U.S. Department of Transportation
Federal Aviation Administration

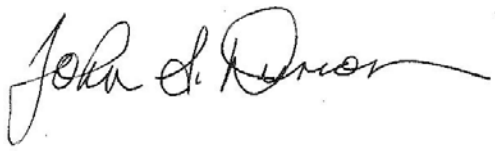
Advisory Circular

Subject: Operations of Large Airplanes Subject to 14 CFR Part 125

Date: 9/15/16 **AC No:** 125-1A

Initiated by: AFS-800 **Change:**

This advisory circular (AC) sets forth one means that would be acceptable to the Administrator to assist persons in complying with the requirements of Title 14 of the Code of Federal Regulations (14 CFR) part 125. It also provides, in Chapter 2, a test of applicability for operations which may be subject to part 125.



John S. Duncan
Director, Flight Standards Service

CONTENTS

CHAPTER 1. INTRODUCTION

1.1 Purpose. This advisory circular (AC) sets forth one means that would be acceptable to the Administrator to assist persons in complying with the requirements of Title 14 of the Code of Federal Regulations (14 CFR) part 125. It also provides, in Chapter 2, a test of applicability for operations which may be subject to part 125.

1.2 Cancellation. This AC cancels AC 125-1, Operations of Large Airplanes Subject to Federal Aviation Regulation Part 125, dated January 22, 1981.

1.3 Background. Part 125 was issued to establish a uniform set of certification and operational rules for large airplanes having a seating capacity of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more, when used for non-common carriage.

1.4 Related CFRs. Title 14 CFR parts 43, 61, 65, 91, 119, 121, 125, 135, and 145.

1.5 Related Reading Material. Additional information may be found in the current editions of:

- AC 43-9, Maintenance Records.
- AC 120-12, Private Carriage Versus Common Carriage of Persons or Property
- AC 120-27, Aircraft Weight and Balance Control.
- AC 120-29, Criteria for Approval of Category I and Category II Weather Minima for Approach.
- AC 120-47, Survival Equipment for Use in Overwater Operations.
- AC 120-74, Part 91, 121, 125, and 135 Flightcrew Procedures During Taxi Operations.
- AC 120-76, Guidelines for the Certification, Airworthiness, and Operational Use of Electronic Flight Bags.
- AC 120-78, Electronic Signatures, Electronic Recordkeeping and Electronic Manuals.
- AC 120-83, Flight Deck Observer Seat and Associated Equipment.
- AC 120-87, Use of Child Restraint Systems on Aircraft.
- AC 120-88, Preventing Injuries Caused by Turbulence.
- AC 120-95, Portable Oxygen Concentrators.
- AC 120-98, Operator Information for Incorporating Fuel Tank Flammability Reduction Requirements into a Maintenance or Inspection Program.
- AC 120-108, Continuous Descent Final Approach.
- AC 120-113, Best Practices for Engine Time-in-Service Interval Extensions.
- AC 121-38, Reporting Hazardous Materials Discrepancies to the Federal Aviation Administration.

CHAPTER 2. APPLICABILITY OF PART 125

2.1 Scope and Contents. This chapter provides guidance regarding the applicability of 14 CFR part 125 to certain large airplane operations in other than common carriage, and the exceptions to this applicability.

2.1.1 Types of Operations. According to 14 CFR part 375, § 375.40(b), an operator that holds itself out to the public, or to a particular class or segment, as willing to furnish transportation for hire is a common carrier. Part 125 provides for the operation of large airplanes that are not conducting operations in common carriage, including the following types of operations:

1. Non-common carriage for hire operations. This type of operation is allowed, but must be reviewed carefully to verify that the operation is not common carriage. Operators are not permitted to hold out to the public directly or indirectly.
2. Private carriage operations in which persons or cargo are transported without compensation or hire; for example, private or corporate operators carrying company personnel, property, and guests, including cost sharing under 14 CFR part 91, § 91.501(d).
3. Parachute, lease/sale agreements, or historic (museum or collection) flight operations.
4. Operations not involving the transportation of persons or cargo.

2.2 Applicability: Seating vs. Payload Capacity.

2.2.1 Determination of Applicability. The determination of applicability for part 125 is: Does the operator use an airplane with a seating capacity (configuration) for 20 or more passenger seats or a maximum payload capacity of 6,000 pounds or more?

2.2.2 Seating Capacity. If the airplane has 20 or more passenger seats, part 125 is applicable. However, the operator could reconfigure the airplane (remove the seats) so that it has a passenger seating capacity of 19 or less. In this situation, part 125 would not be applicable, unless the calculated maximum payload capacity is 6,000 pounds or more.

2.2.3 Maximum Payload Capacity. Maximum payload capacity is defined in part 125, § 125.9. If, through calculations in accordance with this definition, the maximum payload is determined to be 6,000 pounds or more, part 125 is applicable regardless of the number of seats.

2.2.4 Exceptions. Exceptions to the applicability of part 125 are discussed in paragraph 2.5.2.

2.3 Compensation Permitted. Part 125 is applicable to large airplane operations in other than common carriage. A person is considered to be engaged in common carriage when holding out to the general public or to a segment of the public as willing to furnish transportation within the limits of its facilities to any person who wants it. Advertising

through telephone yellow pages, billboards, television, radio, internet Web sites, social media, and individual ticketing are examples that have been legally found to be holding out. Section 125.11(b) prohibits part 125 certificate holders from conducting any operation which results directly or indirectly from holding out to the general public. Further information regarding common carriage vs. private carriage can be found in the current edition of Advisory Circular (AC) 120-12, Private Carriage Versus Common Carriage of Persons or Property.

2.4 Definition of Terms. For the remainder of this AC, the following definitions of terms used will apply:

2.4.1 Maximum Payload Capacity. Refer to § 125.9, Definitions. If the maximum payload is determined to be 6,000 pounds or more, part 125 is applicable regardless of the number of seats.

2.4.2 Private Carriage. Private carriage is considered non-common carriage. Part 125 is applicable to large airplane operations in other than common carriage. Section 125.11(b) prohibits part 125 certificate holders from conducting any operation which results directly or indirectly from holding out to the general public.

2.4.3 Compensation or Hire. A term that originated with the regulation of ground transportation under the Interstate Commerce Act which was enacted in the late 1800s. The test is presently contained in the definition of a "Commercial Operator" in 14 CFR part 1, § 1.1 and is essentially the same as the definition adopted in 1949 by the Civil Aeronautics Board.

2.4.4 Commercial Operator. Per § 1.1, a commercial operator is "a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of part 375 of this title. Where it is doubtful that an operation is for "compensation or hire," the test applied is whether the carriage by air is merely incidental to the person's other business or is, in itself, a major enterprise for profit."

2.4.5 Common Carriage. A person is considered to be engaged in common carriage when holding out to the general public or to a segment of the public as willing to furnish transportation within the limits of its facilities to any person who wants it. Advertising through telephone yellow pages, billboards, television, radio, internet Web sites, social media, and individual ticketing are examples that have been legally found to be holding out.

2.4.6 Certificate Holders. One part 125 certificate shall be issued to any person. An operating certificate may not be held jointly by two or more persons. A partnership is considered a single person even though the partnership may consist of more than one individual or corporation. For example, where both a parent and a subsidiary corporation exist, only one of the two corporations may be the applicant for any one certificate and that certificate cannot be issued to, or in the name of, both corporations. Regardless of

common ownership, the parent and subsidiary corporation are considered by law as separate persons.

2.4.7 Deviations. At any point during certification, an applicant may request a deviation from any section of part 125 or an A125 Letter of Deviation Authority (LODA) authorizing a deviation from 14 CFR part 119, § 119.23(a)(3) and § 125.5 (the requirement to hold an operating certificate and operations specifications (OpSpecs)). (See Chapter 10 for further information.)

2.4.8 Applicant. An applicant is the entity applying for a part 125 operating certificate or any deviation authority. The applicant may be a part 125 certificate holder or an A125 LODA holder. An applicant may also be a person applying for a part 125 certificate or a person applying for a deviation from §§ 119.23(a)(3) and 125.5 (the requirement to hold an operating certificate and OpSpecs) hereafter to be identified as an A125 LODA holder.

2.4.9 A125 LODA Holder. An A125 LODA holder is a person/operator who is issued a LODA from §§ 119.23 and 125.5 (the requirement to hold an operating certificate and OpSpecs), and is identified in the Web-based Operations Safety System (WebOPSS) (referred to as "125M") as an A125 LODA operator.

2.4.10 Letter of Deviation Authority (LODA). LODA is a formal authorization issued by the Federal Aviation Administration (FAA) certificate-holding district office (CHDO), authorizing a deviation from specified section(s) of part 125. The LODA is permitted by § 125.3. LODAs are issued to certificate holders and A125 LODA holders. LODAs are issued for operational uniqueness such as Special Flight Authorizations (SFA), intentional parachute operations, airplane museum operations, airplane leasing/manufacturer operations, and other individualized authorizations approved by the General Aviation and Commercial Division (AFS-800).

2.4.11 Special Flight Authorization (SFA). SFA is a LODA authorizing an operator to accomplish the following short-term operations (normally a maximum of 30 calendar-days) in accordance with part 91:

1. Sales demonstration flights when the operator is not certificated under part 119 or the holder of an A125 LODA.
2. Ferry flights when the operator is not certificated under part 119 or the holder of an A125 LODA.
3. Training flights conducted for certification under 14 CFR parts 61 and 63, associated with certification under part 119, or an applicant for an A125 LODA.

Note: SFAs (refer to § 91.715) are also issued to allow a foreign civil aircraft to be operated without a U.S. airworthiness certificate.

2.4.12 Standard Intentional Parachute Operations, Airplane Museum Operation, and Airplane Leasing/Manufacturer Operations Standard LODA. AFS-800 has considered the operational uniqueness of these operations and has determined that such operations,

conducted by airplanes with a seating configuration of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more, should be authorized a deviation from § 125.1 applicability, and allowed to conduct all operations in accordance with part 91. AFS-800 has developed standard parachute, museum, and airplane leasing/manufacturer LODAs.

2.4.13 Special Flight Permits (SFP). SFPs are issued to the operator of an aircraft that may not currently meet the applicable airworthiness requirements but is capable of safe flight (refer to §§ 21.197 and § 21.199).

2.5 Is Part 125 Applicable to Your Operation?

2.5.1 Applicability. The applicability of this part is outlined in § 125.1.

2.5.2 Exceptions. The exceptions from applicability to part 125 are addressed in the following questions. Any person operating large airplanes who does not meet the criteria for one or more of the exceptions shown in the answers to these questions must make application for certification under part 125.

Note: The questions are arranged to correspond consecutively with those in the diagram in Figure 2-1, Test for Part 125 Applicability. Only the answers which result in exceptions to the applicability of part 125 are provided.

Question 1. Do you operate at least one civil airplane with a seating capacity of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more? If no, part 125 does not apply (refer to § 125.1(a)). If yes, move to question 2.

Question 2. Is your large airplane registered in the United States? If no, part 125 does not apply (refer to § 125.1(a)). If yes, move to question 3.

