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### **INITIAL ISSUE PAPER, FAR PART 135 ARC**

This paper addresses four items pertaining to crewmember training/testing issues for preliminary discussion and consideration.

1. There are pros and cons to the FAA regulatory process, cumbersome as it may be perceived to be. The process to change, or create, a regulation is lengthy, and few government agencies place before the public a NPRM while considering, or issuing, a new rule. Because this process is so lengthy, Flight Standards attempts to “regulate” by Handbook Bulletin (HBAT) and Flight Standards Information Bulletins (FSAT). Unfortunately, this method of conducting business leads to misinterpretation and ambiguous application of the intent by Principal Operations Inspectors (POI) and Aviation Safety Inspectors (ASI). Frankly, the handbook is not regulatory in nature, and while the POI/ASI might be bound by it, the operator is not. A method to change the process should, and must, be addressed and implemented.

2. CFR 14, 135.299 Pilot in Command: Line checks: Routes and airports

This regulation has been in place, unchanged, since the current FAR Part 135 was issued in 1978. To date, Flight Standards has generally not allowed this requirement to be accomplished in a simulator. Yet, Flight Standards does require that Line Oriented Flight Training (LOFT) be accomplished if a type rating is to be completed using only a simulator. Certainly, a properly conducted LOFT, in a Level C or D simulator, is as efficient for testing/checking as is an actual flight. Therefore, a required 135.299 check can be as effectively accomplished in a simulator.

While this rule might be appropriate for a scheduled 135 operator it can, at times, be difficult to demand a “route segment” or “representative airport” for a non-scheduled operator.

FAR 135.299(c) is an operational rule, not a testing/checking rule, and should be moved to Subpart B Flight Operations. Further the rule states “before beginning the flight become familiar with available information”. As with 91.103, Preflight Action, this requires a crewmember to become “familiar with” but does not require that the information shall be applied or used. This must be re-worded to require application /use of the information.

3. A “progressive” test/check may not be appropriate in an initial type rating course, combined with a FAR 135 check. For an experienced crewmember, however, attending a recurrent flight training course, a progressive test/check would provide the opportunity for an improved training session. 135.351(c)

allows for the successful completion of a required 135.293 test to be substituted for recurrent flight training as required by the rule. Undoubtedly the rule is in place to assure that meaningful training and testing occur. The FAA allows “progressive” checks under SFAR 58 (AQP) and testing under FAR 61.58. How many times must a crewmember demonstrate proficiency at steep turns? Once a maneuver has been demonstrated, to the standards of the appropriate PTS, further demonstration should not be required to successfully complete a required 135 test. This would allow time to conduct meaningful training on abnormal and emergency procedures not routinely addressed due to time constrictions.

#### 4. CFR 14, 135.351(b)(2) Recurrent Training

Recurrent ground training now requires a reiteration of subjects covered in initial training. This must be restructured to ensure meaningful training and in such a manner as to hold the interest of the attending crewmembers; i.e.: all initial subject matter must be covered during, say a three year cycle. This affords the opportunity to teach new technology and updated regulations. While the handbook allows this now, the handbook is not regulatory.