

## § 63.1

63.59 Retesting after failure.  
63.61 Flight navigator courses.  
APPENDIX A TO PART 63—TEST REQUIREMENTS  
FOR FLIGHT NAVIGATOR CERTIFICATE  
APPENDIX B TO PART 63—FLIGHT NAVIGATOR  
TRAINING COURSE REQUIREMENTS  
APPENDIX C TO PART 63—FLIGHT ENGINEER  
TRAINING COURSE REQUIREMENTS  
AUTHORITY: 49 U.S.C. 106(g), 40113, 44701–  
44703, 44707, 44709–44711, 45102–45103, 45301–  
45302.

### SPECIAL FEDERAL AVIATION REGULATIONS

#### SPECIAL FEDERAL AVIATION REGULATION No. 58

EDITORIAL NOTE: For the text of SFAR No.  
58, see part 121 of this chapter.

#### SPECIAL FEDERAL AVIATION REGULATION No. 93

EDITORIAL NOTE: For the text of SFAR No.  
93, see part 61 of this chapter.

#### SPECIAL FEDERAL AVIATION REGULATION No. 96

EDITORIAL NOTE: For the text of SFAR No.  
96, see part 61 of this chapter.

EFFECTIVE DATE NOTE: By Doc. No. FAA–  
2002–12199, 67 FR 30527, May 6, 2002, SFAR 96  
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May 6, 2004.

### Subpart A—General

SOURCE: Docket No. 1179, 27 FR 7969, Aug.  
10, 1962, unless otherwise noted.

#### § 63.1 Applicability.

This part prescribes the requirements  
for issuing flight engineer and flight  
navigator certificates and the general  
operating rules for holders of those cer-  
tificates.

#### § 63.2 Certification of foreign flight crewmembers other than pilots.

A person who is neither a United  
States citizen nor a resident alien is  
issued a certificate under this part  
(other than under § 63.23 or § 63.42) out-  
side the United States only when the  
Administrator finds that the certifi-

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cate 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 Transpor-  
tation Competition Act of 1979 (49 U.S.C.  
1159(b)))

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

#### § 63.3 Certificates and ratings re- quired.

(a) No person may act as a flight en-  
gineer of a civil aircraft of U.S. reg-  
istry unless he has in his personal pos-  
session a current flight engineer cer-  
tificate 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 air-  
craft is operated, with evidence of cur-  
rent medical qualification for that cer-  
tificate, may be used. Also, in the case  
of a flight engineer certificate issued  
under § 63.42, evidence of current med-  
ical qualification accepted for the issue  
of that certificate is used in place of a  
medical certificate.

(b) No person may act as a flight nav-  
igator of a civil aircraft of U.S. reg-  
istry unless he has in his personal pos-  
session a current flight navigator cer-  
tificate 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 air-  
craft is operated, with evidence of cur-  
rent medical qualification for that cer-  
tificate, may be used.

(c) Each person who holds a flight en-  
gineer or flight navigator certificate,  
or medical certificate, shall present ei-  
ther or both for inspection upon the re-  
quest of the Administrator or an au-  
thorized representative of the National  
Transportation Safety Board, or of any

## Federal Aviation Administration, DOT

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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.