

Thursday, June 27, 1959

ocket Section when the prescribed date of return of comments has expired.

These amendments are proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776, 778; 49 U.S.C. 1353 (a), 1421, 1422, 1424).

In consideration of the foregoing, it is proposed to amend Part 40 of the Civil Air Regulations as follows:

1. By adding § 40.290 to read as follows:

**40.290 Approval of training program.**

The training program established by the air carrier under the provisions of § 40.280 through § 40.289 shall be approved by a representative of the Administrator.

**40.289 [Amendment]**

2a. By amending § 40.289(b) by deleting the last sentence and inserting in lieu thereof a new sentence to read as follows: "Satisfactory completion of the checks required by § 40.302 or § 40.305 will meet the requirements of this section."

b. By amending § 40.289(c) by deleting the second sentence.

3. By amending § 40.300 to read as follows:

**40.300 Qualification requirements.**

(a) No air carrier shall utilize any flight crew member or dispatcher, nor shall any such airman perform the duties authorized by his airman certificate, unless he satisfactorily meets the appropriate requirement of § 40.280 or § 40.289, and §§ 40.301 through 40.310. Each pilot serving as pilot in command shall hold an airline transport pilot certificate and appropriate type ratings for the aircraft in which he serves. All other pilots shall hold at least commercial pilot certificates with instrument ratings, and appropriate type ratings for the aircraft in which they serve.

(b) Check airman shall certify as to the proficiency of the pilot being examined, as required by §§ 40.302, 40.303, and 40.305, and such certification shall be made a part of the airman's record.

4. By amending § 40.305 to read as follows:

**40.305 Proficiency checks; pilots other than pilot in command.**

(a) An air carrier shall not utilize a pilot until he has satisfactorily demonstrated to a check pilot or a representative of the Administrator his ability to pilot and navigate airplanes to be flown by him and to perform his assigned duties. Thereafter, at least twice each 12 months at intervals of not less than 4 months or more than 8 months, a simulated pilot proficiency check shall be given to each such pilot. Where such pilots serve in more than one airplane type, the pilot proficiency check shall be given on the larger airplane type at least once each 12 months. The pilot proficiency check shall include at least the takeoffs and landings and other flight maneuvers specified in § 40.282(a).

(b) Subsequent to the initial pilot proficiency check, a pilot need accomplish only one of the proficiency checks required by paragraph (a) of this

section during each 12 months if he satisfactorily completes within such 12 months an approved course of training in an aircraft simulator which meets the requirements of § 40.302(b) (3). The interval between completion of the proficiency check in flight and the simulator training course shall not be less than 4 or more than 8 months.

Similar amendments are also proposed to Parts 41 and 42.

Issued in Washington, D.C., on June 25, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-5407; Filed, June 26, 1959; 8:53 a.m.]

[ 14 CFR Part 40 ]

[Reg. Docket No. 42; Draft Release 59-6]

**SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES**

**Maximum Age Limitations for Pilots**

Notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 40 of the Civil Air Regulations as hereinafter set forth.

Piloting of air carrier aircraft is recognized as a highly skilled occupation. Recognition of this is apparent in employment standards, compensation, hours of flying, proficiency checking, medical surveillance, and Federal regulations which apply to air carrier pilots. The development and maintenance of the highest piloting skill have been essential elements in providing, in a few decades, a rapid means of public transportation with a record of safety favorably comparable to that of other forms of public transportation.

Because of the relatively recent development of large-scale air carrier operations, and the emphasis on youth in the original selection of pilots by air carriers, the matter of age of the pilot, and its effect on the skills of piloting, has not until now become of critical importance. In 1947 there were no active airline transport pilots aged 60 or over. By 1962, it is predicted that there will be at least 80 active airline transport pilots in that age group, and that by 1967 the number will be about 250.

The continuing development of air carrier operations provides additional reasons for urgent consideration of the effect of age on the performance of air carrier pilots. Systems of air traffic management, to handle the increasing volume of air traffic, are under constant development and implementation. The effectiveness of these systems in promoting air safety depends to a considerable extent on the skills contributed by pilots in their operation. Similar dependence is now being placed on pilot skills to ensure the safe introduction of turbine-powered aircraft into air carrier service. This began in 1957 and is being rapidly accelerated in 1959.

