraft.

(e) *Flight at and above 24,000 feet MSL.* If VOR navigation equipment is required under paragraph (c) (1) (ii) of this section, no person may operate a foreign civil aircraft within the 50 states and the District of Columbia at or above 24,000 feet MSL, unless the aircraft is equipped with approved distance measuring equipment (DME) capable of receiving and indicating distance information from the VORTAC facilities to be used.

**§ 91.45 [Amended]**

7. By amending § 91.45(a)(2)(iv) by deleting the words "After February 20, 1967," and by deleting from § 91.45(a)(3)(ii) the words "After February 20, 1967, a" and inserting the word "A" in place thereof.

**§ 91.51 [Amended]**

8. By amending § 91.51(a) by deleting the words "after February 29, 1972."

9. By deleting and reserving § 91.52(g)(4) and revising § 91.52(a) to read as follows:

**§ 91.52 Emergency locator transmitters.**

(a) Except as provided in paragraphs (e), (f), and (g) of this section, no person may operate a U.S. registered civil airplane unless it meets the applicable requirements of paragraphs (b), (c), and (d) of this section.

(g) \* \* \*

(4) [Reserved]

**§ 91.53 [Amended]**

10. By amending § 91.53(a) by deleting the words "July 1 of each of the years 1970 and 1971, and April 1 of each year thereafter" and inserting the words "April 1 of each year" in place thereof.

**§ 91.90 [Amended]**

11. By amending § 91.90 by—  
a. Revising § 91.90(a)(3)(iii) to read as follows:

(iii) The applicable equipment specified in § 91.24;

b. Revising § 91.90(b)(2)(iii) to read as follows:

(iii) The applicable equipment specified in § 91.24, except that automatic pressure altitude reporting equipment is not required for any operation within the terminal control area, and a transponder is not required for IFR flights operating to or from an airport outside of but in close proximity to the terminal control area, when the commonly used transition, approach, or departure procedures to such airport require flight within the terminal control area.

c. Deleting from paragraph (c) the words "After the date specified in § 91.24(b)(3), no" and inserting the word "No" in place thereof.

**§ 91.173 [Amended]**

12. By inserting a comma between the words "airframe" and "engine" in § 91.173(a)(2)(vi).

13. By revising § 91.181(a) to read as follows:

**§ 91.181 Applicability.**

(a) Sections 91.181-91.215 prescribe operating rules, in addition to those prescribed in other subparts of this part, governing the operation of large and of turbo-jet-powered multiengine civil airplanes of U.S. registry. The operating rules in this subpart do not apply to those airplanes when they are required to be operated under Parts 121, 123, 129, 135, and 137 of this chapter. Sections 91.127 and 91.129 prescribe an inspection program for large and for turbine-powered

(turbojet and turboprop) multiengine airplanes of U.S. registry when they are operated under this subpart or Part 129 or 137 and to small turbine-powered multiengine airplanes operated under Part 135 of this chapter.

**§ 91.213 [Amended]**

14. By amending § 91.213(a) by deleting the words "after January 22, 1973," and by amending § 91.213(c) by deleting the words "After January 22, 1973, no" and inserting the word "No" in place thereof.

**§ 91.217 [Amended]**

15. By amending § 91.217 as follows:

(a) By deleting the words "and after January 22, 1973, except as provided in paragraph (f) of this section," in paragraph (a) and inserting the word "and" in place thereof;

(b) By deleting the words "after January 22, 1973, except as provided in paragraph (f) of this section," in paragraph (b); and

(c) By deleting paragraph (f).

**PART 105—PARACHUTE JUMPING**

16. By revising § 105.25(a)(5) to read as follows:

**§ 105.25 Information required, and notice of cancellation or postponement of jump.**

(a) \* \* \*

(5) The duration of the intended jump.

**PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC; FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT****§ 121.55 [Amended]**

17. By amending § 121.55 by deleting paragraphs (b) and (c), by deleting the designation "(a)", and by redesignating § 121.55(a)(1), (2), (3), (4), and (5) as § 121.55(a), (b), (c), (d), and (e) respectively.

18. By revising § 121.289 by deleting paragraph (d) and amending paragraph (a) as follows:

**§ 121.289 Landing gear: aural warning device.**

(a) Each large airplane must have a landing gear aural warning device that functions continuously under the following conditions:

**§ 121.305 [Amended]**

19. By amending § 121.305(j) by deleting the words "After August 5, 1971, on" and inserting the word "On" in place thereof and by deleting the final paragraph of the section which begins with the words "A certificate holder. . ."

