

60.3 Flight rules (general).

60.30 Pilot certificates. No person shall pilot a civil aircraft within the limits of a civil airway or control zone of intersection, or elsewhere in interstate or foreign air commerce

- a. unless possessed of a valid pilot certificate of competency, or
- b. unless possessed, if an alien, of such certificate or a similar pilot certificate issued or validated according to the provisions of Part 65, or
- c. in violation of any term, specification or limitation of such certificate.

60.35 Minimum safe altitudes. Exclusive of taking off from or landing upon an airport or other landing area, aircraft shall not be flown below the following minimum safe altitudes of flight:

60.350 (a) An altitude over the congested parts of cities, towns or settlements, sufficient to permit at all times an emergency landing outside of such areas in the event of complete power failure, but in no case less than 1,000 feet above the ground.

60.351 (b) An altitude over certified high explosive danger areas other than airspace reservations, sufficient to permit at all times an emergency landing outside of such certified danger area in the event of complete power failure, but in no case less than 1,000 feet above the ground: *Provided, however,* That the restrictions of this subparagraph shall not apply to public aircraft, previously authorized by the appropriate governmental agency, to make specific flights below such minimums in the public interest.

60.352 (c) 1,000 feet above the ground over any Federal penal institution or any open air assembly of persons.

60.353 (d) 500 feet above the ground or water elsewhere than as specified in §§ 60.350, 60.351 and 60.352, or within 500 feet from any mountain, hill or other obstruction to flight, except as may be specifically approved by the Secretary: *Provided, however,* That seaplanes and amphibians may be flown below 500 feet, but not below 300 feet if making a contact flight during daylight hours over open water and where an emergency landing may, at all times, be made, without the aid of power, into the wind and without danger of collision with craft on the surface or other obstructions: *And provided, further,* That the restrictions of this subparagraph shall not apply to public aircraft, previously authorized by the appropriate governmental agency, to make specific flights below such minimums the public interest.

60.354 (e) 1,000 feet above the ground or water, or within 1,000 feet of any mountain, hill or other obstruction to flight, if an aircraft is making an instrument flight as defined in § 60.131.

60.4 Flight rules (contact). In addition to general or special air traffic rules which apply, the following rules shall govern a contact flight in weather conditions equal to or better than those described in § 60.44, within the limits of a civil airway or control zone of intersection, or elsewhere in interstate or foreign air commerce. For flight in weather conditions worse than those described in § 60.44 and for flight in closer proximity to cloud formations than the distances prescribed in § 60.44, see § 60.5.

NOTE.—The rules prescribed under § 60.4 will apply to scheduled airline operations unless otherwise specifically indicated.

60.40 Pilot. No instrument rating required. (See Parts 40 and 61 for provisions applicable to scheduled airlines.)

60.41 Equipment. Aircraft shall be certificated as to equipment as provided for in §§ 04.510, 04.511, 04.512 or 04.515, depending upon whether the flight is visual-contact day within 100 miles of a fixed base, visual-contact day unlimited distance or visual-contact night for land-planes, or either of the same for seaplanes or amphibians. (See §§ 04.530 and 04.531 for provisions applicable to scheduled airlines.)

60.43 Flight plan. No flight plan is required.

NOTE.—If a pilot desires that any information concerning his proposed flight be transmitted by a Bureau communications facility to the point of destination, a complete flight plan as defined in § 60.133 shall be submitted to such facility. Such flight plan will, if possible, be transmitted by Bureau communications facilities to such point of destination as soon as practicable.

60.44 Weather minimums. The following weather minimums shall govern flight made in accordance with contact flight rules: *Provided, however,* That a Bureau airway traffic control station may, for reasons of safety, restrict or suspend contact flight operation within the airway traffic control area of such station: *And provided further,* That the Secretary may require higher minimums at any particular control airport, and that such minimums shall govern the control zone in which such control airport lies. Pending the issuance of airport control tower operator certificates by the Secretary in accordance with the provisions of Part 26, but in no case later than July 1, 1938, the authority granted to certificated airport control tower operators to permit flights in accordance with the provisions of §§ 60.440 and 60.441 is hereby granted to any airport control tower operator who has had not less than six months satisfactory service as an airport control tower operator, during the year immediately preceding the effective date of

these air traffic rules, at the particular airport involved.