Question 3. Will your U.S.-registered, large airplane be operated in any portion of the United States or territory, commonwealth, or possession of the United States? If no, and you are not a U.S. citizen, you are only required to comply with the inspection program and maintenance requirements of § 125.247 (refer to § 125.1(c)). If yes, move to question 4. Foreign-based U.S. citizens also move to question 4.

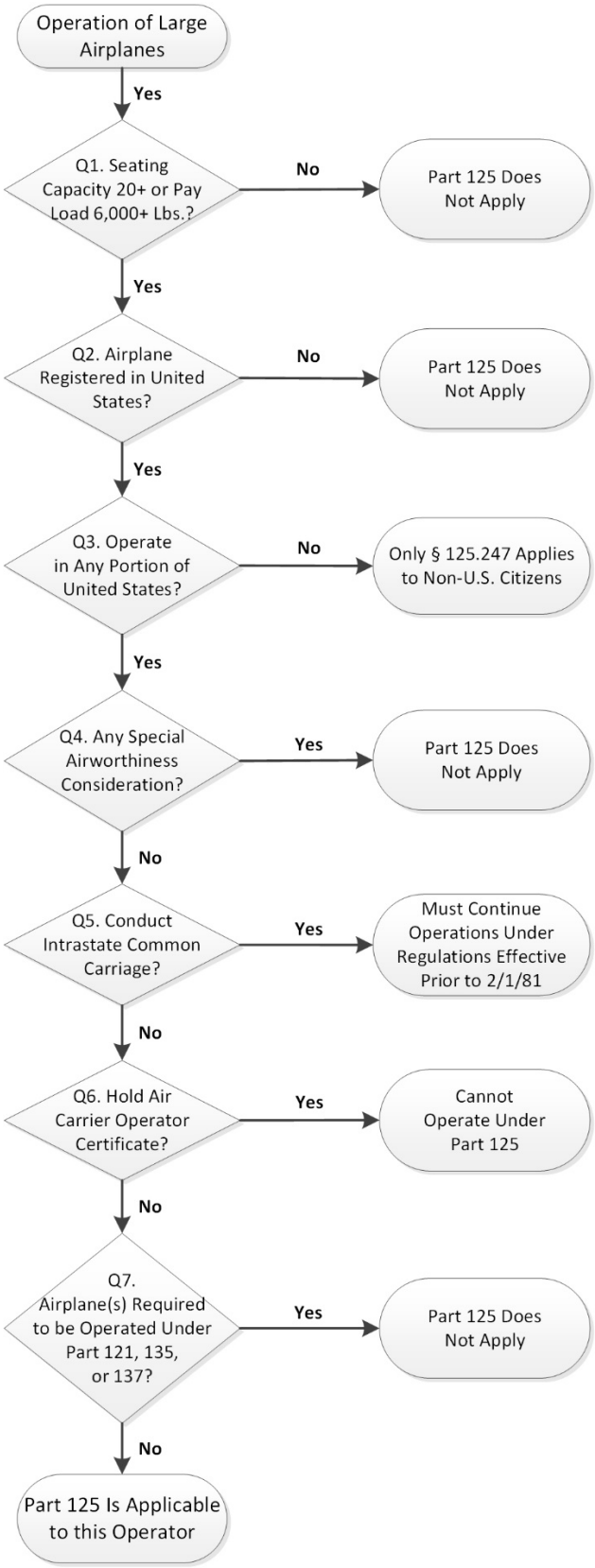
Question 4. Is your U.S.-registered, large airplane operated on a restricted, limited, or provisional airworthiness certificate, SFP, or experimental certificate? If yes, part 125 does not apply (refer to § 125.1(b)(2)). If no, move to question 5.

Question 5. Do you conduct intrastate common carriage as the holder of a commercial Air Carrier Certificate under the provisions of 14 CFR parts 121 or 135? The key is intrastate common carriage. If yes, then you must continue to operate under the commercial operator requirements of parts 121 or 135. If no, move to question 6.

Question 6. Do you presently hold an air carrier operating certificate issued under parts 121 or 135? If yes, then you are not eligible for a part 125 operating certificate (refer to § 125.11(a)). If no, move to question 7.

Question 7. Are your U.S.-registered, large airplane(s) presently required to be operated under parts 121, 135, or 137? If yes, part 125 does not apply (refer to § 125.1(b)(1)).

Figure 2-1. Test for Part 125 Applicability



CHAPTER 3. PREPARING FOR CERTIFICATION

3.1 Scope and Contents. This chapter outlines the steps which should be considered in preparation for certification under 14 CFR part 125. It provides general guidance with references to other chapters in this advisory circular (AC) where more specific guidance is necessary. Examples of acceptable submissions are also referenced in this chapter.

3.2 Contacts with the FAA District Office. As the applicant, you are encouraged to make informal contact with your local Flight Standards District Office (FSDO) or International Field Office (IFO), as applicable, by telephone, email, or in person, after making a scheduled appointment, before proceeding with the development of the documents necessary for certification. It may be helpful to seek comments regarding the operations, maintenance, and avionics aspects of your operation at intermediate steps in the development of these documents. These informal contacts, and submissions of draft documents for their review, will assure the acceptability of the formal application and, in many cases, lessen the amount of time involved in the process of certification.

Note: References made to the FSDO in this document may also include the IFO, as applicable.

3.3 Time Constraints. Applicants are required to submit their complete formal application at least 60 calendar-days prior to the intended date of operation (refer to part 125, § 125.21). This formal application must contain all items listed in paragraph 3.17.3. Your preparation of the formal application with its required attachments could, under normal circumstances, also take as much as 60 calendar-days. You should bear in mind the time involved for your preparation of the complete formal application package, and the 60-calendar-day period for FAA processing of that application, when planning the intended date for beginning operation under part 125.

3.4 Initial Informal Contact.

3.4.1 Contact the FAA. As soon as the decision is made to conduct operations with large airplanes and you have determined the planned operations will not fall under any of the exceptions to part 125 discussed in Chapter 2, paragraph 2.5.2, you should contact the local FSDO or IFO, as applicable. During this contact you will be able to discuss the scope of operations planned and get FAA input on the part 125 requirements that may be applicable to the planned operation.

3.4.2 FSDO/IFO Input. The district office or IFO, as applicable, will be able to give specific and timely input if you are prepared to supply in reasonable detail:

1. An outline of operations planned, including the number and type of airplane to be used;
2. A list of key management personnel who will represent the company during the certification process; and
3. An estimate of the dates on which you intend to make formal application for certification and plan to begin operations under part 125.

3.5 Timetable for Certification. At the initial informal meeting the FAA will review with you the steps necessary to develop the formal application and complete certification. They will also assist you in determining the timetable you should meet in order to complete all aspects of preparing for, and completing, certification by the date you plan to begin operations under part 125.

3.6 Should You Submit a Request for Deviation Authority? After initial contact with the FSDO or IFO, as applicable, you should begin the process of deciding whether or not a deviation request from 14 CFR part 119, § 119.23(a)(3) and § 125.5 (the requirement to hold an operating certificate and operations specifications (OpSpecs)) will be required for your operation. You should consider early whether or not to submit a request for an A125 Letter of Deviation Authority (LODA) authority to deviate from certain sections of part 125. Chapter 10 outlines the procedures for making this request.

3.7 Determine How You Will Comply with Part 125.

3.7.1 Compliance Statement/Letter of Compliance. You will be required to submit a compliance statement/letter of compliance which summarizes, for each applicable part 125 section, how your organization intends to comply with part 125, and the applicable sections of 14 CFR parts 91 and 119.

3.7.2 Manual References. When developing the compliance statement/letter of compliance, a determination should be made of which sections of part 125 will be included in your Policy and Procedures Manual (PPM) to satisfy the type(s) of operations planned. In the compliance statement, your intentions should be specifically referenced as to the location in the manual of how you will otherwise assure compliance with the applicable sections.

3.8 Developing Company Manuals.

3.8.1 Manual's Contents. After the operation planning has been completed, the next step would be the formulation of the policies and procedures that you want company personnel to follow in the performance of their duties. Part 125 requires these policies and procedures to be contained in a manual and specifies the required contents (refer to §§ 125.71, 125.73, and 125.249). Contents other than that required by the rule may be part of your PPM, as applicable to your operation.

3.8.2 Manual Formulation Guidance. Specific guidance on the formulation of this manual is included in Chapter 7 and Appendix A.

3.8.3 Approved Flight Manual. Section 125.75 requires that you have FAA-approved flight manuals for each airplane. Procedures should assure that these manuals are up-to-date and available to the crewmembers as required by § 125.71(e). Modifications to the operating procedures and performance data must be approved by the FAA (refer to § 125.75(b)).

3.9 Minimum Equipment List (MEL).

3.9.1 MEL Definition. An MEL is a method by which a part 125 holder can, under controlled conditions, operate an airplane with specified items of equipment inoperative until repairs are available or feasible. Authority for the use of an approved MEL is provided in § 125.201(a).

3.9.2 MEL Guidelines. Items of equipment required on an airplane may be dictated by the airplane type certificate, the operational requirements (e.g., part 125), or, in the case of optional equipment, by the operator. The MEL is developed by the operator from the Master Minimum Equipment List (MMEL). The MEL submitted by the operator may not be less restrictive than the MMEL from which it was developed, and provides for approval to deviate under controlled conditions from certain operational requirements. These "controlled conditions" may be restrictions from flight during night, in instrument flight rules (IFR) or icing conditions, or by changes in in-flight operational procedures, temporary deactivation of components, or other procedures.

3.9.3 Approval of MEL. If you desire to use an MEL:

1. You should obtain a copy of the MMEL for your airplane. A copy of the MMEL can be obtained from the FAA's Web site at http://fsims.faa.gov. If you do not have access to the internet, you can obtain a copy from your jurisdictional FSDO.
2. Section 125.201 authorizes flight with inoperative equipment under specific conditions.
3. An aviation safety inspector (ASI) may approve MELs for part 125 operators as part of the certification process.
4. You should submit your proposed MEL, as a separate document or as a section of your PPM, in your formal application for certification.

3.9.4 MEL Differences. Due to differences in operational factors (e.g., lack of maintenance bases), some options provided in the MMEL may not apply to part 125 certificate or A125 LODA holders. Each approved MEL will be tailored to the particular operator's operations.

3.10 Maintenance Program.

3.10.1 Develop Maintenance Program. During your initial contacts with the FAA, and when developing the maintenance inspection program, you should follow the information provided in Chapter 9. It should be noted that a certificate holder under part 125 is not authorized by part 125 certification to perform preventive maintenance, rebuilding, or alteration. Such authority is not contained in part 43. This does not prevent an operator who holds a part 125 operating certificate from providing for its maintenance requirements by employing persons authorized to perform maintenance under part 43.

3.10.2 Airplane Requirements. Before submitting the formal application, you should assure that your airplane meet all applicable special airworthiness requirements in part 125 subpart E and all instrument and equipment requirements of part 125 subpart F for the operations proposed. Inoperative or unavailable equipment may be cause for denial of certification or place limitations on the proposed operations.

3.10.3 Qualified Personnel. You should also assure that adequate qualified personnel are available to perform your maintenance program, or agreements with other companies to perform this maintenance are satisfactory.