**§ 121.343 [Amended]**

20. By amending § 121.343 by—  
a. Deleting the words "After September 18, 1973, for" in paragraph (a)(2)

and inserting the word "For" in place thereof;

b. Deleting the words "After March 18, 1974, each" in paragraph (f) and inserting the word "Each" in place thereof; and

c. Deleting the words "After September 18, 1972, each" and paragraph (g) and inserting the word "Each" in place thereof.

21. By amending § 121.349(c) to read as follows:

**§ 121.349 Radio equipment for operations under VFR over routes not navigated by pilotage or for operations under IFR or over-the-top.**

(c) Whenever VOR navigational receivers are required by paragraph (a) or (b) of this section, at least one approved distance measuring equipment unit (DME) capable of receiving and indicating distance information from VORTAC facilities must be installed on each airplane when operated in the 50 States and the District of Columbia.

**§ 121.357 [Amended]**

22. By amending § 121.357 by deleting the words, "in passenger-carrying operations," in paragraph (a) and by deleting paragraph (b) and marking it "Reserved".

23. By revising § 121.359(a) to read as follows:

**§ 121.359 Cockpit voice recorders.**

(a) No certificate holder may operate a large turbine engine powered airplane or a large pressurized airplane with four reciprocating engines unless an approved cockpit voice recorder is installed in that airplane and is operated continuously from the start of the use of the checklist (before starting engines for the purpose of flight), to completion of the final checklist at the termination of the flight.

24. By revising § 121.409(c) as follows:

**§ 121.409 Training courses using airplane simulators and other training devices.**

(1) A course of pilot training in an airplane simulator as provided in § 121.424 (d); or

(2) A course of flight engineer training in an airplane simulator or other training device as provided in § 121.425 (c).

25. By amending § 121.415 by deleting the flush paragraph immediately following paragraph (a)(3), and revising paragraphs (a)(1) and (b) as follows:

**§ 121.415 Crewmember and dispatcher training requirements.**

(a) Each training program must provide the following ground training as appropriate to the particular assignment of the crewmember or dispatcher:

(1) Basic indoctrination ground training for newly hired crewmembers or dispatchers including 40 programmed hours of instruction, unless reduced under

§ 121.405 or as specified in § 121.401(d), in at least the following—

(b) Each training program must provide the flight training specified in §§ 121.424 through 121.426, as applicable.

§ 121.432 [Amended]

26. By deleting §§ 121.432(a) and (b) and redesignating §§ 121.432(c), (d), (e) and (f) as §§ 121.432(a), (b), (c), and (d) respectively.

§ 121.433 [Amended]

27. By amending § 121.433(c) (1) (i) by deleting the words "and a" and inserting the words ", or a" in place thereof.

§ 121.433a [Amended]

28. By amending § 121.433a(a) by deleting the words, "After December 6, 1973, no" and inserting the word "No" in place thereof.

§ 121.538 [Amended]

29. By amending § 121.538(b) by deleting the words, ", before February 6, 1972,".

§ 121.576 [Amended]

30. By amending § 121.576 by deleting the words "After May 1, 1974, means must be provided" and inserting "The certificate holder must provide means" in place thereof.

§ 121.579 [Amended]

31. By amending § 121.579 by deleting the words "automatic pilot" wherever they appear in the title and text and inserting the word "autopilot" in place thereof.

**PART 123—CERTIFICATION AND OPERATIONS: AIR TRAVEL CLUBS USING LARGE AIRPLANES**

32. By revising § 123.3 to read as follows:

**§ 123.3 Certificate and operation specifications required.**

No person may operate an airplane in operations to which this part applies without, or in violation of, an air travel club operating certificate and appropriate operations specifications issued under this part.

§ 123.5 [Reserved]

33. By deleting and reserving § 123.5.

§ 123.11 [Amended]

34. By amending § 123.11(a) by deleting the words "Except as provided in § 123.3(b), the" and inserting the word "The" in place thereof.

**PART 129—OPERATORS OF FOREIGN AIR CARRIERS**

35. By revising § 129.17(b) to read as follows:

**§ 129.17 Radio Equipment.**

(b) Whenever VOR navigational equipment is required by paragraph (a)

of this section, at least one distance measuring equipment unit (DME), capable of receiving and indicating distance information from the VORTAC facilities to be used, must be installed on each airplane when operated at or above 24,000 feet MSL within the 50 States, and the District of Columbia.

**PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT**

**§ 135.2 [Amended]**

36. By deleting § 135.2(d) and marking it "Reserved", and deleting the words "need not comply until May 15, 1975," in § 135.2(e) and inserting the words "must comply" in place thereof.

37. By revising § 135.11 to read as follows:

**§ 135.11 Duration of certificate.**

An ATCO certificate is effective until surrendered, suspended, or revoked. The holder of an ATCO certificate that is suspended or revoked shall return it to the Administrator.

