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Editorials

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EDITORIALS

REGULATIONS FOR THE ONE-MAN FLYING SCHOOL*

Five years of experience in developing professional man power for the aviation industry has proven conclusively the need for state regulations governing the activities of those who choose flying as their profession.

The kind of man who could make a connection in the aviation industry as a pilot two years ago, with the qualifications required at that time, is absolutely unprepared to meet the demands of the present day. It is up to the National Association of State Aviation Officials, the Department of Commerce and each respective school to prescribe the foundation that will permit the continued and careful cultivation of characteristics, habits and training methods that will make the new type of pilot meet today's demands for safety, skill and executive ability.

There are two separate and distinct kinds of schools in operation today. The first, which is the most numerous, in many cases consists of one man and an airplane. He may be a distributor or dealer. In selling ships to private owners there are occasions when the dealer must teach the purchaser how to fly. A great many dealer organizations have found it profitable to sell small amounts of flying time ranging from 30 minutes up to 50 hours. Their activities are confined to their own localities, and the rules and regulations applying to approved schools in no way have any bearing on their activities.

I feel that these small operators should be governed by the laws of the Department of Commerce and be made to comply with the regulations of an approved school in every respect, with the exception of elaborate ground school instruction, and it should be the duty of the National Association of State Aviation Officials to see that such regulations are enforced. This kind of school undoubtedly has much to do in stimulating general interest, and if properly conducted can do much to build up public confidence. *I believe that the laxity of regulations governing activities of this sort in the past few years has done much to destroy public confidence.* Under the present system there is too great a temptation for the dealer to encourage the new purchaser of the aircraft to

*Part of an address delivered by Mr. Parks, President Parks Air College, Inc., of East St. Louis, Illinois, before the meeting of the National Association of State Aviation Officials, held at Detroit, April 8, 1932.

believe that he is a competent pilot before he has really reached that point. It costs the dealer considerable to give the required amount of flying time to make a safe and proficient pilot of the new purchaser. Because of the temptation to make the instruction period too short, regulations should be instituted to prevent the student owner from soloing prematurely, because, in case of accident, it has its effect on the entire industry.

There is another type of school whose sole objective is to train professional pilots and technicians. There are about five outstanding schools of this type in the United States today. These schools realize that the requirements for transport pilots of three years ago are not sufficient for today's transport pilot if he is to make a success of his new vocation. Today a graduate from a recognized professional school must be a man of character. He must be thoroughly competent. He must be trustworthy, loyal and dependable. He must have a knowledge of business practices and salesmanship. The average air-line operator today wants his pilot to be a gentleman—wants him in every respect to sell the passengers on the safety of air travel, not only in his speech but in his actions, and wants to be assured that regardless of what unexpected difficulty might arise the pilot will be thoroughly competent to meet it. He wants to know that his pilot is not going to take any unnecessary chances at any time.

It is my firm conviction that highly skilled pilots and technicians in the aviation industry will receive a premium for their services in the next four-year period. During this time thousands of young men will have decided that aviation is their field of golden opportunity. These men, who receive their training in the near future, will be in a position to reap great rewards, but those who come later, when everybody recognizes the opportunities in aviation, will find the field highly competitive and promotions slower.

In view of the foregoing facts, I propose that the National Association of State Aviation Officials, in conjunction with the Department of Commerce, set up rules and regulations governing the one-man flying school. Our entire industry wants the least possible amount of regulations and still have assurance of safety.

OLIVER L. PARKS.

AMERICAN BAR COMMITTEE MEETING

The American Bar Committee on Aeronautical Law held its most recent meeting at Washington, D. C., on May 10th. Professor Francis S. Bohlen, of the University of Pennsylvania and Reporter for the Section on Torts of the American Law Institute,

Professor James J. Hayden, of Catholic University, and Mr. Richard S. Paulett, Chief of the Enforcement Division, Department of Commerce, Aeronautics Branch, met with the committee.

The principal undertaking of the committee, at the Washington session, was the preparation of the annual report to the American Bar Association, with particular reference to the following problems: (1) The clause relative to the right of flight; (2) The question of the extent of federal control over aeronautics; (3) The federal power as affected by the Pan-American Convention; and (4) The federal Merchant Airship Act.

The proposed Uniform Aeronautical Code and the proposed Uniform Airports Act will now be submitted to the Aviation Committee of the Conference of Commissioners on Uniform State Laws and, if approved by that body, will be submitted for final approval to the American Bar Association at its Washington meeting this next October.

HOWARD H. WIKOFF.

THE TRESPASS-NUISANCE PROBLEM

From the very beginning of aeronautical law to the present day, no single question has received more attention from jurists and other writers than that of airspace control and ownership—both from the national and individual points of view. Because of the recent judicial decisions in this country dealing with the trespass-nuisance problem and because of the provisions in the proposed Uniform Aeronautical Code to be presented at the next meeting of the American Bar Association, it is important that considerable attention be given to a re-examination of the factors involved.

Consequently, this issue of the JOURNAL publishes three articles devoted to the airspace ownership question. The first article by Mr. Sweeney, who is a research associate at the Air Law Institute, is a careful study of the landowner aviator conflict of interests in its historical and practical aspects. The concluding installment of this article will appear in the October issue. The other articles, by Mr. Kingsley, Associate editor of the JOURNAL, and by the editor are not intended to present a completely uniform approach or to reach identical conclusions. The aim, in all the papers, is to present a survey of all the leading ideas developed on the question and to offer some practical suggestions that may make possible a workable adjustment of these conflicting interests.

These articles summarize past thought, introduce and define the present problems, and indicate a practical treatment thereof. It remains for future articles to carry the discussion forward.