3.11 Airplane Required. Part 125 does not specifically require an applicant to own or have exclusive use of an airplane. Sections 125.27 and 125.31 require that a determination be made that you are properly equipped (refer to § 125.27(a)) and the registration number and airplane type be shown in your OpSpecs (refer to § 125.31(b)(2)). Essentially, this requires that a specific airplane which meets the requirements of part 125 for the operations shown in your OpSpecs be available at the time of certification. You may, however, request changes to the OpSpecs at any time after certification. The procedures for adding or deleting airplanes are discussed in Chapter 6.

3.12 Crewmembers.

3.12.1 Number of Qualified Crewmembers. You should review the requirements of § 125.263 through § 125.271 in light of your proposed operations and assure that you will have an adequate number of qualified crewmembers to conduct your proposed operations.

3.12.2 Crewmember Training. You are not required to have a formal training program; however, you should provide training for your crewmembers, or otherwise assure that they will be capable of successfully completing the testing requirements of §§ 125.287, 125.289, and 125.291. Section 125.296 permits crewmembers to complete training, testing, or checking in accordance with an approved training program that meets the requirements of part 125 and is conducted in accordance with an approved course conducted by a training center certificated under 14 CFR part 142. The regulatory responsibility for ensuring that an operator's training program remains current and continues to meet the operator's needs resides with the operator. Training, testing, and/or checking to be conducted by the training center will be authorized by the principal operations inspector (POI) via the Web-based Operations Safety System (WebOPSS) before any training is accomplished.

3.12.3 Contract Training Restrictions. If you elect to use a contract training provider, you are limited to the use of a part 142 certificated training facility (refer to § 125.296). The part 142 training facility must meet the simulator requirements of § 125.297. Use of a part 142 training facility to meet the crewmember requirements of part 125 must be approved by the POI through the appropriate WebOPSS paragraph. The training program should be reviewed and approved by the POI.

3.12.4 Review of Qualifications. Your crewmembers' qualifications will be reviewed in light of their intended duties (refer to §§ 125.281, 125.283, and 125.285). These qualifications will be reviewed immediately prior to their oral and practical tests under part 125.

3.12.5 Crewmember Testing and Checking Requirements. Crewmembers must meet the testing and checking requirements of §§ 125.287, 125.289, and 125.291 prior to acting as a qualified crewmember for the company. All testing elements delineated in the rule are required. All testing must be conducted by a qualified ASI or authorized check pilot, and documented in accordance with the crewmember record requirements of § 125.401.

3.12.6 Pilot Proficiency Check. A pilot proficiency check conducted under 14 CFR part 121, § 121.441 that meets the checking requirements of part 121 appendix F may be accepted by the POI as meeting the requirements for operations conducted under part 125, under the following specified conditions:

1. The check is conducted in the same type of airplane, or in an airplane simulator or other training device, approved under § 125.297 for each flight maneuver or procedure to be accomplished during the proficiency check.
2. The pilot has passed a written or oral test on the appropriate provisions of 14 CFR parts 61, 91, and 125, and the OpSpecs and PPM of the certificate holder (refer to § 125.287(a)(1), (8), and (9)).
3. A properly documented record of that crewmember is maintained in accordance with the requirements of § 125.401.
4. If the POI elects to accept a § 121.441 check that meets the checking requirements of part 121 appendix F to satisfy the requirements for the proficiency check required under part 125, the requirements for items 2 and 3 above must be conducted by a part 125 company authorized check pilot. The discretion used by the POI to accept the part 121 appendix F check does not authorize the check pilot, who conducted the part 121 appendix F check, the authority to conduct the requirements specific to a part 125 operator (requirements of items 2 and 3 above).

3.12.7 Pilot Services for Multiple Part 125 Operators. Flightcrew members who meet the initial and recurrent pilot testing requirements or the pilot in command (PIC) instrument proficiency requirements of part 125 are permitted to make lateral moves between part 125 operators. For example, a pilot may provide services to more than one operator if the pilot meets the requirements of § 125.287(a)(1), (8), and (9) for each certificate holder. However, if a pilot fails to meet this requirement for one operator, that pilot may not provide the same services to any operator. Additionally, a failure of the required competency or proficiency check under part 125 requires notification of any part 121 or other part 125 operators who may employ the pilot. This can be accomplished by notifying the certificate-holding district offices (CHDO) of other operators that employ the pilot that failed the part 125 check.

3.13 Request for Check Pilot Authorization.

3.13.1 Issuing a Check Pilot Authorization. A check pilot authorization may be issued to an applicant for a part 125 certificate, an A125 LODA, an existing part 125 certificate holder, or existing A125 LODA holder. Although an individual is assigned check airman duties to conduct initial, recurrent, and instrument checks required by §§ 125.265(b),

125.285, 125.287, and 125.291, the authorization is issued to the applicant or operator planning to operate or operating under part 125.

3.13.2 Check Pilot Nominees. The FAA may authorize a company pilot to act as a check pilot for that company, or authorize a contract check airman from a part 142 training center, or authorize another part 125 check pilot as a check pilot for the company, to conduct the pilot testing and checking required by §§ 125.287 and 125.291 (refer to § 125.295). These authorizations are issued when the FAA determines that a need exists based on factors such as the complexity of the operation (number of airplanes and flight personnel) and where the company can provide a qualified nominee. Requests for check airman authorizations should be submitted by letter to the jurisdictional FDSO. Further information on this subject can be found in Chapter 8.

3.13.3 Check Airman Scheduling. The operator should understand that the scheduling and use of a check airman is their responsibility. An operator entering into a multiple use arrangement may employ a check airman on a part time basis, may contract with another part 125 operator or part 142 training center to provide a check airman, or may contract directly with the check airman. However, each operator must ensure that the check airman maintains currency, as specified in the appropriate operating rule, and performs adequately when serving the operator.

3.13.4 Check Airman Approval for More Than One Operator. An operator seeking check airman approval for an individual already serving as a check airman for another operator must provide the same information to its POI as if the check pilot nominee was their company pilot. The operator's POI must consider the means the company will use to train, qualify, and maintain the qualifications of the check airman candidate, and the required documentation. A check airman serving as a check airman for another operator may meet recurrent training requirements for more than one operator simultaneously. When the operator and the POI have agreed on the training and qualifications necessary for the check airman, serving as a check airman for another operator, the operator must submit a written letter of request to the POI.

3.13.5 Ensure Nominees Complete Training. Regardless, whether the check airman is a company pilot, contract check pilot from a part 142 training center, or a check pilot from another part 125 operator, the company requesting check airman authorization will ensure the check airman nominee completes all necessary training and checking. Once approved by the POI, the check airman will be approved, by a letter of authorization (LOA), to conduct checks for that operator.

Note: See Chapter 8, paragraphs 8.11–8.15 for additional information.

3.14 Administrative Resources. Adequate forms and manuals will need to be developed to properly document your company's compliance with the applicable Federal aviation regulations and company procedures. During certification, the Certificate Management Team (CMT) will review these documents to assure that you have the necessary documentation and resources to begin operation.

3.15 List of Personnel. A list of the personnel who will be employed in management positions will be included in the PPM (refer to § 125.25(b)).

1. Each operator must show that they have enough management personnel, including at least a director of operations, to assure that its operations are conducted in accordance with the requirements of part 125.
2. The PPM will set forth the duties, responsibilities, and authority of each management personnel. This information will be placed in the PPM.
3. The names and addresses of each management position will be placed in the manual.
4. A person must be designated as the responsible person for the scheduling of inspections required by the manual and for the updating of the approved Weight and Balance (W&B) system on all of the operators airplanes.
5. The certificate holder will notify the FSDO of any changes made in the assignment of persons to the listed management positions within 10 calendar-days, excluding Saturdays, Sundays, and Federal holidays.
6. The FAA may deny an application for a certificate if it finds that any management person you intend to employ was previously employed in a similar position by a holder of a certificate under 14 CFR parts 121, 125, or 135 whose operating certificate was revoked, if that person's employment or control contributed materially to the reasons for revoking that certificate (refer to § 125.27).

3.16 Preapplication Statement of Intent (PASI) and Formal Application Letter.

3.16.1 PASI. A potential applicant will submit a copy of the PASI (FAA Form 8400-6) after reviewing the appropriate regulations and advisory material and considering the personnel, facility, equipment, airplane, and document requirements for certification and operation.

3.16.2 Formal Application Letter. The formal application letter serves as the vehicle to transmit the package of documents required to complete the Formal Application Phase of the certification process. The inspector must inform the applicant that the formal application must be a letter containing a statement that the letter serves as a formal application for an operating certificate.

3.16.3 Application for Certification. The formal application for certification should be submitted as a letter, preferably on company letterhead.

3.16.4 Letter Content. This letter must contain:

1. A statement that you are applying for a certificate to conduct operations under part 125.
2. The full and official name of the applicant. This letter must be signed by the owner, when applying as an individual or sole proprietorship; all partners,

when applying as a partnership; or an authorized officer(s), when applying as an organization such as a company or a corporation.

3. A general outline of the areas where you intend to conduct flight operations. The letter must contain the principal base of operation and/or principal place of business. The applicant must include their mailing address in the formal application letter, if it is different from his/her physical location address.
4. A reference to the compliance statement, referenced in Chapter 3, which outlines how you intend to meet the applicable sections of parts 91, 119, and 125.
5. The date you intend to begin flight operations under part 125.

3.17 Formal Application. The CMT ensures the formal application package represents a feasible proposal and is of sufficient quality to continue the certification process.

3.17.1 Application Quality. If the applicant has been thoroughly briefed and has acquired a thorough understanding of the requirements during the preapplication phase, the formal application should be of sufficient quality that any discrepancies can be resolved during the formal application meeting.

3.17.2 Rejected Formal Applications. Rejecting a formal application will be a sensitive issue since the applicant most likely will have expended considerable funds and resources to prepare it. Therefore, it is important for the Certificate Project Manager (CPM) to document thoroughly the reasons for rejection. The reasons must clearly indicate that to proceed with the certification process would not be productive. Reasons for rejection might include inadequate agreement on appropriate courses of action or evidence that the applicant has a serious lack of understanding of regulatory requirements and the certification process.

3.17.3 Formal Application Package. The formal application package should include:

- The formal application letter;
- A listing of management personnel and flightcrew members, including their résumés, certificates, and medicals;
- The compliance statement specifying how you propose to comply with each applicable section of part 91, 119, and 125;
- A copy of your Schedule of Events (SOE);
- A copy of the manuals required by §§ 125.71, 125.75, and 125.249;
- A copy of any deviation authority received; and
- A copy of any contracts or agreements with a person or persons who will perform required inspections or maintenance.

3.18 Foreign-Based Operators.

3.18.1 U.S. Citizen. If you are a U.S. citizen operating a U.S.-registered airplane applicable to part 125, you must comply with part 125 regardless of where your airplane is based or operated within the U.S., its commonwealth, territories, or possessions. If you are a U.S. citizen and your operation is entirely foreign based (i.e., you maintain your principal base of operations outside the United States, or conduct operations entirely outside of the United States), you will not be issued a part 125 operating certificate. Your application should be submitted to your jurisdictional FSDO or IFO, as applicable.

