

*Section 121.434(c)(1)(ii)—Observation by FAA Inspector (Operating Experience)*

Currently § 121.434(c)(1)(ii) requires that when a PIC is obtaining operating experience at least one flight leg that includes a takeoff and landing must be observed by an FAA inspector if the certificate holder's approved training program includes simulator training under § 121.409(c) and if a qualifying pilot in command is completing initial or upgrade training specified in § 121.424. The revised paragraph deletes the reference to simulator training in the certificate holder's approved training program. The FAA inspector observation requirement will, therefore, apply to all PICs obtaining operating experience if they are completing initial or upgrade training.

Five comments were received on this issue. Two commenters point out that the original purpose of requiring FAA inspector observation was to validate simulator training. Since the onset of the advanced simulation program (FAR Appendix H) tens of thousands of pilots have been successfully trained using advanced simulation. According to commenters, in view of the excellent experience with advanced simulation, the requirement for FAA observation should now be dropped, not expanded. Adding to this requirement would not enhance safety and would be administratively and financially burdensome. These commenters, as well as three others, say that there is a shortage of available, qualified FAA inspectors and this requirement will cause scheduling programs if personal observation of flight legs by an FAA inspector is required. The result will be costly delays in an airline's ability to use newly qualified PICs. One commenter points out that even under the current system, carriers face significant and expensive delays awaiting the availability of an FAA inspector and that the proposal would exacerbate this problem.

ATA, United, and the Regional Airline Association (RAA) recommend that this proposal be eliminated. ATA points out that if the proposal is implemented, the observation could take place on a pilot's first line trip and could be administered by an inspector who is not qualified on the aircraft being flown.

Three commenters, including American Airlines and RAA, recommend that Designated Examiners and Aircrew Program Designees be allowed to observe the flight leg when FAA inspector schedules are not

compatible and completion of the operating experience would be delayed.

*FAA Response*

The initial observation requirement was implemented to provide an opportunity for the FAA to observe a pilot in performance of his or her duties before the pilot completes initial operating experience if the certificate holder's training program included simulator training. Since almost all certificate holder training programs under part 121 now include simulator training, deleting the reference to simulator training does not significantly affect the current practices of certificate holders or the FAA. The FAA finds that the initial purpose of the observation requirement is still valid: to provide the FAA an opportunity to observe the PIC before he or she assumes unsupervised operations in an airplane; to validate the certificate holder's training program; and to provide the FAA with a quality control mechanism for evaluating the certificate holder's designated check pilot program.

The FAA finds that allowing Designated Examiners or Aircrew Program Designees to substitute for FAA inspectors would not satisfy the purpose of this observation as described above.

*Section 121.434(c)(2)—SIC Supervised Operating Experience*

Current § 121.434(c)(2) requires that an SIC pilot perform the duties of an SIC under the supervision of a check pilot or observe the performance of the duties on the flight deck. The revision eliminates the option to observe. The revised rule requires that an SIC pilot acquire operating experience by performing actual SIC duties (and not simply by observing another SIC) under the supervision of a qualified check pilot.

Two comments were received on this requirement. Both commenters agree with the proposal and say that it would ensure that newly trained SICs immediately begin consolidating newly developed skills by actually performing line operations and flying the airplane. Both commenters point out that the current system of gaining credit toward operating experience by passively observing another SIC is ineffective and does not promote proficiency. In addition, NTSB says that the proposal is responsive to NTSB recommendation A-88-138 which was issued after a Continental Airlines accident in Denver in November 1987.

*Section 121.434(c)(3)—Hours of Operating Experience and Operating Cycles*

The current rule requires specific numbers of hours of operating experience for all pilots for initial and transition training in Group I and II airplanes as follows: (1) For initial training: 15 hours in Group I reciprocating powered airplanes, 20 hours in Group I turbopropeller airplanes, and 25 hours in Group II airplanes; (2) For transition training: 10 hours in Group I reciprocating powered airplanes, 12 hours in Group I turbopropeller powered airplanes, and 15 hours for Group II airplanes. The amended rule changes transition training hours for Group II to 25 hours for PICs; 15 hours continues to apply for SICs. The amended rule also requires that operating experience include at least 4 operating cycles (at least 2 as the pilot flying the airplane).

Three comments were received on this issue. Two of the comments overlap with reduction requirements of revised § 121.434(f)(1) and will be discussed in that section of this preamble.

ALPA supports the proposed rule's requirement that the pilot receiving the supervised operating experience be the pilot flying the aircraft in at least two operating cycles. ALPA agrees that this will ensure that qualifying pilots obtain experience in all critical phases of a flight operation (takeoff, climb, en route portion, descent, and landing) and provide safeguards against meeting supervised operating hours without completing all aspects of a cycle (as in long range flights).

*Section 121.434(f)—Reduction of Operating Experience Hours*

The current rule allows the hours required in § 121.434(c)(3), among other sections, to be reduced up to 50 percent for all pilots by substituting one additional takeoff and landing for each hour of flight. The amended rule continues to allow the reduction for Group I airplanes for initial and transition operating experience and for Group II airplanes for PIC transitional operating experience. The amended rule would not allow PICs meeting initial training operating experience requirements in Group II airplanes or SICs meeting either initial or transition training operating experience in Group II airplanes to reduce the number of required hours of operating experience in these type airplanes.

Two comments were received on this issue, plus two that were submitted as comments on the number of hours required but are discussed here since