For the present purposes, the process of aging can be considered as a progressive deterioration of certain impor-

tant physiological and psychological functions. The process begins at some time after the attainment of maturity and continues unrelentingly until death. Many measurements have been made of the extent to which deterioration occurs with age in specific physiological and psychological functions. Studies have also been made to demonstrate the significance of these determinations in the performance of certain tasks. However, when knowledge developed by such observations and studies is applied to a specific occupation it suffers from lack of completeness, as is generally the case in considering human capabilities. Scientific advances are expected to add continually to this knowledge.

Despite the fact that knowledge of the aging process specifically related to piloting aircraft is incomplete, certain applicable observations have been made and generally understood. Those which have been given consideration in the development of this regulation are discussed briefly hereafter.

Physical deterioration with age can, for the most part, be attributed to a progressive degenerative process termed arteriosclerosis, a condition affecting blood vessels in a manner quite comparable to the progressive accumulation of scale and rust in water pipes. The resultant interference with transportation of blood containing the vital materials needed by the tissues and organs, reduces the efficiency of function of bodily systems. This is an insidious process. There are no effective means of reversing it. It may affect the function of certain vital organs, such as the heart and brain, more rapidly than other organs and systems. The extent to which individual parts, or the body in general, are affected by these changes cannot be determined accurately by available methods of examination. Consequently, the point at which a function or a combination of functions first become critically affected cannot be determined in a given individual.

Specific medical conditions attributable to the degenerative processes of aging occur, of course, at an increasing rate as the processes continue. The death rate from heart disease, for example, has been found to be ten times greater for persons aged 45 to 64 than for those aged 25 to 44. By age 65, cardiovascular disease (including heart disease) causes more deaths than all other medical conditions combined. Non-fatal episodes occur at a comparably increased rate with age. Most of these medical conditions are those which produce sudden incapacity. They very frequently advance to the point where incapacity occurs without prior symptoms and in the presence of normal medical findings.

In general those human capabilities chiefly dependent upon experience, judgment and reasoning are retained for relatively long periods of time, and, in some respects, improve with age. These factors are operative at least from the attainment of maturity until some ill-defined state of deterioration is reached or until death, if this intervenes. In general, abilities to perform highly skilled tasks rapidly, to adapt to new and changing

environmental situations, to resist fatigue, to maintain physical stamina, and to perform effectively in a complex and stressful environment begin to decline in early middle life and continue to decline at a fairly steady rate thereafter. In addition, although experience, judgment, and reasoning may be well preserved, the ability to apply them rapidly, especially in new, changing, and emergency situations, is progressively lost with age at a rate comparable to the loss of rapid performance of highly skilled tasks.

Ability to learn is known to decline with age. Among the many factors which may be related to this decline is one of importance to the introduction of older pilots into new types of aircraft. New material is learned with difficulty and retained poorly when it requires the "unlearning" of previously acquired knowledge and skills. Inability to rely on the extent to which new patterns have been established and old patterns have been eradicated is demonstrated in reactions to new and emergency situations which may require a certain amount of essentially automatic behavior. It has been generally observed that the likelihood of reverting to previously learned and well-established patterns in such circumstances is relatively great, resulting in actions not appropriate to the demands of the situation.

As indicated, presently available data do not permit any precise determination of the specific age at which continued activity as a pilot can be said conclusively to constitute a hazard to safety under normal or emergency conditions of flight. It is known, however, from the available studies which have been made, that the detrimental effects on physiological and psychological functions have become significant by age 55. Consequently, in view of the distinct differences involved between piloting aircraft having reciprocating engines and those with turbojet engines, it is believed necessary in the interest of safety to establish age 55 as the age prior to which an individual must obtain a type rating for a turbojet-powered aircraft in order to act as pilot in command for such aircraft in air carrier service.