3.18.2 Non-U.S. Citizens Operating Outside the United States. If you are not a U.S. citizen and operate a U.S.-registered airplane subject to part 125 entirely outside the United States, its commonwealth, territories, or possessions, you need to only comply with the inspection programs and maintenance requirements of § 125.247. If the operator is foreign based, the inspection programs and maintenance required by § 125.247 would normally be approved by the applicable IFO prior to their use.

Note: A foreign-owned entity that operates U.S.-registered airplanes subject to part 125 entirely outside the U.S., its commonwealth, territories, or possessions will not be issued a part 125 operating certificate. They will only be required to comply with § 125.247.

3.18.3 Non-U.S. Citizens Operating Within the United States. If you are not a U.S. citizen and wish to operate a U.S.-registered airplane in any portion of the United States, its commonwealth, territories, or possessions, you must be certificated under part 125, or hold deviation authority under part 125. Your application should be submitted to your jurisdictional FSDO based on your U.S. base of operations/operator business address or if foreign based your applicable IFO.

3.19 Ready for the Inspection. Completion of the formal application package is considered to be an indication that your organization is ready for the Document Compliance Phase of the certification process.

CHAPTER 4. CERTIFICATION

4.1 Scope and Contents. This chapter outlines the usual sequence of events in the certification process.

4.2 Application Acknowledgment Letter.

4.2.1 Receipt of Application Acknowledgment. Upon receipt of your Preapplication Statement of Intent (PASI), the Flight Standards District Office (FSDO) will issue a letter acknowledging receipt. In addition, the letter will notify you if they have the resources to start processing your request.

4.2.2 Application Processing Notification. If the FSDO cannot start processing your request normally within 60 calendar-days, you will be notified. When the FSDO is able to begin processing your request, a subsequent letter will be sent notifying you that the FSDO can begin processing your request.

4.3 Inspection Team. The district office will normally assign a team of inspectors from operations, airworthiness, and avionics specialties. This team is commonly referred to as the Certificate Management Team (CMT). The CMT will have a Certification Project Manager (CPM) assigned; usually this will be the operations specialist but could be an airworthiness or avionics specialist. The CPM will normally be the point of contact (POC) between the CMT and the applicant. The CMT will assist you during the certification process, and answer your questions. They will review your submitted documents and perform the required inspections. You will be responsible for submitting documentation, and being ready for the necessary inspections in accordance with your submitted Schedule of Events (SOE). If you are unable to consistently meet your SOE, or are unable to complete the certification process, your certification will be terminated and you will be notified by letter. You can re-apply at any time after termination; however, your application will be processed in the order in which it is received, and you will have to start the certification process again, from the beginning, starting with the PASI.

4.4 Certification Procedures. This section provides the procedures for certificating a part 125 operator. The process allows interaction between the applicant and the FAA from initial inquiry to certificate issuance or denial. It ensures that programs, systems, and intended methods of compliance are thoroughly reviewed, evaluated, and tested. The certification process consists of the following five phases:

- Preapplication Phase,
- Formal Application Phase,
- Document Compliance Phase,
- Demonstration and Inspection Phase, and
- Certification Phase.

4.5 Preapplication Phase.

4.5.1 Review the Regulations and Requirements. The submission of FAA Form 8400-6, Preapplication Statement of Intent (PASI), indicates intent by the applicant to continue the certification process. It also allows the FAA to plan activities and commit resources. Therefore, a potential applicant submits a copy of the PASI after reviewing the appropriate regulations and advisory material and considering the personnel, facility, equipment, airplane, and document requirements for certification and operation.

4.5.2 Proposed Certification Review. The FSDO manager uses the PASI to evaluate the complexity of the proposed certification, and if it is appropriate for the office to conduct the certification. The office manager ensures that trained and experienced inspectors are available for the certification.

4.5.3 FSDO Resources. The FSDO will gather and summarize the PASI information and start the Certification Service Oversight Process (CSOP), if office resources are available.

4.5.4 Preapplication Meeting. The CPM shall contact the applicant to arrange a preapplication meeting. The applicant is advised that key management personnel, as shown on the PASI, should attend the meeting and be prepared to discuss specific aspects of the applicant's proposed operation. During the preapplication meeting, the CPM should ensure the applicant is informed about the certification process. The CPM will also discuss the form, content, and documents required for formal application.

4.5.5 Documents and Manuals. The CMT will furnish guidance and advice for the preparation of required documents and manuals. It is the responsibility of the applicant to produce acceptable documents and manuals.

4.5.6 Submitting Required Items. The applicant may submit required items in draft form before submitting the formal package. Whenever a problem or change occurs in the proposed operation, the applicant should notify the CPM immediately.

4.5.7 SOE Development. The applicant will need to develop an SOE. The SOE is intended to encourage you to submit material well in advance of the date operations are proposed to begin. If, however, the application is submitted with only the minimum lead time required by the regulation, complete documents (such as, the Policy and Procedures Manual (PPM)) may be required at the time of formal application. The SOE will contain the dates and the events, associated with those dates, when the CMT can expect documents and material from you, and when you will be ready for inspection and demonstration events. The SOE, when accepted, represents a commitment on the part of the applicant.

4.5.8 Sequence of Events. When developing the SOE, the applicant must remember the correct sequence of events. For example, airplane conformity inspections must be completed before emergency evacuation demonstrations begin.

4.5.9 Events and Activities. The number and types of events and activities that occur during certification vary according to the operation proposed. The SOE must include a complete

listing of each document to be submitted, activity to be performed, and item to be inspected.

4.5.10 Certification Delays or Termination. Failure to accomplish an item or event in a satisfactory or timely manner in accordance with the SOE could delay or terminate certification. In addition, if deficiencies are detected during the review of manuals or other documents, they will be returned for amendment or correction, which also may delay final certification.

4.5.11 Deviation Petition. If the applicant plans to petition for deviation, processing time must be considered in developing the SOE. Part 125, § 125.3 requires that a petition for deviation must be submitted to the appropriate FSDO at least 60 calendar-days before the date of intended operation.

4.5.12 Proposed Schedule. When reviewing the SOE, the team must carefully consider the feasibility of the proposed schedule with respect to logic of sequence, timeliness of events, completeness of events, and inspector availability.

4.6 Formal Application Phase. The Formal Application Phase is described in Chapter 3, paragraph 3.17. In addition to the information in paragraph 3.17, the applicant may want to have all of their documentation ready for review at the time of formal application. Although not necessary, completion of most or all the documentation at the formal application meeting will reinforce, to the FSDO, the applicants willingness and commitment to see the certification process through to certification.

4.7 Document Compliance Phase.

4.7.1 Document Review. In the Document Compliance Phase, the applicant's compliance statement, manuals and other documents are thoroughly reviewed for compliance with applicable regulations and for conformity with safe operating practices. After review by the CMT, each document is accepted or approved, as applicable, or rejected.

4.7.2 Operations Specifications (OpSpecs). OpSpecs outline the specific operations which a part 125 certificate holder is allowed to conduct and any deviations the certificate holder has been granted. They also supplement the operating rules and contain limitations not addressed in the regulations. Often the regulations require that certain authorizations and limitations be written in the OpSpecs. For example, § 125.363(d) states that the minimum requirements for over water operations will be indicated in the OpSpecs. This could include additional requirements for emergency equipment or personnel required for that particular operation but not indicated in the regulation.

4.7.3 The Policy and Procedures Manual (PPM). Section 125.71 requires a part 125 air operator to prepare and keep current a manual which describes the operator's procedures and policies. The manual is for use by all of the operator's personnel and also indicates to the FAA how the operator intends to conduct its operation. The manual's complexity depends upon the complexity of the operation. As a general rule, if the applicant submits the formal application only 60 calendar-days before operations are scheduled to begin

and draft documents were not previously submitted, the team may require that additional manual material be submitted at the time of formal application.

4.7.3.1 The CMT will review the company PPM to determine that it:

1. Contains adequate procedures and policies concerning all items listed in §§ 125.73 and 125.249, and similar information relating to §§ 125.401, 125.403, 125.405, 125.407, 125.409, and 125.411.
2. Contains any other procedures and policies necessary to meet any unique operations conducted by the company or authorized by the OpSpecs.
3. Does not contain procedures or policies contrary to the applicable CFRs or OpSpecs.

4.7.3.2 The operator will maintain a copy of this manual at their principal operations base (refer to § 125.7l (b)) and make copies available to ground and maintenance personnel and furnish copies to flightcrew members as outlined in § 125.7l (d).

4.7.3.3 Manuals not acceptable to the certification team will be returned to the applicant for revision and/or correction with a letter stating what the CMT found as unacceptable.

4.7.4 Management Positions. The position of Director of Operations (DO) is the only management position specified by § 125.25. The chief pilot's position is only a suggested position. Additionally, § 125.25 states that management personnel be enough "to assure that its operations are conducted in accordance with the requirements of part 125". The applicant may elect not to have any management positions other than director of operations, or the applicant may have more positions. In that case, qualifications are up to the judgment of the certification team, based on the type of management position and the complexity of the operation.

4.7.5 Acceptable Weight and Balance (W&B) Procedures. Acceptable W&B procedures may be found in the current edition of Advisory Circular (AC) 120-27, Aircraft Weight and Balance Control. Material from this publication, can be cited as a resource and adapted to the applicant or operator's procedures, but reference to these publications as a means of compliance is not acceptable. Certain W&B procedures described in AC 120-27 require authorization.

4.7.6 Hazardous Materials (Hazmat) Program. Although a training program is not required by part 125, the operator should be encouraged to prepare a hazmat program for all flightcrew members and ground personnel. Whether or not an operator elects to transport hazmat, the company manual required by § 125.73 must include certain procedures and instructions relating to hazmat. Some form of training in this area should be addressed. There are numerous all-cargo operators, with approved hazmat training programs, who could be contracted with to provide initial and recurrent training. (The inspector might consider keeping a current list of such operators as a resource.) If the operator uses a

training program, it should have provisions for regular testing of flightcrew members on the operator's hazmat policies and procedures.

4.7.7 Initial Compliance Statement. An applicant may submit an initial compliance statement with the formal application package because methods of compliance may depend on actions by the FAA (i.e., approval of the manual). When the method of compliance is finally formalized, the description can be added to the list in preparation for the final compliance statement. However, the SOE must show when the final compliance statement will be submitted.

4.8 The Demonstration and Inspection Phase.

4.8.1 Inspection Teams. In the Demonstration and Inspection Phase the certification team determines that the applicant's proposed procedures and programs are effective and that facilities and equipment are satisfactory. Inspection teams will visit your principal business office and operations base. Inspectors will review provisions you have made to satisfy the policies and procedures in your proposed OpSpecs and company manuals, such as flight release, W&B, flight locating, airplane checklists, passenger briefing, etc. You must have adequate provisions to conduct operations.

4.8.2 Regulations and Safe Operating Practices. Emphasis is on compliance with regulations and safe operating practices. Throughout the Demonstration and Inspection Phase the CPM will ensure that each required demonstration is observed and approved or disapproved. If at any time during this phase the applicant does not meet the SOE or if an activity or item proves to be deficient, the CPM will take appropriate corrective action. The CPM will schedule meetings with the applicant to review deficiencies in detail. Each deficiency and corrective action must be fully documented and placed in the certification file. If appropriate, the CPM will terminate the certification process, or agree to a modified SOE.