**§ 135.43 [Amended]**

38. By amending § 135.43(b) by deleting the word "or" and inserting the word "and" in place thereof.

39. By revising § 135.67 to read as follows:

**§ 135.67 Airworthiness check.**

The pilot in command may not begin a flight unless he determines that the following airworthiness inspections have been made—

(a) Those inspections required by § 91.169 or § 135.60 of this chapter as applicable; and

(b) Inspections under § 91.217 when required.

**§ 135.127 [Amended]**

40. By amending § 135.127 by deleting the reference to "61.47(d)" and inserting "§ 61.57(e)" in place thereof.

41. By revising § 135.138(b) to read as follows:

**§ 135.138 Initial and recurrent pilot testing requirements.**

(b) No certificate holder may use the services of a pilot, nor may any person serve as a pilot, in any aircraft unless, since the beginning of the 12th calendar month before that service, he passed a flight check given to him by the Administrator or an authorized check pilot in that class of aircraft, if single-engine airplane other than turbojet, or that type of aircraft, if helicopter, multi-engine, or turbojet, to determine the pilot's competence in practical skills and techniques in that aircraft or class of aircraft, including at least the maneuvers that are set forth in § 61.127(a) (except (5)), § 61.127(b) (except (7)), § 61.127(c) (except (7)), and § 61.65(c) (1) and (5) of this chapter, and related advisory circulars for pilot certification in the class of aircraft the pilot is to operate. However, a pilot who holds an instrument rating need not demonstrate

the instrument flight maneuvers in § 61.65(c) (1) and (5).

**§ 135.140 [Amended]**

42. By amending § 135.140(a) by deleting the words "After December 6, 1973, no" and inserting the word "No" in place thereof.

**§ 135.144 [Amended]**

43. By amending § 135.144 and deleting the words "After May 31, 1972, no" and inserting the word "No" in place thereof.

**§ 135.144a [Deleted]**

44. By deleting § 135.144a.

**§ 135.155 [Amended]**

45. By amending § 135.155(e) by deleting the words "After March 6, 1965, an" and inserting the word "An" in place thereof.

**§ 135.163 [Amended]**

46. By amending § 135.163(b) by deleting the words "After October 21, 1972, no" and inserting the word "No" in place thereof.

**§ 135.167 [Amended]**

47. By amending § 135.167(a) by deleting the words "After April 1, 1971, no" and inserting the word "No" in place thereof.

**PART 137—AGRICULTURAL AIRCRAFT OPERATIONS**

**§ 137.3 [Amended]**

48. By amending § 137.3 by deleting—  
a. The words "economic poison" wherever they appear and inserting the word "pesticide" in place thereof; and  
b. The words "Secretary of Agriculture" in the second paragraph and inserting the words "Administrator of the U.S. Environmental Protection Agency" in place thereof.

**§ 137.19 [Amended]**

49. By deleting the words "economic poisons" or "poisons" where they appear in §§ 137.19(a), and (e) (1) (ii), (iii), and (iv) (except in the phrase "poison control center"), and inserting the word "pesticides" in place thereof.

50. By amending § 137.39 to read as follows:

**§ 137.39 Pesticide Dispensing.**

(a) Except as provided in paragraph (b) of this section, no person may dispense or cause to be dispensed from an aircraft, any pesticide that is registered with the U.S. Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135)—

(b) This section does not apply to any person dispensing pesticides for experimental purposes under—

(1) The supervision of a Federal or State agency authorized by law to conduct research in the field of pesticides; or

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(2) A permit from the U.S. Environmental Protection Agency issued pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135).

§ 137.53 [Amended]

51. By amending § 137.53(c)(1) by deleting the word "periodic" and inserting the word "annual" in place thereof.

**PART 145—REPAIR STATIONS**

§ 145.43 [Amended]

52. By amending § 145.43(b)(3) by deleting the word "date,".

53. By amending § 145.45 by revising the first sentence of paragraph (f) to read as follows:

§ 145.45 **Inspection systems.**

(f) At the time he applies for a repair station certificate, the applicant must provide an inspection procedures manual, and thereafter maintain it in current condition at all times. \* \* \*

§ 145.71 [Amended]

54. By amending § 145.71 by deleting the word "to" in the last sentence and inserting the word "through" in place thereof.

**PART 147—AVIATION MAINTENANCE  
TECHNICIAN SCHOOLS**

55. By revising § 147.3 to read as follows:

§ 147.3 **Certificate required.**

No person may operate as a certificated aviation maintenance technician school without, or in violation of, an aviation maintenance technician school certificate issued under this part.

§ 147.7 [Amended]

56. By deleting § 147.7(c).

§ 147.38a [Amended]

57. By changing the word "test" wherever it appears in § 147.38a to the plural word "tests".

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Acting Director,  
Flight Standards Service.

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