With regard to the age at which a pilot may serve in any pilot capacity in air carrier operations, on an aircraft powered by either turbine or reciprocating engines, it is reasonable under the present state of knowledge in order to assure the highest degree of safety required in air transportation to establish such maximum age at not more than 60.

Similar action is proposed in connection with pilots utilized in air carrier operations conducted under Parts 41 and 42.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 60 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action

upon the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed time for return of comments has expired.

This amendment is proposed under the authority of sections 313 (a), 601, 602 and 634 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776, 778; 49 U.S.C. 1354, 1421, 1422, 1424).

In consideration of the foregoing, it is proposed to amend § 40,260 by designating the present text of the section following the caption as paragraph (a) and by adding a new paragraph (b) to read as follows:

(b) No individual who has reached his 55th birthday shall be utilized or serve as a pilot in command on a turbojet-powered aircraft engaged in air carrier operations unless he held an aircraft type rating for the particular aircraft either prior to such birthday or the effective date of this regulation. In addition, no individual who has reached his 60th birthday shall be utilized or serve as a pilot on any aircraft engaged in air carrier operations.

Dated: June 25, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-5410; Filed, June 26, 1959;  
8:53 a.m.]

#### [ 14 CFR Part 41 ]

[Reg. Docket 41; Draft Release 59-5]

### CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE CONTINENTAL LIMITS OF UNITED STATES

#### Maximum Age Limitations for Pilots

Notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 41 of the Civil Air Regulations as hereinafter set forth.

Piloting of air carrier aircraft is recognized as a highly skilled occupation. Recognition of this is apparent in employment standards, compensation, hours of flying, proficiency checking, medical surveillance, and Federal regulations which apply to air carrier pilots. The development and maintenance of the highest piloting skill have been essential elements in providing, in a few decades, a rapid means of public transportation with a record of safety favorably comparable to that of other forms of public transportation.

Because of the relatively recent development of large-scale air carrier operations, and the emphasis on youth in the original selection of pilots by air carriers, the matter of age of the pilot, and its effect on the skills of piloting, has not until now become of critical importance. In 1947 there were no active airline transport pilots aged 60 or over. By 1962, it is predicted that there will be at least 80 active airline transport pilots

in that age group, and that the number will be about 250.

The continuing development of air carrier operations provides additional reasons for urgent consideration of the effect of age on the performance of air carrier pilots. Systems of air traffic management, to handle the increasing volume of air traffic, are under constant development and implementation. The effectiveness of these systems in promoting air safety depends to a considerable extent on the skills contributed by pilots in their operation. Similar dependence is now being placed on pilot skills to ensure the safe introduction of turbine-powered aircraft into air carrier service. This began in 1957 and is being rapidly accelerated in 1959.

For the present purposes, the process of aging can be considered as a progressive deterioration of certain important physiological and psychological functions. The process begins at some time after the attainment of maturity and continues unrelentingly until death. Many measurements have been made of the extent to which deterioration occurs with age in specific physiological and psychological functions. Studies have also been made to demonstrate the significance of these determinations in the performance of certain tasks. However, when knowledge developed by such observations and studies is applied to a specific occupation it suffers from lack of completeness, as is generally the case in considering human capabilities. Scientific advances are expected to add continually to this knowledge.

Despite the fact that knowledge of the aging process specifically related to piloting aircraft is incomplete, certain applicable observations have been made and generally understood. Those which have been given consideration in the development of this regulation are discussed briefly hereafter.

Physical deterioration with age can, for the most part, be attributed to a progressive degenerative process termed arteriosclerosis, a condition affecting blood vessels in a manner quite comparable to the progressive accumulation of scale and rust in water pipes. The resultant interference with transportation of blood containing the vital materials needed by the tissues and organs, reduces the efficiency of function of bodily systems. This is an insidious process. There are no effective means of reversing it. It may affect the function of certain vital organs, such as the heart and brain, more rapidly than other organs and systems. The extent to which individual parts, or the body in general, are affected by these changes cannot be determined accurately by available methods of examination. Consequently, the point at which a function or a combination of functions first become critically affected cannot be determined in a given individual.

