

CIVIL AVIATION TRIBUNAL

BETWEEN:

Minister of Transport, Applicant

- and -

Howard Chapin, Respondent

LEGISLATION:

Air Regulations, C.R.C. 1978, c. 2, s. 506(a)

Air Traffic Control Clearance

Review Determination
Alfred R. Spence

Decision: December 4, 1986

Heard: Toronto, Ontario, December 4, 1986

MR. CHAPIN DID CONTRAVENE SECTION 506(a) AND THE ASSESSED PENALTY OF \$100.00 IS UPHELD

Section 506(a) of the Air Regulations required the pilot-in-command of an aircraft - "shall comply and acknowledge receipt of all air traffic control instructions directed to and received by him, etc."

Mr. Howard Chapin on Jan. 27th, 1986 at approximately 0300 during restricted visibility conditions received a ground control clearance to taxi to a service area. Evidently Mr. Chapin (N65ST) had difficulties in identifying taxiways and runways.

In summation, if Mr. Chapin (N65ST) was experiencing difficulty in carrying out taxi instructions, he - Mr. Chapin - should have requested assistance rather than expose his own aircraft and others to potential hazards.

So my determination, Mr. Chapin did contravene Section 506(a) and the assessed penalty of \$100.00 is upheld.