



421 Aviation Way  
Frederick, Maryland 21701

T. 301-695-2000  
F. 301-695-2375

[www.aopa.org](http://www.aopa.org)

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Department of Transportation  
Federal Aviation Administration  
14 CFR Parts 61 and 121  
Docket No. FAA-2010-0100; Notice No. 10-02  
RIN 2120-AJ67

**RE: Docket No. FAA-2010-0100 New Pilot Certification Requirements for Air Carrier Operations**

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of more than 415,000 pilots. Representing two thirds of all pilots in the United States, AOPA is the largest civil aviation organization in the world. Our mission is to effectively serve the interests of members as pilots and aircraft owners to establish, maintain, and articulate positions of leadership to promote the economy, safety, utility and popularity of flight in general aviation aircraft.

On February 8, 2010, the Federal Aviation Administration (FAA) issued an advance notice of proposed rulemaking (ANPRM) titled "New Pilot Certification Requirements for Air Carrier Operations. The ANPRM is a request for public comment on possible changes to regulations relating to the certification of pilots conducting domestic, flag, and supplemental operations. The purpose of the notice is to gather information on whether current eligibility, training, and qualification requirements for commercial pilot certification are adequate for engaging in such operations. The FAA may use information gathered through this ANPRM to determine the necessity of establishing additional pilot certification requirements and to determine what those new requirements might include.

AOPA is submitting comments on "New Pilot Certification Requirements for Air Carrier Operations" due to its potential negative impact on the number of new student pilots, thus reducing the number of pilots available to fulfill the many diverse operations of General Aviation. AOPA is also concerned that an increase in hiring requirements at the Air Carriers may also discourage potential pilots from entering aviation due to the increased time and expense required to eventually meet the new hiring minimums. This decrease in new potential pilots may mean less activity at flight schools and in the training environment thus leading to less flying activity and ultimately fewer jobs in general aviation.

**Issue Overview**

Through this ANPRM, the FAA is requesting recommendations from the public to improve pilot performance and professionalism, issues which were also highlighted in the Colgan Air (dba Continental Airlines Express) DHC-8 accident that occurred on February 12, 2009, outside of

Buffalo, New York. The accident focused attention on whether a commercially-rated copilot in part 121 operations receives adequate training. Specifically, does a copilot's training include enough hours of training in various weather conditions to be able to recognize a potentially dangerous situation and respond in a safe and timely manner? The FAA is requesting recommendations on whether the existing flight crew eligibility, training and qualification requirements should be increased for commercial pilots engaged in part 121 operations.

**AOPA's Position: AOPA is concerned that potential changes to the airline hiring minimums may have a negative impact on the GA industry by deterring new pilots from beginning training and in turn decreasing the number of qualified pilots to provide the myriad of services provided by general aviation. If the current air carrier hiring minimums or training requirements are changed without taking into consideration the effects such changes would have on economics and safety of the entire system including the potential impact to general aviation, there could be potential consequences that would affect the health of the aviation community as a whole.**

An increase in hiring requirements at the Air Carriers may most likely discourage potential pilots from entering aviation due to the increased time and expense required to meet the new hiring minimums. Flight schools and universities have already seen a 10% decline in students in the past year. Many aviation programs are already being cut due to rising costs of operation (Daniel Webster is a recent example) and quite a few may not survive the additional loss of revenue that would occur with a decrease in student pilots. Short term, fewer student pilots means a loss of revenue to the aviation universities, flight schools, flight instructors, airport operators, fuel sales, and aircraft manufacturers that support aviation training. Long term this is a problem for the entire aviation community as a whole. With fewer student pilots, an eventual pilot shortage may occur. It may be difficult or impossible to staff the vital jobs provided by general aviation as well as the nation's air carriers.

General Aviation pilots perform vital functions in our society and jobs range from flying emergency evacuation / organ transport to flight instruction, crop dusting, corporate flying, surveying pipelines, flying for law enforcement, and flying traffic surveillance. If a change in training or hiring minimums occurs without proper consideration for the aviation community as a whole, these vital jobs may be held by only the least experienced pilots, if any at all. If hiring minimums are increased at the air carriers, the major airlines will most likely hire aggressively from the regional carriers. The regional carriers, in-turn may have to upgrade First Officers to Captain quicker and recruit new First Officers from the flight instructors, charter operations, and all the other GA pilots. If there is a shortage of flight instructors there may be fewer potential students coming through the training pipeline and may add to the already predicted pilot shortages.

**FAA concept: Requirement for all pilots employed in part 121 air carrier operations to hold an Airline Transport Pilot (ATP) Certificate with the appropriate aircraft category, class, and type rating, or meet the aeronautical experience requirements of an ATP certificate**

**Background:** Section 61.155 describes the aeronautical knowledge required to qualify for an ATP certificate. Section 61.159 describes the aeronautical experience requirements, which specify a minimum of 1,500 flight hours. Currently, a pilot who serves as a Second-in-Command (SIC) pilot crewmember is required to hold a commercial pilot certificate with an instrument rating.

**AOPA Response:** Although the flight hours required to qualify for an ATP certificate can benefit pilots, experience is not measured in flight time alone. Safety is a combination of experience and training in specific aircraft type and in specific flight conditions than with flight time. Experience and training add to safety more than meeting a specific number of total flight hours. Airline testing to ATP standards would be of more value than increasing the number of flight hours and would have less economic impact to general aviation.

**First Officer's certificate level and total flight time are not a precursor to fatal accidents.**

In preparing these comments, AOPA undertook a review of the NTSB reports on all 59 fatal accidents involving Part 121 Air Carrier aircraft since 1990. Of these, only one accident was attributable to Human Error in which the First Officer had less than the 1,500 hours total flight time.