Specific medical conditions attributable to the degenerative processes of aging occur, of course, at an increasing rate as the processes continue. The death rate from heart disease, for example, has been found to be ten times greater for persons aged 45 to 64 than for those aged 25

By age 65, cardiovascular disease (including heart disease) causes more deaths than all other medical conditions combined. Non-fatal episodes occur at a comparably increased rate with age. Most of these medical conditions are those which produce sudden incapacity. They very frequently advance to the point where incapacity occurs without prior symptoms and in the presence of normal medical findings.

In general these human capabilities are chiefly dependent upon experience, judgment and reasoning are retained for relatively long periods of time, and, in some respects, improve with age. These factors are operative at least from the attainment of maturity until some ill-defined state of deterioration is reached or until death, if this intervenes. In general, abilities to perform highly skilled tasks rapidly, to adapt to new and changing environmental situations, to resist fatigue, to maintain physical stamina, and to perform effectively in a complex and stressful environment begin to decline in early middle life and continue to decline at a fairly steady rate hereafter. In addition, although experience, judgment, and reasoning may be well preserved, the ability to apply them rapidly, especially in new, changing, and emergency situations is progressively lost with age at a rate comparable to the loss of rapid performance of highly skilled tasks.

Ability to learn is known to decline with age. Among the many factors which may be related to this decline is one of importance to the introduction of older pilots into new types of aircraft. New material is learned with difficulty and retained poorly when it requires the "unlearning" of previously acquired knowledge and skills. Inability to rely on the extent to which new patterns have been established and old patterns have been eradicated is demonstrated in reactions to new and emergency situations which may require a certain amount of essentially automatic behavior. It has been generally observed that the likelihood of reverting to previously learned and well-established patterns in such circumstances is relatively great, resulting in actions not appropriate to the demands of the situation.

As indicated, presently available data do not permit any precise determination of the specific age at which continued activity as a pilot can be said conclusively to constitute a hazard to safety under normal or emergency conditions of flight. It is known, however, from the available studies which have been made, that the detrimental effects on physiological and psychological functions have become significant by age 55. Consequently, in view of the distinct differences involved between piloting aircraft having reciprocating engines and those with turbojet engines, it is believed necessary in the interest of safety to establish age as the age prior to which an individual must obtain a type rating for a turbojet-powered aircraft in order to act as pilot in command for such aircraft in air carrier service.

With regard to the age at which an individual may serve in any pilot capacity in

air carrier operations, on an aircraft powered by either turbine or reciprocating engines, it is reasonable under the present state of knowledge in order to assure the highest degree of safety required in air transportation to establish such maximum age at not more than 60.

Similar action is proposed in connection with pilots utilized in air carrier operations conducted under Parts 40 and 42.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 60 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed time for return of comments has expired.

This amendment is proposed under the authority of sections 313(a), 601, 602 and 604 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776, 778; 49 U.S.C. 1354, 1421, 1422, 1424).

In consideration of the foregoing, it is proposed to amend § 41.48 by adding a new paragraph (e) to read as follows:

(e) No individual who has reached his 55th birthday shall be utilized or serve as a pilot in command, or as second in command of a flight crew of 3 or more pilots, on a turbojet-powered aircraft engaged in air carrier operations unless he held an aircraft type rating for the particular aircraft either prior to such birthday or the effective date of this regulation. In addition, no individual who has reached his 60th birthday shall be utilized or serve as a pilot on any aircraft engaged in air carrier operations.

Dated: June 25, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-5409; Filed, June 26, 1959; 8:53 a.m.]

[ 14 CFR Part 42 ]

[Reg. Docket No. 40; Draft Release 59-4]

**IRREGULAR AIR CARRIER AND OFF-ROUTE RULES**

**Maximum Age Limitations for Pilots**

Notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 42 of the Civil Air Regulations as hereinafter set forth.

Piloting of air carrier aircraft is recognized as a highly skilled occupation. Recognition of this is apparent in employment standards, compensation, hours of flying, proficiency checking, medical surveillance, and Federal regu-

lations which apply to air carrier pilots. The development and maintenance of the highest piloting skill have been essential elements in providing, in a few decades, a rapid means of public transportation with a record of safety favorably comparable to that of other forms of public transportation.

