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Docket Management System, U.S.
Department Of Transportation, Room Plaza 401
400 Seventh Street, SW
Washington, DC 20590-0001

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To those concerned:

I have reviewed the NPRM for Regulation of Fractional Aircraft Ownership Programs and On-Demand Operations; Proposed Rule. I want to commend the FORAC committee on their hard work and the resulting outcome. My only concern, besides the one's listed below, are the Fractional pilot group was not represented.

My comments are based on my background as a Captain for the past 4 years with a leading fractional company. My prior experience has been in corporate aviation and airlines. I also have a background in management. Here are my suggestions as a starting point for more debate.

Regarding 91.1057

[4] Reserve Status needs to be eliminated or define the amount of time that one can spend on reserve status. If section [9] included reserve time as well as duty time this would help.

91.1059

(2) Duty time up to 12 hrs extension to 14

(3) Flight time up to 10 hrs, extendable to 12 hrs but augmented with a crewmember past 8 hrs of flight time.

(4) Any calls for to duty between 11pm and 6 am max flight time of 8 hrs and 10 hrs of duty.

91.1079-1081

Should include an IOE period of 25 hrs with a qualified instructor/standards captain before being released on the line as a First Officer or Captain.

Reasoning for the above changes:

The current job responsibilities of a fractional crew are far different then any airline or corporate flight position resulting in greater fatigue, pressures and responsibilities. The fractional pilot is subject to multiply legs, loading and unloading bags multiply times and customer service issues. The trip could begin in the West you end up in the East, then you are awakend at 0330 Eastern Time for a flight, but your body is on West coast time. This results in minimum (real) rest. Here is an example of a six-day tour I just completed

Day one:

Airline to Muskegon, MI from the west coast. Checked into the Quality Inn at 17:30. I was briefed for a 0400 show for a trip to LXGB, Gibraltar, UK. I received minimum rest due to hotel conditions and time changes approx 5 hrs of real rest.

Day Two:

Flight KMKE arriving at LXGB at 2030 local time and proceeded to the hotel arriving at 2130. I was briefed for a show time of 1300 local for a trip LXGB/KTEB, New Jersey arriving approximately 1700

Day Three

Arrived KTEB at 16:30 and into the hotel at 17:30, briefed for 08:30 show time

Day Four:

Three legs ending up in Milwaukee and into the hotel at 17:30. Called dispatch at 11:00 and was told standby for the following day.

Day Five

At 03:15 I received a call from dispatch for a flight KMKE with three legs. While having the 10 hrs of rest, as this subpart k would allow, my real rest was 3:45 min. Adding this with multi time zone changes my body had no idea were it was. I was tired period.

Day Six

Airline to KLAX for needed rest.

All these time zone changes with very little consideration for how they affect you. Combine this with multiple days, bad weather, unknown airports, special airport procedures, i.e. (KEGE, KSUN) and international flights; it close's the window of safety that much more. I recently came upon a crew that claimed to have less then 10 hrs of combined rest due to scheduling problems, i.e. the subpart K definition of reserve.

It surprises me that FORAC did not consider the opinions of NASA and the Coalition of Airline Pilots Association regarding recommended duty/rest times. I think there is an opportunity to look outside the box to a serious solution to fatigued crews and the safety hazard that comes from this type of professional occupation. It is not enough to say it's the pilot's decision. I have been on the other side of the phone line with Chief Pilots and Director of flight operations who have used "I hope you will finish the flight", "You can turn it down, but this is not the end if this", "You have had your 10 hours of rest".

If the FAA objective is safety then another look at these sections are needed with a pilot representative from each fractional group. It is imperative that the FAA looks outside the criteria of 135 and 121 and develops duty, rest times based on actual experience of flight crews and scientific data.

My final question to the FAA is this. If the fractional operators are interested in safety, why have they not implemented the proposed subpart K over the past year? My only answer is Money.

Sincerely;

Charles R Andrews,

Captain