

## Federal Aviation Administration, DOT

## § 63.12b

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 is neither a United States citizen nor a resident alien and applies for a written or practical test 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]

### § 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 Refusal to submit to a drug or alcohol test.

(a) This section applies to an employee who performs a function listed in appendix I or appendix J to part 121 of this chapter directly or by contract for a part 121 certificate holder, a part 135 certificate holder, or an operator as defined in § 135.1(c) of this chapter.

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(b) Refusal by the holder of a certificate issued under this part to take a drug test required under the provisions of appendix I to part 121 or an alcohol test required under the provisions of appendix J to part 121 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 such refusal; and

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

[Amdt. 63-29, 59 FR 7389, Feb. 15, 1994]

### § 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]

### § 63.15 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 foreign flight engineer license on which that certificate is based is effective.

(c) Any certificate issued under this part ceases to be effective if it is surrendered, suspended, or revoked. The holder of any certificate issued under this part that is suspended or revoked shall, upon the Administrator's request, return it to the Administrator.

(Sec. 6, 80 Stat. 937, 49 U.S.C. 1655; 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. 8846, 33 FR 18613, Dec. 17, 1968, as amended by Amdt. 63-22, 47 FR 35693, Aug. 16, 1982]

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### § 63.15a [Reserved]

### § 63.16 Change of name; replacement of lost or destroyed certificate.

(a) An application for a change of name on a certificate issued under this part must be accompanied by the applicant's current certificate and the marriage license, court order, or other document verifying the change. The documents are returned to the applicant after inspection.

(b) An application for a replacement of a lost or destroyed certificate is made by letter to the Department of Transportation, Federal Aviation Administration, Airman Certification Branch, Post Office Box 25082, Oklahoma City, OK 73125. The letter must—

(1) Contain the name in which the certificate was issued, the permanent mailing address (including zip code), social security number (if any), and date and place of birth of the certificate holder, and any available information regarding the grade, number, and date of issue of the certificate, and the ratings on it; and

(2) Be accompanied by a check or money order for \$2, payable to the Federal Aviation Administration.

(c) An application for a replacement of a lost or destroyed medical certificate is made by letter to the Department of Transportation, Federal Aviation Administration, Civil Aeromedical Institute, Aeromedical Certification Branch, Post Office Box 25082, Oklahoma City, OK 73125, accompanied by a check or money order for \$2.00.

(d) A person whose certificate issued under this part or medical certificate, or both, has been lost may obtain a telegram from the Federal Aviation Administration confirming that it was issued. The telegram may be carried as a certificate for a period not to exceed 60 days pending his receiving a duplicate under paragraph (b) or (c) of this section, unless he has been notified that the certificate has been suspended or revoked. The request for such a telegram may be made by prepaid telegram, stating the date upon which a duplicate certificate was requested, or including the request for a duplicate and a money order for the necessary amount. The request for a telegraphic certificate should be sent to the office