- 60.441 Within control zones (night).** Flight of aircraft shall not be made during the hours of darkness within a control zone unless the ceiling is at least 1,000 feet and the visibility is at least 3 miles: *Provided, however,*
- a. that a certificated airport control tower operator on duty in a radio equipped airport control tower in operation at the control airport may authorize flight, in accordance with §§ 60.442 and 60.443, at or below 1,000 feet above the ground in the control zone for such control airport when the visibility is less than 3 miles but not less than 2 miles, and
 - b. that such operator shall suspend contact flight operations within the control zone whenever in his opinion safety requires such action.
- 60.442 Within control zones (day or night below overcast).** No flight of aircraft shall be made during daylight within a control zone closer than 300 feet vertically to the base of an overcast or cloud formation within such zone, nor closer than 500 feet vertically if precipitation is occurring in any form. No flight of aircraft shall be made at night within a control zone closer than 500 feet vertically to the base of an overcast or cloud formation within such zone.
- 60.443 Within control zones (day or night above overcast or through cloud level).** No flight of aircraft shall be made during daylight within a control zone closer than 300 feet vertically to the top of an overcast or cloud formation within such zone, nor closer than 500 feet vertically if precipitation is occurring in any form. No flight of aircraft shall be made at night within a control zone closer than 500 feet vertically to the top of an overcast or cloud formation within such zone. At no time during ascent, descent, or level flight within the cloud level shall the aircraft be flown closer than 2,000 feet horizontally to the cloud formation or overcast.
- 60.446 Outside of control zones (night flight at or below 1,000 feet above the ground or water).** No flight of aircraft shall be made at night outside of a control zone at or below 1,000 feet above the ground or water, unless the ceiling is sufficient to permit flight at the minimum altitudes prescribed in § 60.35 and unless the visibility is at least 2 miles.
- 60.447 Outside of control zones (night flight above 1,000 feet above the ground or water).** No flight of aircraft shall be made at night outside of a control zone above 1,000 feet above the ground or water, unless the ceiling is sufficient to permit flight at the minimum altitudes prescribed in § 60.35 and unless the visibility is at least 3 miles at the flight altitude, except as provided in §§ 60.443 and 60.449.

60.448 Outside of control zones (day or night below overcast). No flight of aircraft shall be made during daylight outside of a control zone closer than 300 feet vertically to the base of an overcast or cloud formation, nor closer than 500 feet vertically if precipitation is occurring in any form. No flight of aircraft shall be made during darkness outside of a control zone closer than 500 feet vertically to the base of an overcast or cloud formation.

60.449 Outside of control zones (day or night above overcast or through cloud level). No flight of aircraft shall be made during daylight outside of a control zone closer than 300 feet vertically to the top of an overcast or cloud formation, nor closer than 500 feet vertically if precipitation is occurring in any form. No flight of aircraft shall be made at night outside of a control zone closer than 500 feet vertically to the top of an overcast or cloud formation. At no time during ascent, descent, or level flight within the cloud level shall the aircraft be flown closer than 2,000 feet horizontally to the cloud formation or overcast.

60.47 Flight enroute.

60.470 Weather changes. If weather conditions below the minimums prescribed in § 60.44 are anticipated or are actually encountered enroute, a landing shall be made at the nearest airport at which weather conditions are equal to or better than those prescribed in § 60.44, or the flight shall be altered so that it may be made in weather conditions as good as, or better than, such minimums, unless such flight can and does proceed in accordance with the instrument flight rules prescribed in § 60.5.

60.471 Communication contacts. No communication contacts required.

NOTE.—If the aircraft is possessed of two-way radio, it is recommended that the procedure provided for in § 60.571 be followed.

60.472 Flight plan changes. No notice of any change in flight plan is required. See, however, § 60.430.

NOTE.—If a flight plan has been submitted and the aircraft is possessed of two-way radio, it is recommended that the procedure provided for in § 60.573 be followed.

60.48 Flight altitudes. None required.

NOTE.—It is recommended that cruising altitudes shall conform to those provided for in § 60.58 if the flight is made above 1,000 feet above the ground or water.