4.8.3 Airplane Inspections. All airplanes the operator intends to use in its operation will be inspected to:

1. Determine that they are properly registered and carry a registration certificate.
2. Determine that they are certificated and carry an appropriate airworthiness certificate.
3. Determine that the airplane empty weight and center of gravity (CG) have been calculated on the basis of an actual weighing within 36 calendar-months.
4. Ensure that the requirements of part 125 subpart E have been met.
5. Ensure that the requirements of part 125 subpart F, as appropriate to the operation to be conducted, have been met.
6. Determine that the engines conform to the maintenance program requirements for § 125.247(d).

7. Determine that all items on the airplane have been inspected in accordance with the inspection schedule established in the inspection program required by § 125.247.
8. Determine that an appropriate approved Airplane Flight Manual (AFM) is on board.
9. Determine conformity with the airplane type certificate data.
10. Ensure that it is in a condition for safe operation.

Note: The CMT will also review the AFM with emphasis on those portions which were modified to accommodate your particular operation (refer to § 125.75(b)).

4.8.4 The Emergency Evacuation Demonstration. Effective emergency evacuation procedures have significantly reduced the number of casualties in survivable airplane accidents. The FAA considers an applicant's or operator's ability to perform these procedures to be an extremely important aspect for aviation safety.

4.8.5 Aborted Takeoff Evacuation. Part 125 operators and applicants for a part 125 certificate must conduct a full-scale aborted takeoff evacuation demonstration for any airplane having a seating configuration of more than 44 passenger seats. The evacuation must be completed in 90 seconds or less (refer to § 125.189).

4.8.5.1 This demonstration is not required for certification if you have:

1. Previously conducted this test in the same airplane under 14 CFR part 121, § 121.291(b).
2. Previously demonstrated this evacuation using an airplane of the same type and configuration under part 125.

4.8.5.2 Specific instructions for preparing and conducting the emergency evacuation demonstration are found in part 125 appendix B.

4.8.6 Ditching Evacuation. All part 125 operators and applicants for a part 125 certificate must conduct a full-scale ditching evacuation demonstration for any land airplane intended for use by the operator in extended overwater operations.

4.8.7 Records. Part 125 subpart L indicates the types of records which must be maintained by a part 125 operator. Sections 125.403, 125.405, 125.407, 125.409, 125.411, and the operator's manual contain details about the approval of procedures for flight release forms; disposition of the load manifest, flight release, and flight plans; airplane maintenance logs; reports of defects or un-airworthy conditions; and airworthiness release or maintenance record entries. The inspector should refer to those sources to check those records. Records should be kept in a manner easily accessible to inspectors. The method of storage is, of course, the choice of the operator, but retrieval and review should not require an extended or complicated process.

4.8.8 Corrective Action Notification. After resolving any discrepancies with any of the documents or the inspections, the applicant must notify the CPM, in writing, detailing the corrective action taken. The demonstration and inspection phase should then be continued.

4.9 The Certification Phase.

4.9.1 Issued Certificates and OpSpecs. In the Certification Phase, the certificate and approved OpSpecs are issued after all unsatisfactory items are corrected. No certificate shall be issued until the team determines the applicant is fully capable of fulfilling responsibilities as charged by Title 49 of the United States Code (49 U.S.C.).

4.9.2 OpSpecs Review. The CMT will review the OpSpecs to determine that they:

1. Contain adequate provisions to meet all items listed in § 125.31(b).
2. Contain any other provisions applicable to your operations.
3. Do not contain information that is contrary to the applicable CFRs.
4. Contain reference to any deviations authorized.

4.9.3 Certificate Issuance. A certificate is issued to the applicant when the following criteria are met:

1. The certification process is completed.
2. Each unsatisfactory item has been corrected.
3. It is determined that the applicant has met all regulatory requirements and understands all responsibilities under the regulations.
4. It has been determined the applicant is capable of complying with the part 125 on a continuing basis.
5. The applicant’s ability to conduct operations in a safe manner has been demonstrated.

4.9.4 Amended Certificates. If a certificate is amended to reflect an address change or a change of the assigned district office, the date of original issuance shall be shown on the new certificate.

4.9.5 Legal Name Changes. A change of official name must be approached with care. Whatever the complexity of the legal name change, it has the effect of a new certification; therefore, a new certificate and certificate number shall be issued. For this situation the issuance date of the new certificate will be entered in the space provided on the certificate.

4.10 Designation of a Check Airman.

4.10.1 Check Airman Qualifying Evaluations. If you request approval of a check airman and the FAA finds that this approval is warranted by operational factors and your nominee is acceptable, he/she must complete the qualifying evaluations.

4.10.2 Instrument Proficiency Test. He/she must complete the instrument proficiency test provided in § 125.291. He/she will conduct flight test(s) of other company flightcrew members while being observed by an FAA inspector. Assuming he/she successfully completes these tests, the company will be issued a letter of authorization (LOA) authorizing the use of a check airman.

Note: Further information regarding check airmen is contained in Chapter 3 and Chapter 8.

4.11 Testing of Crewmembers.

4.11.1 Records Review. The check airman or FAA inspector conducting the crewmember testing will review the company records required by § 125.401 for these crewmembers. The flightcrew members will be requested to present their airman and medical certificates and logbooks for review.

4.11.2 Initial and Recurrent Pilot Testing. All pilot crewmembers must successfully complete the 12-month test required by § 125.287 before they can serve as a pilot. An FAA Form 8410-1, Airman Proficiency/Qualification Check, will be used to document the results of that test. A copy of the completed form should be maintained in the company records.

4.11.3 Electronic Testing System (ETS). An ETS may be used to satisfy the requirements of § 125.287(a)(1), with the exception that testing on OpSpecs and the manual of the certificate holder is a specific testing requirement for each individual operator and may not be applicable to a generic ETS system. If an ETS system is used to test OpSpecs and the manual of an individual operator, it must be applicable to the specific operator and cannot be used until approved by the principal operations inspector (POI). In addition, § 125.287(a)(4) through (9) may use an ETS system to satisfy the testing requirements, but must be approved by the POI prior to use. Minimum testing requirements using an ETS system will be established by the operator and approved by the POI. A minimum passing score of 70 percent corrected to 100 percent is recommended.

4.11.4 Instrument Proficiency Check (IPC). Pilots who will serve as a pilot in command (PIC) must successfully complete the IPC required by § 125.291. A letter of competency will be issued following the successful completion of the IPC. A copy of this document should be maintained in the company records.

4.11.5 Flight Attendant (F/A) Testing. The certificate holder is responsible for the testing of an F/A's knowledge and competency per § 125.289.

Note: Further information regarding crewmember qualification is provided in Chapter 8.

4.12 Maintenance Considerations.

4.12.1 Part 125 Certificate Holders. The holder of a part 125 operating certificate is not authorized under that certificate to accomplish maintenance or return the airplane to service after maintenance. This does not preclude a certificate holder from employing certificated mechanics who can perform these functions on the authority of their certificates or providing the facilities necessary for the accomplishment of the maintenance. A part 125 certificate holder may also hold a certificate under 14 CFR part 145 for a repair station. In this case, airplane maintenance and return to service may be accomplished under the authority of the part 145 certificate holders, provided the repair station holds the appropriate ratings. Under part 125, the certificate holder is able to provide for maintenance through one of these methods, it will be necessary to provide for scheduled and/or routine maintenance through agreements with other organizations which have the appropriate authority and ratings to accomplish the maintenance.

4.12.2 Agreements and Provisions for Maintenance. During the certification process, the FAA will review your agreements with other organizations for maintenance, and any other provisions you have made for the accomplishment of maintenance, to assure that you have provided for all aspects of scheduled and unscheduled maintenance. If you have elected to provide the facilities for the maintenance of your airplanes, these facilities and the authority which will be used to perform the maintenance and return the airplane to service will be subject to review and inspection. All aspects of the facilities and personnel will be evaluated regarding understanding of your manual, personnel qualifications, experience, equipment, and the overall ability of the facility to produce a properly inspected and maintained airplane. This will also be true in respect to avionics functions.

Note: Additional information on airplane inspection programs is found in Chapter 9.

4.13 Issuance of Operating Certificate.

4.13.1 Successful Completion of Tests/Inspections. You will be issued a part 125 operating certificate upon successful completion of the tests and inspections discussed in this chapter (refer to § 125.27(a)).

4.13.2 Certificate Display. A copy of the certificate must be displayed in each airplane used for part 125 operations (refer to § 125.7(a)).

4.14 Approval of OpSpecs. The applicable OpSpecs will be processed in the FAA's Web-based Operations Safety System (WebOPSS) and electronically signed by the operator, if the operator has made provisions for WebOPSS electronic signature, and the principal inspector (PI). If the operator does not have WebOPSS electronic signature authority then the designated company representative will hand sign each applicable OpSpecs. You should retain the original at your principal base of operations, and place a copy in your company's PPM.

4.15 Final Certification. Upon receipt of the operating certificate, approved OpSpecs, and accepted company manual, certification is complete. You are now a part 125 certificate holder.

CHAPTER 5. FAA SURVEILLANCE AFTER CERTIFICATION

5.1 Scope and Contents. This chapter explains surveillance that the FAA conducts on 14 CFR part 125 certificate holders. The listed inspections are not an exhaustive list, but outline the major inspections you can expect as a part 125 certificate holder. Inspectors are authorized to conduct other inspections, as necessary, to ensure the operator is in compliance with the Federal aviation regulations, applicable to their operation.

5.2 Inspection Authority.

5.2.1 Administrator Authority. Part 125, § 125.45 states that each certificate holder shall allow the Administrator, at any time or place, to make any inspections or tests to determine an operator's compliance with the Federal Aviation Act of 1958, the Federal Aviation Regulations, its operating certificate and operations specifications (OpSpecs), its Letter of Deviation Authority (LODA), or its eligibility to continue to hold its certificate or LODA.

5.2.2 Types of Inspections. In the course of exercising this inspection authority, FAA inspectors (operations and airworthiness) conduct facility (base) inspections, ramp inspections, airplane inspections, en route inspections, and other related surveillance.

5.3 Identification of Inspectors. All FAA inspectors authorized to conduct inspections have an inspector credential (FAA Form 110A, Aviation Safety Inspector's Credential) which identifies them as an inspector. The certificate holder's personnel may request to see this credential when approached by any aviation safety inspector (ASI) when that inspector is present to conduct any authorized inspection.

5.4 Facility (Base) Inspections. These inspections are conducted on a recurring basis to ascertain that the certificate holder's facilities continue to meet the original certification standards.

5.5 Ramp Inspections. The FAA conducts announced or unannounced surveillance of airplanes which have just completed, or are about to engage in, flight operations. The major items reviewed in these inspections include, but are not limited to: flightcrew certification, flight and duty time limitations, instrument and equipment requirements, Weight and Balance (W&B) limitations and procedures, minimum equipment list (MEL) procedures (as applicable), flight locating requirements, or any other issues that may affect the safety of the flight.

