Docket Management System
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Reference: Docket No. FAA-2003-13923 Part 135/125 Aviation Rulemaking Committee

To Whom it May Concern:

As the current Chief Pilot of a charter and management company currently operating 35 aircraft, and as the former Chief Pilot of the largest charter and management company in the world (TAG Aviation), I would like to comment on checking requirements of 135.293, 135.297, and 135.299.

135.293, 297

A basic premise of this NPRM should be the adoption of industry best practices and equivalent levels of safety.

Currently, Part 121 Air Carriers and Part 91 Operators may conduct progressive checking. That is, a maneuver successfully accomplished during training need not be repeated during a separate checking event. Part 135 operators may not conduct progressive checking under current regulations.

It is unclear whether Sub Part K makes provision for progressive checks or not. If yes, then part 135 operators are at a distinct disadvantage, both economically and in quality of training. If no, then the quality of training for both Sub Part K and Part 135 operators would be substantially enhanced by allowing progressive checking.

Current industry best practices usually stipulate that pilots attend simulator based training every six months. The training curriculum culminates in a separate checking event for completion of the .293 and .297 proficiency checks. Because the final day of a training program must be devoted to conducting formal proficiency checks, a part 135 pilot loses at least 4 full hours of valuable simulator time conducting maneuvers that have been successfully demonstrated in prior sessions. The result is that the 135 pilot does not have the opportunity to explore and practice malfunctions and unusual situations beyond what is required to comply with regulations.

Allowing progressive checking for Part 135 would embrace industry best practices (Parts 121 and 91), enhance pilot training and safety, and provide appropriate equivalent standards between Part 121 and part 135.

135.299

The 8400.10 Inspector’s Handbook, in recognizing the impracticality of the Line Check being conducted during revenue flights, requires that the check be conducted over a route segment and at one or more airports representative of the operator’s type of operation.

Industry best practices include motion-based simulator training instead of aircraft flight training. The FAA and industry recognizes, and statistics support, that an equivalent level of safety is maintained by the use of motion-based simulators in training and checking. Yet, no operator is allowed to conduct the .299 Line Check during .293 and .297 competency checks performed

during motion-based simulator checks as the 8400.10 allows when the check is performed in the aircraft. This means 135 operators must fly the aircraft in non-revenue service to conduct what is, frankly, a meaningless check.

The .293 (a) (2) & (3), .293(b) and .297 checks test the pilot's airmanship skills. The .293(a)(1) &(4)-(8) test the pilot's knowledge of regulations, weather, company procedures, etc. The .299 check is supposed to be a company-specific check testing the pilot's knowledge of procedures, yet that has already been tested during the .293(a)(1).

At 30 minutes average per Line Check, times 65 pilots, with an average DOC of $2000 per hour and a revenue loss average of $4000 per hour, This check costs ACM approximately $195,000 per year in direct costs and lost revenue. A part 121 operator does not incur this expense since he can conduct the check during revenue flights. While incurring significant extra costs for 135 operators, the .299 check does not provide any additional margin of safety.

Two possible solutions to this problem:

1. Abolish the check, since it is not required of Sub Part K operators and it does not effectively check competency. In addition, Part 91 operators, using industry best practices, have proven that safety is not compromised wihtout conducting line checks. Or,

2. During my tenure as Chief Pilot at TAG, I administered a Flight Standards program that included Line Observations by company Standards Pilots. These trained Standards Pilots conducted the observations from the jump seat only and concentrated on Human Factors and adherence to company SOP. They were quite often not qualified on the aircraft the check was conducted in.

This was not relevant since the focus is on Human Factors (the most prevalent factor in most accidents) rather than on aircraft specific items, on which the pilot had been checked during his .293/.297 check. I believe this did more to enhance safety than the traditional .299 check ever will.

If we simply must have some form of .299 check, I propose that the FAA adopt certain facets of this Standards program. First, allow operators to have FAA designated company Check Airmen that can conduct this check in any of the company's aircraft whether the Check Airman is qualified in the aircraft or not. Secondly, shift the focus of the check away from basic airmanship (which is already checked during the .293/.297 checks) to quantifiable human factors issues with the opportunity to provide a somewhat non-threatening environment where the pilot being checked has the chance to enhance his understanding of, and proficiency with, company SOPs, human factors skills, etc.

I would welcome the opportunity to discus these issues further with representatives of the FAA and members of the ARC committee if possible.

Regards,
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