The first officer of Colgan 3407 which crashed in Buffalo, NY (and is cited by the FAA in the ANPRM as a catalyst for this proposal) had a total flight time of 2244 at the time of the accident. In fact, both pilots in the Colgan Air accident met the experience standards being proposed.

**Training and checking are crucial to aviation safety.** On the path to earning a commercial pilot certificate with an instrument rating, a pilot must demonstrate knowledge and skill to the FAA in a minimum of 3 knowledge tests (commonly referred to written tests) and 3 practical tests which include both an oral examination and a demonstration of skill in flying the aircraft. Most pilots who obtain additional certificates and ratings on their way to flying for the airlines must successfully undertake many more of these knowledge and practical tests. Each level in the process has its own knowledge exam, oral exam and practical exam administered by the FAA; private pilot certificate, instrument rating and commercial certificate. Within each course there are additional evaluation points where the individually Certificated Flight Instructor (CFI) providing training must evaluate and endorse the pilot before they may continue toward the certificate being pursued. When a pilot is properly trained and signed off by their CFI to attempt the practical test, the test is administered by a FAA Designated Pilot Examiner (DPE). A DPE represents the Administrator for the purpose of conducting practical tests for certificates and ratings and to observe an applicant's ability to perform the areas of operation on the practical test. This system of training and checking provides several checks and balances to ensure the pilot operates safely. If at any point, the pilot is found to be deficient in any knowledge or skill area, further training is provided and that pilot may not continue until the knowledge or skills are found to be mastered

satisfactory. This system ensures that anyone who transports passengers or flies for hire whether at an airline or not, has successfully demonstrated that they operate safely.

During the interview process at most air carriers, pilots are tested on knowledge and flight skills. Often pilots are required to fly in a simulator as part of the interview process. At this stage, and certainly during initial training, it may be beneficial for the airline to test an applicant to ATP standards. In this way, an air carrier would ensure that a pilot meets the skill level required for an ATP certificate without adjusting hour requirements and would minimize the economic impact to the aviation community.

### **FAA concept: Academic training as a substitute for flight hour experience**

**Background:** FAA is requesting comment on the concept of permitting academic credit in lieu of required flight hours or experience. In other words, should graduates from accredited aviation university degree programs be able to substitute academic study for flight hours or types of operating experience.

**AOPA Response:** A pilot's level of experience and knowledge can come from a variety of sources be it military, university, or civilian. The system should evaluate each pilot to the same level of proficiency regardless of where or how they get the training. Regardless of the educational route that a pilot took, knowledge and practical test standards are identical.

### **FAA concept: Endorsement for Air Carrier Operations**

**Background:** An endorsement on a commercial pilot certificate may be an option for addressing concerns about the operational experience of newly-hired pilots engaged in air carrier / commercial operations. Under this concept, a commercial pilot would not be able to serve as a required pilot in part 121 air carrier operations without having obtained an endorsement attesting to successful completion of additional training and qualified operating experience.

**AOPA Response:** AOPA agrees with the FAA that an endorsement approach would target specific skill sets needed for part 121 operations without negatively impacting General Aviation operations.

An endorsement approach allows the smooth transition of pilots from flying in GA to flying at an air carrier. The endorsement, along with pilot training records, will verify that the pilot has satisfactorily been trained and tested on all safety of flight elements required by the FAA. It provides for the proper training and evaluation without adding additional burdens of time and expense that would discourage new pilots and otherwise negatively impact GA.

This approach provides for training required by the FAA (icing, high altitude performance, etc.) to be trained in the specific aircraft type at each individual airline, where it should be trained.

One issue that was highlighted in the Colgan Air accident in February 2009 was whether a pilot flying under part 121 receives adequate training in areas such as hazardous weather conditions, aircraft stall characteristics, stick pusher and crew resource management. It was also stated that, a pilot's skills and abilities may be enhanced by exposure to specific operational conditions, including icing, high altitude operations, and other areas common to part 121 air carrier operations. While basic concepts can and are taught as part of the training for the commercial pilot certificate, certain subjects must be taught by the Air Carrier and checked by FAA approved Air Carrier Instructors and Check Airmen.

**FAA Concept: New additional authorization on an existing pilot certificate**

**Background:** The FAA may also consider proposing a new authorization on a commercial pilot certificate for any pilot employed as a required flight crewmember for part 121 operations. This new authorization would be limited to a specific part 121 operator, and would be issued only after the pilot successfully completed that part 121 operator's approved training and qualification program. The pilot would surrender this authorization upon leaving the employ of the specific part 121 operator. The purpose of such an authorization would be to ensure that each air carrier has provided its pilot employees with the training and qualifications specific to its operating environment.

**AOPA Response: A new authorization on an existing pilot certificate may be an unnecessary burden on FAA without having a tangible effect on safety.** The endorsement concept described in the previous response, would accomplish the same training and checking verification without adding much administrative workload.

**Summary: AOPA believes that any changes to regulations relating to the certification of pilots conducting domestic, flag, and supplemental operations should be very carefully considered so as not to have a negative impact on the industry as a whole. The system of hiring must focus on an honest evaluation of knowledge, experience, skill and training not just a number of hours. An endorsement option for training conducted at an air carrier is a viable option to document that such training and checking has occurred and the pilot was found to be competent in all areas. Such an option has the potential to ensure safe operations at the air carriers without substantially affecting the number of student pilot applicants and pilots in general aviation.**

Sincerely,



Robert Hackman  
Vice President, Regulatory Affairs  
AOPA