5.6 En Route Inspections.

5.6.1 Flight Deck Inspection. During an en route inspection, the FAA inspector will ride on the flight deck and observe and evaluate crew performance during a part 125 operation. Inspectors are authorized to make this inspection, on an announced or unannounced basis, provided they identify themselves by presenting their credentials and a copy of a completed FAA Form 8430-13, Request for Access to Aircraft, to the certificate holder or his/her representative (i.e., pilot in command (PIC)).

Note: In addition to a flight deck inspection, an FAA inspector may conduct a cabin en route inspection to verify that the cabin crew adheres to all applicable regulations and the applicable company policies and procedures.

5.6.2 Access to Flight Deck. Certificate holders should make their flightcrews aware of the requirements of §§ 125.315 and 125.317. An ASI who presents the proper credentials must be allowed free and uninterrupted access to the pilot compartment of the airplane. Failure to allow this access, except in cases involving the invoking of the emergency authority of the PIC, may result in enforcement action against the pilot and/or certificate holder.

5.6.3 Inspection Briefing. Inspectors should brief the PIC of their findings at the termination of the flight and, as necessary, advise company management personnel.

5.7 Airplane Inspections. FAA airworthiness inspectors will conduct scheduled or nonscheduled inspections of airplanes operated under part 125 on a regular basis to determine that the airplanes continues to meet the original standards for certification.

5.8 Simulator Surveillance. FAA inspectors will conduct periodic surveillance of simulators and flight training devices (FTD), to ensure they meet the requirements of §§ 125.296 and 125.297. Principal operations inspectors (POI) may utilize the Training Center Program Manager (TCPM) to assist him/her in the surveillance of simulators used by a part 125 operator.

5.9 Check Pilot Surveillance. POIs are responsible for providing surveillance over all individuals assigned as check pilots/contract check pilots for their assigned air operators. POIs will observe authorized check airmen conduct oral and flight tests, on an annual basis, to assure that applicable standards and procedures are being used. Contract check airman employed by an approved 14 CFR part 142 training center will be observed every 24 calendar-months. With regard to authorized contract check airman employed by approved part 142 training centers, the POI may ask TCPMs to assist them in the observation of contract check pilots assigned to their air operators.

5.10 Additional Information. Additional information can be found at the FAA's Web site at http://fsims.faa.gov.

CHAPTER 6. OPERATIONAL CHANGES

6.1 Scope and Contents. This chapter outlines changes to your operation which will require that you inform, or receive the approval of, the FAA prior to implementation.

6.2 Change of Ownership.

6.2.1 Certificate Transfer. A 14 CFR part 125 operating certificate cannot be transferred from one person to another. Upon change of ownership, the FAA will suspend the operating certificate under the provisions of part 125, § 125.29. A determination will be made that the new owner's operation meets the certification requirements of part 125.

6.2.2 Coordination Prior to Ownership Change. Purchasers of a company holding a part 125 operating certificate may avoid having the company's operations interrupted through coordination with the Flight Standards District Office (FSDO) that issued the certificate prior to the transfer of ownership.

6.2.3 Certification Process and Requirements. The new purchaser may not have to complete all steps of the certification process if the FAA determines that no significant changes to the basis for original certification of the company or its operations under part 125 will occur as a result of the transfer of ownership. However, the jurisdictional FSDO may require the new owner to meet some or all of the requirements for a new certification, depending on the degree of change that occurs within the company as a result of new ownership. If significant changes occur as the result of a change of ownership, the jurisdictional FSDO will decide, based on those changes, what steps of the certification process will have to be completed by the new owners prior to part 125 operations.

6.3 Voluntary Surrender of Certificate and Operations Specifications (OpSpecs).

6.3.1 Cancellation Requests. Certificates and OpSpecs which are voluntarily surrendered for cancellation should be accepted. The certificate must be accompanied by a written request from the operator stating the reason for cancellation. The request must be signed by either a person authorized to act for the company, or by the owner. This request may not be conditional.

6.3.2 Lost or Destroyed Certificates and OpSpecs. If the operating certificate or OpSpecs have been lost or destroyed, a statement by the certificate holder to this effect should be included in the written request for cancellation.

6.4 Change of Business Name or Address.

6.4.1 Amendment Application. A part 125 operator may apply to amend either the operating certificate or the OpSpecs. The FAA may also amend the operating certificate or the OpSpec as the result of actions taken under Title 49 of the United States Code (49 U.S.C.) § 44709 and 14 CFR part 13.

6.4.2 Applications for Name or Address Changes. If the certificate holder wishes to change the legal name on a certificate or change the address of its principal business office or its

principal operations base, the operator must apply to amend the existing operating certificate. The application will be in letter form to the certificate-holding district office (CHDO). All supporting documents should accompany the request for amendment.

Note: Address changes of the principal business office, operations base and/or maintenance base must be reported, in writing, to the FAA district office, at least 30 calendar-days in advance of the change (refer to § 125.47). This change may necessitate an inspection by district office personnel to assure that the new facilities meet the requirements of part 125.

6.4.3 Reissued Certificates. The certificate will be reissued with the proper changes; will keep the original date of issuance, and will show the amended date of issuance.

6.4.4 Amendment Authority and Requirements. Section 125.35 provides the authority and requirements for the amendment of OpSpecs.

6.5 Change of Management Personnel.

6.5.1 Notification of Management Change. The certificate holder is required to notify the jurisdictional FSDO of any change in management personnel assignments within 10 calendar-days (refer to § 125.25(c)). These changes will be reviewed to determine that any new personnel have not been previously employed in any of the situations described in § 125.27(b)(2).

6.5.2 Required Documents. The notification, to the jurisdictional FSDO, should be made by letter and accompanied by a proposed revision to the Policy and Procedures Manual (PPM). The applicable OpSpecs must be updated with the management personnel changes.

6.6 Amendments to OpSpecs.

6.6.1 Amendment Initiation. It may, at times, become necessary to amend your OpSpecs due to changes in equipment, personnel, or facilities. The amendments may be initiated by you or the FAA.

6.6.2 Amendment Requests. An operator may, in accordance with 14 CFR part 119, § 119.51, apply for an amendment to its OpSpecs by submitting a request in writing to the appropriate FAA office. The certificate holder or operator's request should include: a formal request for the desired changes, an explanation of the reasons for those changes, and any supporting information. In accordance with § 119.51, the certificate holder or operator must file the application for amendment at least 15 calendar-days (the FSDO may agree to a shorter period) before the proposed effective date of the amendment.

6.6.2.1 If the application is incomplete the FAA should inform the applicant that the application is not acceptable in its present form but will be considered upon the receipt of additional, specified supporting documents and/or information.

6.6.2.2 The FAA may determine that the application is not acceptable, because the certificate holder or operator's request does not provide for an adequate level of safety in air transportation or air commerce; it would not be in the best interest of the public; or it is in conflict with FAA policy or 14 CFR. In such a case, the applicant should be informed, in writing, that the application is unacceptable and include a statement explaining why it is not acceptable.

6.6.3 Accepted Amendments. If the FAA determines that an amendment to the certificate holder or operator's OpSpecs is justified, the FAA should amend the OpSpecs. In the case of a change in a certificate holder or operator's operating environment or when the FAA has specific safety concerns, the following procedures apply:

6.6.3.1 In some cases the FAA may decide to amend a certificate holder or operator's OpSpecs due to a change in the operator's operational environment. For example, the FAA may create a new OpSpecs paragraph to ensure uniform compliance with a certain aspect of 14 CFR. In such cases, the principal operations inspector (POI) may initiate and amend an operator's OpSpecs due to the change, without the operator having to apply for the change. Once the operator has demonstrated compliance with all appropriate parts of 14 CFR and operational and airworthiness requirements, the OpSpecs may be issued.

6.6.3.2 Section 119.51 provides the authority for the FAA to unilaterally amend a certificate holder or operator's OpSpecs when the FAA has determined that safety in air commerce and the public interest necessitates such an amendment. When amending a certificate holder or operator's OpSpecs, the FAA is required to notify the certificate holder or operator in writing and then allow a minimum of 7 calendar-days for comments regarding the proposal. The 7-calendar-day period provides the certificate holder or operator with an opportunity to submit written information, views, and arguments on the proposal. After reviewing the comments, the FAA either rescinds or adopts the amendment. If the FAA decides to amend the OpSpecs, the final amended OpSpecs should have an effective date of not less than 30 calendar-days after receipt by the operator. Examples of the types of FAA-initiated amendments due to safety concerns are as follows:

6.6.3.2.1 The FAA will propose to amend a certificate holder or operator's OpSpecs when it has determined that the certificate holder or operator's operating environment or its operational capability is no longer consistent with the operating authorizations, conditions, and limitations contained in its OpSpecs. Examples of such cases are when the certificate holder or operator:

1. Terminates operations with a specific make/model/series (M/M/S) of airplane that is authorized in its OpSpecs.
2. Has a series of accidents or incidents involving a particular type of operation (such as low visibility takeoffs and/or landings at a time when the OpSpecs authorize lower than standard weather minimums).

3. Terminates a particular type or kind of operation or Area of Operation (such as when the operator no longer conducts North Atlantic High Level Airspace (NAT HLA) operations).

6.6.3.2.2 The FAA also amends a certificate holder or operator's OpSpecs when the standard automated OpSpecs have been revised on a national basis and Washington headquarters (HQ) has requested that PIs amend all, or some of their operator's OpSpecs. In this case, the OpSpecs should be amended in accordance with guidelines and procedures that have been established by Washington HQ.

6.7 Certificate Holder or Operator Appeal Rights.

6.7.1 OpSpec Amendment Appeal Rights. In all situations involving OpSpec amendments or FAA-initiated, non-emergency amendments, a certificate holder or operator has certain appeal rights. These appeal rights are provided in § 119.51, and are exercised according to the way in which the amendment was initiated, as follows:

6.7.1.1 If the FAA has determined that a certificate holder or operator's request for an amendment to its OpSpecs is unacceptable, the operator may, within 30 calendar-days after receipt of the CHDO's notice of disapproval, petition the Director of Flight Standards Service (AFS-1) to reconsider the CHDO's refusal to amend the OpSpecs.

6.7.1.2 During the course of the reconsideration time period, no amendments to the OpSpec paragraph(s) will be made. A petition made by a certificate holder or operator more than 30 calendar-days after receiving the notice of disapproval will not be considered by FAA. If AFS-1 determines that an amendment to a certificate holder or operator's OpSpecs is justified, the appropriate regional Flight Standards division (RFSD) office will be notified and instructed to amend the OpSpecs either as requested by the certificate holder or operator or as amended by FAA. If AFS-1 determines, after considering the certificate holder or operator's petition, that an amendment is not appropriate, the operator and the RFSD will be notified accordingly.

Note: If AFS-1 denies the appeal, 14 CFR does not provide any additional appeal rights for the operator.

6.8 Surrender of OpSpecs.

6.8.1 Operating Environment Changes. Upon a change in its operating environment, a certificate holder or operator should relinquish the appropriate paragraphs of its OpSpecs for which it no longer meets the requirements of the authorization. If the certificate holder ceases operations, it must surrender its operating certificate and all its OpSpecs. PIs are responsible for updating the Web-based Operations Safety System (WebOPSS) of the certificate holder or operator's certificate status and date of change in the operating environment in WebOPSS, as applicable.