Because of the relatively recent development of large-scale air carrier operations, and the emphasis on youth in the original selection of pilots by air carriers, the matter of age of the pilot, and its effect on the skills of piloting, has not until now become of critical importance. In 1947 there were no active airline transport pilots aged 60 or over. By 1962, it is predicted that there will be at least 80 active airline transport pilots in that age group, and that by 1967 the number will be about 250.

The continuing development of air carrier operations provides additional reasons for urgent consideration of the effect of age on the performance of air carrier pilots. Systems of air traffic management, to handle the increasing volume of air traffic, are under constant development and implementation. The effectiveness of these systems in promoting air safety depends to a considerable extent on the skills contributed by pilots in their operation. Similar dependence is now being placed on pilot skills to ensure the safe introduction of turbine-powered aircraft into air carrier service. This began in 1957 and is being rapidly accelerated in 1959.

For the present purposes, the process of aging can be considered as a progressive deterioration of certain important physiological and psychological functions. The process begins at some time after the attainment of maturity and continues unrelentingly until death. Many measurements have been made of the extent to which deterioration occurs with age in specific physiological and psychological functions. Studies have also been made to demonstrate the significance of these determinations in the performance of certain tasks. However, when knowledge developed by such observations and studies is applied to a specific occupation it suffers from lack of completeness, as is generally the case in considering human capabilities. Scientific advances are expected to add continually to this knowledge.

Despite the fact that knowledge of the aging process specifically related to piloting aircraft is incomplete, certain applicable observations have been made and generally understood. Those which have been given consideration in the development of this regulation are discussed briefly hereafter.

Physical deterioration with age can, for the most part, be attributed to a progressive degenerative process termed arteriosclerosis, a condition affecting blood vessels in a manner quite comparable to the progressive accumulation of scale and rust in water pipes. The resultant interference with transportation of blood containing the vital materials needed by the tissues and organs, reduces the efficiency of function of bodily systems. This is an insidious process. There are no effective means of reversing

FEDERAL DEPOSIT INSURANCE CORPORATION

[ 12 CFR Part 329 ]

PAYMENT OF DEPOSITS AND INTEREST THEREON BY INSURED NON-MEMBER BANKS

Notice of Proposed Rule Making

Part 29 of the rules and regulations of the Federal Deposit Insurance Corporation, relating to the payment of deposits and interest thereon, provides in § 329.3(c) that insured nonmember banks may pay interest at the applicable maximum rate from the first day of the month on a savings deposit received during the first 10 business days of any calendar month commencing a quarterly or semiannual interest period, and during the first 5 business days of any other calendar month.

The Board of Directors of the Federal Deposit Insurance Corporation is considering amending § 329.3(c) so as to permit insured nonmember banks to pay interest at the maximum permissible rate from the first day of the month on savings deposits received during the first 10 calendar days in any month.

The purpose of this amendment is to reduce misunderstandings in connection with these so-called "grace periods," make possible uniform advertising, create better customer relationships, and enable banks that compute interest on a cycle basis to facilitate computation of interest on savings accounts and eliminate difficulties presently being encountered.

The proposed amendment would change § 329.3(c) to read as follows:

(c) *Grace periods in computing interest on savings deposits.* An insured nonmember bank may pay interest on a savings deposit received during the first ten (10) calendar days of any calendar month at the applicable maximum rate prescribed pursuant to paragraph (a) of this section calculated from the first day of such calendar month until such deposit is withdrawn or ceases to constitute a savings deposit under the provisions of this part, whichever shall first occur; and an insured nonmember bank may pay interest on a savings deposit withdrawn during its last three (3) business days of any calendar month ending a regular quarterly or semiannual interest period at the applicable maximum rate prescribed pursuant to paragraph (a) of this section calculated to the end of such calendar month.

