

(f) *Refusal to submit to a required alcohol test.* No covered employee shall refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol test required under appendix J to part 121 of this chapter. No employer shall permit an employee who refuses to submit to such a test to perform or continue to perform safety-sensitive functions.

[Amdt. 65-37, 59 FR 7389, Feb. 15, 1994]

§ 65.46b Testing for alcohol.

(a) Each air traffic control facility not operated by the FAA or the U.S. military (hereinafter *employer*) must establish an alcohol misuse prevention program in accordance with the provisions of appendix J to part 121 of this chapter.

(b) No employer shall use any person who meets the definition of *covered employee* in appendix J to part 121 to perform a safety-sensitive function listed in that appendix unless such person is subject to testing for alcohol misuse in accordance with the provisions of appendix J.

[Amdt. 65-37, 59 FR 7389, Feb. 15, 1994]

§ 65.47 Maximum hours.

Except in an emergency, a certificated air traffic control tower operator must be relieved of all duties for at least 24 consecutive hours at least once during each 7 consecutive days. Such an operator may not serve or be required to serve—

(a) For more than 10 consecutive hours; or

(b) For more than 10 hours during a period of 24 consecutive hours, unless he has had a rest period of at least 8 hours at or before the end of the 10 hours of duty.

§ 65.49 General operating rules.

(a) Except for a person employed by the FAA or employed by, or on active duty with, the Department of the Air Force, Army, or Navy, or the Coast Guard, no person may act as an air traffic control tower operator under a certificate issued to him or her under this part unless he or she has in his or her personal possession an appropriate current medical certificate issued under part 67 of this chapter.

(b) Each person holding an air traffic control tower operator certificate shall keep it readily available when performing duties in an air traffic control tower, and shall present that certificate or his medical certificate 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.

(c) A certificated air traffic control tower operator who does not hold a facility rating for a particular control tower may not act at any operating position at the control tower concerned unless there is maintained at that control tower, readily available to persons named in paragraph (b) of this section, a current record of the operating positions at which he has qualified.

(d) An air traffic control tower operator may not perform duties under his certificate during any period of known physical deficiency that would make him unable to meet the physical requirements for his current medical certificate. However, if the deficiency is temporary, he may perform duties that are not affected by it whenever another certificated and qualified operator is present and on duty.

(e) A certificated air traffic control tower operator may not control air traffic with equipment that the Administrator has found to be inadequate.

(f) The holder of an air traffic control tower operator certificate, or an applicant for one, shall, upon the reasonable request of the Administrator, cooperate fully in any test that is made of him.

[Doc. No. 1179, 27 FR 7973, Aug. 10, 1962, as amended by Amdt. 65-31, 52 FR 17519, May 8, 1987]

§ 65.50 Currency requirements.

The holder of an air traffic control tower operator certificate may not perform any duties under that certificate unless—

(a) He has served for at least three of the preceding 6 months as an air traffic control tower operator at the control tower to which his facility rating applies, or at the operating positions for which he has qualified; or

(b) He has shown that he meets the requirements for his certificate and facility rating at the control tower concerned, or for operating at positions for which he has previously qualified.

Subpart C—Aircraft Dispatchers

SOURCE: Docket No. FAA-1998-4553, 64 FR 68923, Dec. 8, 1999, unless otherwise noted.

§ 65.51 Certificate required.

(a) No person may act as an aircraft dispatcher (exercising responsibility with the pilot in command in the operational control of a flight) in connection with any civil aircraft in air commerce unless that person has in his or her personal possession an aircraft dispatcher certificate issued under this subpart.

(b) Each person who holds an aircraft dispatcher certificate must present it 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.

§ 65.53 Eligibility requirements: General.

(a) To be eligible to take the aircraft dispatcher knowledge test, a person must be at least 21 years of age.

(b) To be eligible for an aircraft dispatcher certificate, a person must—

- (1) Be at least 23 years of age;
- (2) Be able to read, speak, write, and understand the English language;
- (3) Pass the required knowledge test prescribed by § 65.55 of this part;
- (4) Pass the required practical test prescribed by § 65.59 of this part; and
- (5) Comply with the requirements of § 65.57 of this part.

§ 65.55 Knowledge requirements.

(a) A person who applies for an aircraft dispatcher certificate must pass a knowledge test on the following aeronautical knowledge areas:

- (1) Applicable Federal Aviation Regulations of this chapter that relate to airline transport pilot privileges, limitations, and flight operations;
- (2) Meteorology, including knowledge of and effects of fronts, frontal characteristics, cloud formations, icing, and upper-air data;

(3) General system of weather and NOTAM collection, dissemination, interpretation, and use;

(4) Interpretation and use of weather charts, maps, forecasts, sequence reports, abbreviations, and symbols;

(5) National Weather Service functions as they pertain to operations in the National Airspace System;

(6) Windshear and microburst awareness, identification, and avoidance;

(7) Principles of air navigation under instrument meteorological conditions in the National Airspace System;

(8) Air traffic control procedures and pilot responsibilities as they relate to enroute operations, terminal area and radar operations, and instrument departure and approach procedures;

(9) Aircraft loading, weight and balance, use of charts, graphs, tables, formulas, and computations, and their effect on aircraft performance;

(10) Aerodynamics relating to an aircraft's flight characteristics and performance in normal and abnormal flight regimes;

(11) Human factors;

(12) Aeronautical decision making and judgment; and

(13) Crew resource management, including crew communication and coordination.

(b) The applicant must present documentary evidence satisfactory to the administrator of having passed an aircraft dispatcher knowledge test within the preceding 24 calendar months.

§ 65.57 Experience or training requirements.

An applicant for an aircraft dispatcher certificate must present documentary evidence satisfactory to the Administrator that he or she has the experience prescribed in paragraph (a) of this section or has accomplished the training described in paragraph (b) of this section as follows:

(a) A total of at least 2 years experience in the 3 years before the date of application, in any one or in any combination of the following areas:

- (1) In military aircraft operations as a—
 - (i) Pilot;
 - (ii) Flight navigator; or
 - (iii) Meteorologist.