6.8.2 OpSpecs Authorization Criteria. Criteria to hold a particular OpSpecs authorization is no less than that necessary for its original issuance. For example, if a certificate holder or operator was issued an authorization to conduct operations in areas of magnetic unreliability (AMU) airspace, but no longer has airplanes equipped to conduct that kind of operation, the certificate holder or operator must surrender the AMU authorization. In addition, the following situations also apply:

6.8.2.1 If a certificate holder or operator ceases all operations and is no longer equipped, or able to conduct any kind of operation, the CHDO shall request that the certificate holder or operator voluntarily surrender all of the OpSpecs associated with the secession of operations associated with the specific OpSpecs. Depending upon the circumstances, the CHDO may also request that the certificate holder or operator voluntarily surrender their operating certificate.

6.8.2.2 If an operator operates seasonally and is equipped to resume operations during the appropriate season, that operator is not required to surrender OpSpecs during their inactive season.

6.8.2.3 If an operator does not meet the requirement to hold an OpSpec paragraph, but refuses to surrender the paragraph, the POI shall amend the OpSpec as discussed in paragraph 6.6. If safety in air commerce is affected, then an emergency amendment is appropriate.

6.8.2.4 If a certificate holder or operator voluntarily surrenders a part of its OpSpecs, the principal inspector (PI) must archive the affected OpSpecs in WebOPSS and reissue A004, Summary of Special Authorizations and Limitations. If a certificate holder or operator surrenders its operating certificate, the PI must change the certificate status to "Voluntary Surrender" by editing the operator details in WebOPSS.

6.9 Revisions to Company Manuals.

6.9.1 Revising Policies and Procedures. You may amend your manuals and incorporate new or revised policies and procedures. When making these revisions, you should:

1. Assure that they comply with the applicable provisions of the CFR.
2. Submit the revision to the FAA district office for acceptance or approval prior to the planned implementation.

6.9.2 Revisions for Safety and CFR Compliance. The FAA may request a revision to any part of the manual when such revision is in the interest of safety, or when the manual does not meet the requirements of the applicable CFR.

6.9.3 Proposal Submission. Proposed amendments/revisions should be submitted to the FAA district offices for acceptance or approval normally 60 calendar-days prior to the operator's intended use. The proposal will be handled in the same manner as the original

manual. If the revision/amendment is to a portion of the manual which must be approved (i.e., the airplane inspection program, refer to § 125.73(n)), the procedures may not be incorporated in the manual for use until approval has been granted.

6.9.4 Currency of Manual. It should be noted that you are required to keep your manual current (refer to § 125.71(a)). Thus, if you change procedures and do not revise or amend your manual prior to initiating the procedures, you have not acted in accordance with part 125.

6.10 Changes to Your Airplane Fleet.

6.10.1 Added or Removed Airplanes. The addition or deletion of airplanes from your fleet will require changes to your OpSpecs.

6.10.2 Different Make and Type or Model Airplane. Additions of a different make and type or model of airplane to your fleet may also result in a requirement for:

1. Crewmember testing (refer to §§ 125.287 and 125.289).
2. Revisions to your inspection program (refer to §§ 125.71(a) and 125.73(n)).
3. An emergency evacuation demonstration (refer to § 125.189 and part 125 appendix B).

6.10.3 Operation of New Airplane. A new airplane, added to your fleet, may not be operated under part 125 until the above requirements, and any other applicable requirements, are met.

6.11 Changes to Airplane Passenger Capacity or Interior Configuration. An emergency evacuation demonstration will be necessary if you increase the passenger capacity, of your airplane, by more than 5 percent or make a major change to the interior configuration that will affect the emergency evacuation of passengers. This demonstration must be completed satisfactorily before the airplane is operated under part 125 (refer to § 125.189(a)(2)).

6.12 Revisions to Minimum Equipment Lists (MEL). If you want to change your approved MEL, you should:

1. Notify and consult with the FSDO regarding your proposed revision.
2. Modify only those pages which will contain the revised portions.
3. Submit your proposed revision(s) to the FSDO.
4. Not use the proposed revision, or insert it into any document used by flightcrew members, until it is approved by the FSDO.

6.13 Disposition of OpSpecs.

6.13.1 Principal Operations Base. A copy of the OpSpecs must be maintained at the principal operations base (refer to § 125.41).

6.13.2 Company Manual. You can include your OpSpecs in your manual or pertinent excerpts of your OpSpecs. If you elect to include only pertinent excerpts in your manual, they must be referenced in your manual in such a manner that they (the OpSpecs) retain their identity as OpSpecs (refer to § 125.43(b)). In addition when OpSpecs information is incorporated into your manual, the text will clearly identify each excerpt as part of the OpSpec and state that compliance with each OpSpec is mandatory.

Note: You can include your entire OpSpecs as a separate section in your manual, and reference pertinent excerpts of your OpSpecs, in the appropriate sections of your manual, at your discretion.

6.13.3 Employees. Each employee will be informed of the provisions of the OpSpecs that apply to his/her duties and responsibilities (refer to § 125.43(a)).

CHAPTER 7. DEVELOPMENT OF A COMPANY MANUAL

7.1 Scope and Contents.

7.1.1 Guidelines for Manual Development. This chapter provides general guidelines for the development of a Policy and Procedures Manual (PPM) required by 14 CFR part 125, § 125.71, additional information can be found on the FAA's Web site at http://fsims.faa.gov.

7.1.2 General Requirements. Section 125.71 requires that a part 125 air operator prepare and keep a current manual which describes the operator's procedures and policies. The manual is for use by all the operator's personnel and also indicates to the FAA how the operator intends to conduct business. The manual's complexity depends upon the complexity of the operation.

7.1.3 Information Provided in the Manual. The manual must contain the specific information required by § 125.73. However, any additional information may be incorporated at the discretion of the operator.

7.1.3.1 The manual does not need to be a single volume. The applicant may use several volumes as long as they provide the necessary information.

7.1.3.2 Advisory circulars (AC), preambles to regulations, and other guidance material may be used to assist the applicant in developing a manual. The applicant should use caution when incorporating the text of these documents into the manual since they are advisory in nature. They may not meet the exact needs of the regulation. Under no circumstances may a manual simply reference an advisory document. It may, however, reference technical documents, such as an approved Airplane Flight Manual (AFM).

7.1.3.3 Each significant term used in the manual should be defined. The definitions must reflect their intended use and may include acronyms or abbreviations unique to the manual or the applicant's operation.

7.2 Manual Requirements. The FAA will review the provisions of this manual and subsequent revisions and accept or approve them, as applicable, prior to their use. The requirements of part 125 regarding the PPM are:

7.2.1 Employee Personnel. Employee personnel (flight, ground, and maintenance personnel):

1. Must use the manual while conducting company operations (refer to § 125.71(a)).
2. Will be provided a copy of the manual or pertinent portions of the manual, including changes and additions (ground operations and maintenance personnel) (refer to § 125.71(d)).
3. Will be furnished a copy of the manual or pertinent portions of the manual, including changes and additions (flightcrew members) (refer to § 125.71(d)).

4. If furnished a copy, will keep it up-to-date with the changes and additions furnished to them (refer to § 125.71(e)).

7.2.2 Disposition of Other Copies.

7.2.2.1 One copy will be maintained at the principal operations base (refer to § 125.71(b)).

7.2.2.2 One copy will be furnished to the Flight Standards District Office (FSDO) charged with the overall inspection of its operations (refer to § 125.71(d)(2)).

7.2.2.3 If a certificate holder conducts airplane inspections or maintenance at specified stations where it keeps the approved inspection program manual, it is not required to carry the manual aboard the airplane en route to those stations (refer to § 125.71(g)). Appropriate parts of that manual will be carried on each airplane when it is away from the principal operations base. If the certificate holder furnishes the maintenance part of the manual in other than printed form, it must ensure there is a compatible reading device available to those persons that provides a legible image of the maintenance information and instructions or a system that is able to retrieve the maintenance information and instructions in the English language (refer to § 125.71(f)).

7.3 Contents of the Manual.

7.3.1 Required Contents. The contents of the PPM are outlined in §§ 125.73 and 125.249. The FSDO will review the procedures and will require that they be revised when they are found to be contrary to the CFRs and accepted safe operating practices, or where they fail to provide adequate direction for all items specified by the CFRs.

7.3.2 Acceptance of Contents. Except for portions of the manual which are approved (e.g., the maintenance program), the contents of the manuals are accepted by the FAA. If you want to insert policies or procedures in the manual that are not required by part 125, the FAA will not require that you revise these policies or procedures unless they are contrary to the CFRs or they would result in an unsafe condition.

7.4 Policy vs. Procedure.

7.4.1 Definitions. Part 125 makes numerous references to “procedures” when outlining the contents of the manual. The term “procedures” refers to a logical progression of actions and decisions to achieve an objective. A step-by-step description of how to do something, such as a preflight checklist, is a procedure. The term “policy,” where used, refers to a requirement established by company management that it wants company personnel to follow. A company requirement, such as “No flight may depart on a cross-country flight with less than 12 quarts of oil in the engine,” is a policy.

7.4.2 Requirements. Policies may be contained within procedures or stated by themselves. But where part 125 calls for procedures, the certificate holder must provide a step-by-step logical progression of action and decision statements. This requirement may be waived

by the FAA district office where the applicant can show that because of the size of the operation or other mitigating circumstances, a statement of policy or a series of these statements will accomplish the purpose of the procedure and still meet all the requirements of 14 CFR in regard to that procedure.

7.5 Development of Procedures. Some guidelines which the certificate holder should consider in the development of procedures include:

7.5.1 Procedure Sequence. Procedures should flow in a logical sequence. Perhaps the best examples of procedures are airplane checklists.

7.5.2 Information Included in Procedures. The most effective procedures are usually those which are simple and contain only information absolutely necessary to their accomplishment. Again, the airplane checklists are the best example.

7.5.3 Complexity of Procedures. The success of a procedure depends on the experience, training, and ability of the user. A procedure may be short, and to the point, when the user is capable of achieving the purpose of the procedure without extensive direction or detail. However, when the user would have limited training or experience to fall back on, the procedures must be in sufficient detail for that person to accomplish them correctly.

7.5.4 Responsible Party. Procedures must state who is responsible for each step. Is the responsibility for each step clearly understood or stated in the procedure?

7.5.5 Standards of Performance. Are acceptable standards of performance stated as policy within the procedure where necessary?

7.5.6 Purpose of the Procedure. The user must know the purpose of the procedure and view the procedure as an acceptable method of accomplishing that purpose. Where there are no sources (i.e., check airmen, company management) normally available when a procedure is being used, the author should provide sufficient detail to make the user independent of these sources.

7.5.7 Supplemental Resources. If a form, checklist, or tool is necessary to accomplish a procedure, where would it be located? Where would extra ones be located?

7.5.8 Available Time for Completion. Will there be sufficient time available under normal circumstances to accomplish the procedure to the standards desired? If not, the author should consider simplifying the procedure or revising the duties of the user to make their item available.