This notice is published pursuant to section 4 of the Administrative Procedure Act and Part 302 of the Corporation's rules and regulations (12 CFR Part 302). The proposed amendment is authorized under the authority cited in Part 329 of the Corporation's rules and regulations (12 CFR Part 329).

To aid in the consideration of the proposed amendment, the Board of Directors will be glad to receive any data

It may affect the function of certain vital organs, such as the heart and brain, more rapidly than other organs and systems. The extent to which individual parts, or the body in general, are affected by these changes cannot be determined accurately by available methods of examination. Consequently, the point at which a function or a combination of functions first become critically affected cannot be determined in a given individual.

Specific medical conditions attributable to the degenerative processes of aging occur, of course, at an increasing rate as the processes continue. The death rate from heart disease, for example, has been found to be ten times greater for persons aged 45 to 64 than for those aged 25 to 44. By age 65, cardiovascular disease (including heart disease) causes more deaths than all other medical conditions combined. Non-fatal episodes occur at a comparably increased rate with age. Most of these medical conditions are those which produce sudden incapacity. They very frequently occur without prior symptoms and in the presence of normal medical findings.

In general those human capabilities chiefly dependent upon experience, judgment and reasoning are retained for relatively long periods of time, and, in some respects, improve with age. These factors are operative at least from the attainment of maturity until some ill-defined state of deterioration is reached or until death, if this intervenes. In general, abilities to perform highly skilled tasks rapidly, to adapt to new and changing environmental situations, to resist fatigue, to maintain physical stamina, and to perform effectively in a complex and stressful environment begin to decline in early middle life and continue to decline at a fairly steady rate thereafter. In addition, although experience, judgment, and reasoning may be well preserved, the ability to apply them rapidly, especially in new, changing, and emergency situations, is progressively lost with age at a rate comparable to the loss of rapid performance of highly skilled tasks.

Ability to learn is known to decline with age. Among the many factors which may be related to this decline is one of importance to the introduction of older pilots into new types of aircraft. New material is learned with difficulty and retained poorly when it requires the "unlearning" of previously acquired knowledge and skills. Inability to rely on the extent to which new patterns have been established and old patterns have been eradicated is demonstrated in reactions to new and emergency situations which may require a certain amount of essentially automatic behavior. It has been generally observed that the likelihood of reverting to previously learned and well-established patterns in such circumstances is relatively great, resulting in actions not appropriate to the demands of the situation.

As indicated, presently available data do not permit any precise determination

of the specific age at which continued activity as a pilot can be said conclusively to constitute a hazard to safety under normal or emergency conditions of flight. It is known, however, from the available studies which have been made, that the detrimental effects on physiological and psychological functions have become significant by age 55. Consequently, in view of the distinct differences involved between piloting aircraft having reciprocating engines and those with turbojet engines, it is believed necessary in the interest of safety to establish age 55 as the age prior to which an individual must obtain a type rating for a turbojet-powered aircraft in order to act as pilot in command for such aircraft in air carrier service.

With regard to the age at which a pilot may serve in any pilot capacity in air carrier operations, on an aircraft powered by either turbine or reciprocating engines, it is reasonable under the present state of knowledge in order to assure the highest degree of safety required in air transportation to establish such maximum age at not more than 60.

Similar action is proposed in connection with pilots utilized in air carrier operations conducted under Parts 40 and 41.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 60 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed time for return of comments has expired.

This amendment is proposed under the authority of sections 313(a), 601, 602 and 604 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776, 778; 49 U.S.C. 1354, 1421, 1422, 1424).

In consideration of the foregoing, it is proposed to amend § 42.40 by adding a new paragraph (c) to read as follows:

(c) No individual who has reached his 55th birthday shall be utilized or serve as a pilot in command, or as second in command of a flight crew of 3 or more pilots, on a turbojet-powered aircraft engaged in air carrier operations unless he held an aircraft type rating for the particular aircraft either prior to such birthday or the effective date of this regulation. In addition, no individual who has reached his 60th birthday shall be utilized or serve as a pilot on any aircraft engaged in air carrier operations.

Dated: June 25, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-5408; Filed, June 26, 1959; 8:53 a.m.]