



421 Aviation Way
Frederick, Maryland 21701

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

www.aopa.org

January 15, 2015

John S. Duncan
Director, Flight Standards Service
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

RE: Aviation Training Device Credit for Pilot Certification; Withdrawal; Docket No. FAA-2014-0987

Dear Mr. Duncan,

I am writing on behalf of the members of the Aircraft Owners and Pilots Association to request the FAA expedite and publish a Notice of Proposed Rulemaking (NPRM) with applicable procedures and comment period which would allow for an increase in the maximum time that may be credited in an aviation training device (ATD) toward the instrument time requirements for an instrument rating under §61.65(i) – permitting a student to credit a maximum of 20 hours of instrument time in an approved ATD toward the requirements for an instrument rating under that section.

Our request is necessitated by the Agency's withdrawal of the Direct Final Rule for Aviation Training Device (ATD) credit for pilot certification, issued January 15, 2015. We believe the withdrawal will significantly raise the costs of training and will negatively impact technological advances.

On January 2, 2014 the FAA published a policy change for the use of approved aviation training devices (ATDs), FAA-2013-0809. The policy change reversed decades of expanded use of such devices in pilot training. In response, the agency received more than 200 comments opposing the policy change, including many asking for expedited rulemaking to align the regulations with long-established policy previously implemented through letters of authorization (LOA). In publishing the direct final rule on December 3, 2014, the FAA responded positively to AOPA and the vast majority of other commenters who specifically asked that the flight training industry be allowed to continue maximizing the use of ATDs for instrument flight training. This rule would have allowed the industry to train safe, competent pilots in a structured and economical way.

In its January 15 withdrawal notice, the FAA said it had received adverse comments and was therefore obligated by 14 C.F.R. §11.13 to withdraw the direct final rule. One comment raised concerns regarding the effectiveness of ATDs for training, suggesting that these devices do not provide appropriate sensory cues or a realistic environment. Another comment, this one anonymous, expressed an opinion that the increases in time/percentage of training contained in the direct final rule were too great, even though they were only being raised to a level that had been established as appropriate through the prior policy.

AOPA respects the rulemaking process, is an active participant in it, and appreciates the benefits of public comment through that process. However, we are disappointed that the adverse comments have forced the withdrawal of the direct final rule, with negative consequences for pilot training. The adverse comments are demonstrably inconsistent with significant and longstanding practical experience that has established as fact the economic, environmental, and safety value of allowing a maximum of 20 hours of time in an approved ATD to count toward the requirements for an instrument rating.

The stated vision of the FAA is “to reach the next level of safety, efficiency, environmental responsibility, and global leadership” and the direct final rule seemed to further that vision.

Simulator training for an instrument rating allows instructors to provide a safer, more effective training experience. Students using ATDs are exposed to more complex scenarios, may be subjected to conditions not otherwise available at their local airport, can safely practice for emergencies, and have the opportunity to practice their new skills by “flying” more procedures. Training in a simulator focuses a pilot on interpreting instruments and procedures in a way that is more effective than flying in day VFR conditions using a view limiting device.

Furthermore, the direct final rule seemed consistent with the FAA's own stated policy on the use of simulators in pilot training and national policy for fuel conservation. In the Aircraft Flight Simulator Use in Pilot Training, Testing, and Checking and at Training Centers Final Rule, published July, 2, 1996, the FAA provided the following:

Flight simulation technology has shown enormous advancement during the past 30 years. The Federal Aviation Administration (FAA) has permitted greater use of aircraft flight simulators and flight training devices in training, testing, and checking airmen. The increased complexity and operating costs of the modern turbine-powered aircraft and the current operating environment have created an even greater need for the use of flight simulators and flight training devices. In many cases, flight simulators have proven to provide more in-depth training than can be accomplished in the aircraft. The use of flight simulators and flight training devices in lieu of aircraft has resulted in a reduction in air traffic congestion, noise and air pollution, and training costs. The increased use of flight simulators is also consistent with the national policy for fuel conservation.

Flight simulators provide a safe flight training environment. They may reduce the number of training accidents by allowing training for emergency situations, such as fire, total loss of thrust, and systems failures that cannot be safely conducted in flight. The FAA has traditionally recognized the value of flight simulation and has awarded credit for the completion of certain required training, testing, and checking by use of simulation.

Airplane rental and fuel are the most expensive part of any certificate or rating and are significantly more costly than simulator time. Flight schools have long used simulators as a way to reduce the cost of obtaining an instrument rating while improving the quality of training by focusing on instrument interpretation and scanning. Additionally, commercial air carriers have demonstrated the efficacy and savings of simulator training, and several Civil Aviation Authorities have successfully used the multi-crew pilot license as a means to train pilots using simulators – further expanding, not limiting, their use.

The flight training community has recognized the value of ATDs both for their unique role in an effective training program and for their ability to reduce total training costs. The result has been explosive growth in the use of ATDs along with significant advances in technology. Pilot proficiency and training has greatly benefited from the widespread availability and increased fidelity of these devices, yet we fear this new policy statement will impede continued improvement in devices used in general aviation training.

Regardless of how training is conducted, each airman must be evaluated during the practical exam to ensure he or she possesses the knowledge and skills needed to hold the desired certificate or rating. The FAA should afford the training industry the flexibility to teach pilots using new and innovative techniques. Only through innovation will we collectively rise to the next level of safety.

For all these reasons, we respectfully ask the FAA to expedite publication of a Notice of Proposed Rulemaking (NPRM) with applicable procedures and comment period which would, once again, set the maximum ATD time that may be credited toward the instrument rating at 20 hours under 14 C.F.R. §61.65(i). Such a rule would re-establish modern flight training practices, techniques, and levels of safety.

Sincerely,



David Oord
Director, Regulatory Affairs
Aircraft Owners & Pilots Association