60.5 Flight rules (instrument). In addition to general or special air traffic rules which

apply, the following rules shall govern instrument flight, flight in closer proximity to cloud formation than the distances prescribed in § 60.44, and flight in weather conditions worse than those described in § 60.44, within or approaching the limits of a civil airway or control zone of intersection, or elsewhere in interstate or foreign air commerce.

NOTE.—The rules prescribed under § 60.5 will apply to scheduled airline operations unless otherwise specifically indicated.

- 60.50 Pilot.** No flight shall be made unless the pilot in charge holds a valid instrument rating, or is the holder of a valid airline pilot certificate.
- 60.51 Equipment.** Aircraft shall be properly certificated as to equipment according to the provisions of §§ 04.513, 04.514, and 04.515. (Scheduled airline aircraft shall be certificated as provided in §§ 04.532, 04.533, and 04.534.)
- 60.53 Flight plan.** Prior to take-off from any point within an airway traffic control area, and prior to entering such an area, an approved flight plan as prescribed in § 60.134 is required. No flight plan shall be submitted until after the pilot has made a careful study of available current weather reports and forecasts and believes the flight can be made with safety. (For a list of airway traffic control areas, see § 60.24.)
- 60.532 Notification of arrival.** If the pilot of an aircraft has submitted, or authorized the submission of, a flight plan for transmission to destination as provided for in § 60.53, he shall, immediately upon landing or upon completion of the flight, file an arrival message for transmission to the point of departure.
- 60.54 Weather minimums.** The following weather minimums shall govern Landings and take-offs made in accordance with instrument flight rules: *Provided, however,* That the Secretary may require higher minimums at any airport: *And provided further,* That such minimums, if for a control airport, shall govern the control zone in which such airport lies. Pending the issuance of traffic control tower operator certificates by the Secretary in accordance with the provisions of Part 26, but in no case later than July 1, 1938, the authority granted to certificated airport control tower operators to permit flights in accordance with the provisions of § 60.540 is hereby granted to any airport control tower operator who has had not less than six months' experience as an airport control tower operator during the year immediately preceding the effective date of these air traffic rules.
- 60.541 Airports outside a control zone.** No flight, other than by a public aircraft or by a

scheduled airline aircraft, shall be made to or from an airport outside of a control zone when the ceiling is less than 500 feet or the visibility is less than 1 mile. (For scheduled airline operation, see §§ 40.290, 40.390, 61.7109, and 61.730.)

60.57 Flight enroute.

60.570 Weather changes. If weather reports available to the pilot enroute indicate that the weather conditions will be below the minimums allowing operation into the airport of destination at the expected time of arrival, the pilot shall not attempt a landing at the airport of destination but shall either proceed to the appropriate alternate airport as provided for in §60.55, or proceed to an airport where weather conditions are at such time equal to or better than the weather minimums prescribed in § 60.54. (For scheduled airline operation, see § 61.7106.)

60.5720 (a) Continue flight in accordance with contact flight rules. The pilot may proceed provided that the flight may be made in accordance with contact flight rules as provided for in § 60.4.

60.5721 (b) Effect a landing. The pilot may effect a landing at the nearest suitable airport at which favorable weather conditions exist and where no airway traffic control station is located.

69.5722 (c) Continue flight in accordance with flight plan. In the event weather conditions do not permit the procedures provided for in § 60.5720 or § 60.5721, the pilot may, when sufficient radio signals are received, proceed according to his flight plan, including any amending instructions issued and acknowledged enroute, with particular attention to maintaining his last acknowledged assigned altitude until the approach time last authorized for, and acknowledged by, the pilot of such aircraft, after which landing may be made.

NOTE.—Normal traffic will resume as soon as the aircraft has landed or been accounted for, but, in any event in not more than 30 minutes after the approach time last authorized for the aircraft and acknowledged by the pilot of such aircraft.

60.573 Flight plan changes. No change shall be made enroute in any approved flight plan until approval has first been obtained from the Bureau airway traffic control station for the area in which the flight is progressing, unless an emergency situation arises which requires immediate decision and action, in which case as soon as possible after such emergency authority is exercised the pilot shall inform the proper control station of the new flight plan and obtain approval therefor.