

§ 63.3

14 CFR Ch. I (1–1–10 Edition)

Administrator finds that the certificate is needed for the operation of a U.S.-registered civil aircraft.

(Secs. 313, 601, 602, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1421, and 1422); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Title V, Independent Offices Appropriations Act of 1952 (31 U.S.C. 483(a)); sec. 28, International Air Transportation Competition Act of 1979 (49 U.S.C. 1159(b)))

[Doc. No. 22052, 47 FR 35693, Aug. 18, 1982]

§ 63.3 Certificates and ratings required.

(a) No person may act as a flight engineer of a civil aircraft of U.S. registry unless he has in his personal possession a current flight engineer certificate with appropriate ratings issued to him under this part and a second-class (or higher) medical certificate issued to him under part 67 of this chapter within the preceding 12 months. However, when the aircraft is operated within a foreign country, a current flight engineer certificate issued by the country in which the aircraft is operated, with evidence of current medical qualification for that certificate, may be used. Also, in the case of a flight engineer certificate issued under § 63.42, evidence of current medical qualification accepted for the issue of that certificate is used in place of a medical certificate.

(b) No person may act as a flight navigator of a civil aircraft of U.S. registry unless he has in his personal possession a current flight navigator certificate issued to him under this part and a second-class (or higher) medical certificate issued to him under part 67 of this chapter within the preceding 12 months. However, when the aircraft is operated within a foreign country, a current flight navigator certificate issued by the country in which the aircraft is operated, with evidence of current medical qualification for that certificate, may be used.

(c) Each person who holds a flight engineer or flight navigator certificate, or medical certificate, shall present either or both for inspection upon the request of the Administrator or an authorized representative of the National Transportation Safety Board, or of any

Federal, State, or local law enforcement officer.

(Secs. 3, 6, 9, 80 Stat. 931, 49 U.S.C. 1652, 1655, 1657)

[Doc. No. 1179, 27 FR 7969, Aug. 10, 1962, as amended by Amdt. 63–1, 27 FR 10410, Oct. 25, 1962; Amdt. 63–3, 30 FR 14559, Nov. 23, 1965; Amdt. 63–7, 31 FR 13523, Oct. 20, 1966; Doc. No. 8084, 32 FR 5769, Apr. 11, 1967; Amdt. 63–9, 33 FR 18613, Dec. 17, 1968; Amdt. 63–11, 35 FR 5320, Mar. 31, 1970]

§ 63.11 Application and issue.

(a) An application for a certificate and appropriate class rating, or for an additional rating, under this part must be made on a form and in a manner prescribed by the Administrator. Each person who applies for airmen certification services to be administered outside the United States for any certificate or rating issued under this part must show evidence that the fee prescribed in appendix A of part 187 of this chapter has been paid.

(b) An applicant who meets the requirements of this part is entitled to an appropriate certificate and appropriate class ratings.

(c) Unless authorized by the Administrator, a person whose flight engineer certificate is suspended may not apply for any rating to be added to that certificate during the period of suspension.

(d) Unless the order of revocation provides otherwise, a person whose flight engineer or flight navigator certificate is revoked may not apply for the same kind of certificate for 1 year after the date of revocation.

(Secs. 313, 601, 602, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1421, and 1422); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Title V, Independent Offices Appropriations Act of 1952 (31 U.S.C. 483(a)); sec. 28, International Air Transportation Competition Act of 1979 (49 U.S.C. 1159(b)))

[Doc. No. 1179, 27 FR 7969, Aug. 10, 1962, as amended by Amdt. 63–3, 30 FR 14559, Nov. 23, 1965; Amdt. 63–7, 31 FR 13523, Oct. 20, 1966; Amdt. 63–22, 47 FR 35693, Aug. 16, 1982; Amdt. 63–35, 72 FR 18558, Apr. 12, 2007]

§ 63.12 Offenses involving alcohol or drugs.

(a) A conviction for the violation of any Federal or state statute relating to the growing, processing, manufacture,

sale, disposition, possession, transportation, or importation of narcotic drugs, marihuana, or depressant or stimulant drugs or substances is grounds for—

(1) Denial of an application for any certificate or rating issued under this part for a period of up to 1 year after the date of final conviction; or

(2) Suspension or revocation of any certificate or rating issued under this part.

(b) The commission of an act prohibited by §91.17(a) or §91.19(a) of this chapter is grounds for—

(1) Denial of an application for a certificate or rating issued under this part for a period of up to 1 year after the date of that act; or

(2) Suspension or revocation of any certificate or rating issued under this part.

[Doc. No. 21956, 50 FR 15379, Apr. 17, 1985, as amended by Amdt. 63-27, 54 FR 34330, Aug. 18, 1989]

§ 63.12a Refusal to submit to an alcohol test or to furnish test results.

A refusal to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer in accordance with §91.11(c) of this chapter, or a refusal to furnish or authorize the release of the test results when requested by the Administrator in accordance with §91.17 (c) or (d) of this chapter, is grounds for—

(a) Denial of an application for any certificate or rating issued under this part for a period of up to 1 year after the date of that refusal; or

(b) Suspension or revocation of any certificate or rating issued under this part.

[Docket No. 21956, 51 FR 1229, Jan. 9, 1986, as amended by Amdt. 63-27, 54 FR 34330, Aug. 18, 1989]

§ 63.12b [Reserved]

§ 63.13 Temporary certificate.

A certificate effective for a period of not more than 120 days may be issued to a qualified applicant, pending review of his application and supplementary

documents and the issue of the certificate for which he applied.

[Doc. No. 1179, 27 FR 7969, Aug. 10, 1962, as amended by Amdt. 63-19, 43 FR 22639, May 25, 1978]

§ 63.14 Security disqualification.

(a) *Eligibility standard.* No person is eligible to hold a certificate, rating, or authorization issued under this part when the Transportation Security Administration (TSA) has notified the FAA in writing that the person poses a security threat.

(b) *Effect of the issuance by the TSA of an Initial Notification of Threat Assessment.* (1) The FAA will hold in abeyance pending the outcome of the TSA's final threat assessment review an application for any certificate, rating, or authorization under this part by any person who has been issued an Initial Notification of Threat Assessment by the TSA.

(2) The FAA will suspend any certificate, rating, or authorization issued under this part after the TSA issues to the holder an Initial Notification of Threat Assessment.

(c) *Effect of the issuance by the TSA of a Final Notification of Threat Assessment.*

(1) The FAA will deny an application for any certificate, rating, or authorization under this part to any person who has been issued a Final Notification of Threat Assessment.

(2) The FAA will revoke any certificate, rating, or authorization issued under this part after the TSA has issued to the holder a Final Notification of Threat Assessment.

[Doc. No. FAA-2003-14293, 68 FR 3774, Jan. 24, 2003]

§ 63.15 Duration of certificates.

(a) Except as provided in §63.23 and paragraph (b) of this section, a certificate or rating issued under this part is effective until it is surrendered, suspended, or revoked.

(b) A flight engineer certificate (with any amendment thereto) issued under §63.42 expires at the end of the 24th month after the month in which the certificate was issued or renewed. However, the holder may exercise the privileges of that certificate only while the