7.6 Recommended Format of the Manual. A logical format for the PPM is provided in Appendix A. Each major heading, and the recommended contents and considerations which should be included under that heading, is discussed in the remainder of this chapter.

7.7 Company Organization.

7.7.1 Management Personnel. The manual must include a section which contains the name of each management person who is authorized to act for the certificate holder, the person's assigned area of responsibility, and the person's duties, responsibilities, and authority (refer to § 125.73(a)). When the operator has a maintenance organization, within the company, that organization must be described in the manual (refer to § 125.249(a)(1)).

7.7.2 Company Organizational Diagram. A block diagram may be included as a method of portraying the relationships of organizational entities within the company.

7.7.3 Authorized Person(s). This section should also identify the person(s) who are authorized to give tests required by part 125 and the tests they are authorized to conduct (refer to § 125.73(q)).

7.8 Copies of Operations Specifications (OpSpecs). The insertion of copies of your OpSpecs, into your manual, will satisfy the requirement of § 125.73(c). Or you can include appropriate extracted information, including Area of Operations authorized, category and class of airplane authorized, crew complements, and types of operations authorized, extracted from the OpSpecs and appropriate to the section of the manual that the extracted OpSpecs information appears. If extracted information is used, it must clearly identify each OpSpecs excerpt as part of the OpSpec and state that compliance with each OpSpecs is mandatory.

7.9 Minimum Equipment List (MEL). Your manual must include procedures for the release for, or continuation of, flight if any item of equipment required for the particular type of operation becomes inoperative or unserviceable en route (refer to § 125.73(i)). See Chapter 3, paragraph 3.9 for additional information on MEL procedures.

7.10 Airplane Loading Instructions.

7.10.1 Weight and Balance (W&B). The procedures for ensuring compliance with W&B limitations are required and should contain, for each type of airplane operated, how the certificate holder:

1. Determines the weight of the passengers, crew, and baggage.
2. Calculates the airplane's center of gravity (CG), including any loading schedules or other approved methods, with instructions for use.
3. Completes the load manifest, including instructions for use.

Note: Information that must be contained in the load manifest is found in § 125.383.

4. Loads the airplane, including instructions for loading of cargo in the cargo and passenger compartments; blocking of seats or compartments or adjusting fuel loads to remain in CG limits; ensuring that loads are not inadvertently

redistributed or shifted in flight by crewmembers, cargo handlers, or other concerned personnel; and loading hazardous materials (hazmat), if authorized.

Note: If an applicant will have a "will not carry" hazmat program, procedures should be outlined in the PPM for hazmat recognition to prevent inadvertent loading of hazmat.

5. Ensures that no airplane will be operated in excess of 36 calendar-months without being re-weighed to determine the empty weight and CG.
6. Handles hazmat, including notification of the pilot in command (PIC). For procedures and instructions to enable personnel to recognize hazmat, refer to § 125.73(o).

Note: The W&B procedures will be incorporated in the certificate holder's OpSpecs (refer to § 125.31(b)(5)).

7.10.2 Refueling. The certificate holder is required to develop procedures in the manual that outline the methods for refueling the airplane to ensure that airplanes are fueled with the proper grade of uncontaminated fuel and protected from fire (including electrostatic protection). Procedures should also be established for the supervision and protection of passengers during refueling. Some publications which may be of assistance in developing these procedures are the current editions of:

- AC 00-34, Aircraft Ground Handling and Servicing.
- AC 20-43, Aircraft Fuel Control.
- NFPA 407, Standard for Aircraft Fuel Servicing. This document can be ordered from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169. It may also be ordered online at http://www.nfpa.org/catalog.

7.11 Preflight Planning and Flight Release Procedures.

7.11.1 Policy or Procedure. The certificate holder will include policy or procedure, in his/her manual, regarding preflight planning and flight release information. The following information is representative of the contents of these procedures:

1. The manual should clearly show who has operational control and authority to sign the flight release (refer to § 125.351(b)) under all anticipated situations.
2. Instructions for completion of the flight release form required by § 125.403 may be necessary to assure standardized completion.
3. Instructions for disposition of copies of the load manifest, flight release, and flight plan prior to, and after, a flight (refer to § 125.405).
4. The person having custody of copies of these forms at a place other than the principal operations base should be identified in the manual (refer to § 125.405(e)(l)).

5. Flight locating procedures per § 125.53 will be provided if the certificate holder anticipates any occasion when an FAA flight plan would not be filed for a part 125 operation (refer to §§ 125.53(a) and 125.73(l)).

7.12 Procedures for Assuring Airworthiness of Airplane.

7.12.1 Maintenance Log. Section 125.407 requires that the manual include a procedure for keeping copies of an airplane maintenance log in the airplane for access by appropriate personnel. The manual should include, at a minimum, a copy of that log, instructions for its completion, and the certificate holder's policies for disposition of copies and carriage aboard the airplane.

7.12.2 Inspection and Approval Records. Section 125.73(e) requires procedures for ensuring that the PIC knows what required airworthiness inspections have been made and that the airplane has been approved for return to service. The manual should include:

1. An explanation of the inspections required and the proper entries in the airplane maintenance log and/or airworthiness release form to document return to service.
2. Identification of the persons qualified to sign these documents.
3. Identification of the persons authorized to perform maintenance, preventive maintenance, or alteration to part 125 airplanes and the proper entries for return to service.

7.12.3 Maintenance and Servicing. Section 125.73(h) requires that the manual have procedures for the PIC to follow in obtaining maintenance and servicing at a place where previous arrangements per § 125.249(a)(2) have not been made. These procedures should include:

1. When the pilot is authorized to act for the operator;
2. What persons are authorized to perform this maintenance, including verification that persons performing maintenance are enrolled in an FAA-approved drug and alcohol testing program;
3. What persons are authorized to inspect the work performed; and
4. The proper entries indicating completion of that work.

7.12.4 Mechanical Irregularities. The procedures regarding handling of mechanical irregularities are broken into two groups: procedures for pilot reporting and recording of these irregularities (refer to § 125.73(f)), and procedures for the PIC to use in determining the status of reported irregularities (refer to § 125.73(g)). In association with these procedures, the certificate holder should have a method to ensure that the reporting to the FAA per § 125.409 is accomplished properly.

7.12.4.1 Pilot Reporting. This procedure should describe the type of entries which should be made, where they should be recorded, and any other actions required of the pilot regarding mechanical irregularities.

7.12.4.2 Determining Status. This procedure should contain adequate instructions to maintenance personnel (bearing in mind the away-from-base situations) as to the certificate holder's policies for correction of irregularities and the proper types of entries in the airplane maintenance log. A pilot or mechanic should be able to easily determine the status of an irregularity by consulting the latest page of the airplane maintenance log and the instructions contained in this portion of the manual.

7.12.4.3 Reports to FAA. The certificate holder should provide guidance to his/her personnel as to the mechanical malfunctions, failures, and defects which should be reported to the FAA, the method for making that report, and the time requirements. FAA Form 8070-1, Service Difficulty Report, is available at http://www.faa.gov/forms/. The Service Difficulty Report (SDR) Web site is located at http://av-info.faa.gov/sdrx/.

7.12.5 Equipment Requirements. If the certificate holder elects not to use an approved MEL, then the airplane may not take off with any inoperable instruments or equipment installed. Notwithstanding, an airplane with inoperable instruments or equipment may be operated under a special flight permit (SFP) under 14 CFR part 21, §§ 21.197 and 21.199 (refer to § 125.201(c)).

7.13 Pretakeoff Procedures.

7.13.1 Passenger Briefing Procedures. (Refer to §§ 125.73(k) and 125.327.) The manual should include:

1. An example of the oral briefing which contains all the items listed in § 125.327(a) through (b), except that the briefing for § 125.327(a)(6) may be included separately.
2. A statement of policy regarding when (e.g., before taxi, before flying overwater, etc.) the briefing required by § 125.327(a)(6) will be made.

Note: The required oral briefing must be supplemented by printed cards containing a diagram and method of operating the emergency exits, and in addition contain other instructions necessary for the use of emergency equipment on board the airplane. Each card must be carried in the airplane in locations convenient for the use of each passenger and must contain information that is appropriate to the airplane on which it is to be used.

7.13.2 Persons Needing Assistance. The manual should direct the PIC to ensure that persons needing the assistance of another to move to an emergency exit be assisted by a flight attendant (F/A) or by an able bodied person who has received a briefing on what to do if an emergency evacuation becomes necessary (refer to § 125.73(p)). The guidelines for this assistance should be included in the manual under "Emergency Procedures."

7.13.3 Additional Pretakeoff Information. The certificate holder should include in this section of the manual any other procedures or polices necessary regarding the pretakeoff phase of operation.

7.14 Flight Operation Procedures.

7.14.1 Checklist. The certificate holder's policy for the use of cockpit checklists for normal, abnormal, and emergency procedures may be included in this section.

7.14.2 Additional Information. The certificate holder may also want to include procedures or statements of policy regarding:

1. Use of oxygen for medical purposes (refer to § 125.219).
2. Operations in icing conditions (refer to § 125.221).
3. Operations in the vicinity of thunderstorms.
4. Manipulation of controls while carrying passengers (refer to § 125.313).
5. Admission of persons to the flight deck (refer to §§ 125.315 and 125.317).
6. Reporting potentially hazardous weather and apparent irregularities of navigation aids (refer to § 125.321).
7. Carriage of persons without compliance with the passenger carrying requirements of part 125 (refer to § 125.331).
8. The practice of sterile cockpit (mission essential communication) until reaching cruising altitude or descending out of cruising altitude if below 10,000 feet, or when passing 10,000 feet whichever is applicable.
9. Other procedures or policies which the certificate holder deems necessary to the conduct of its operations.

Note: The certificate holder should include a section defining the company's sterile cockpit procedures. The procedure should include as a minimum the following items:

1. A statement regarding nonessential duties. Example: "No flightcrew member may perform any duties during a critical phase of flight except those duties required for the safe operation of the aircraft."
2. A statement regarding nonessential activities. Example "No flightcrew member may engage in, nor may any pilot in command permit, any activity during a critical phase of flight which could distract any flightcrew member from the performance of his or her duties or which could interfere in any way with the proper conduct of those duties."
3. A definition of a critical phase of flight. Example: "For the purposes of this section, critical phases of flight includes all ground operations involving taxi, takeoff, and landing, and all other flight operations conducted below 10,000 feet, except cruise flight."

7.15 Postflight Procedures.

7.15.1 Reporting Mechanical Irregularities. This section should include a statement of policy regarding pilot reporting of mechanical irregularities and refer the pilot to the section of the manual which outlines the procedures for handling mechanical irregularities.

7.15.2 Reporting Incidents, Emergencies, and Accidents. It should also outline the certificate holder's reporting procedures and policies for incidents, emergencies, and accidents. If the procedures for making these reports are contained in another section of the manual such as "Emergencies," this procedure should refer the employee to the proper section.

7.15.3 Additional Postflight Information. Other procedures which are pertinent to the postflight phase of a part 125 operation should be included; such as, off-loading of cargo; disposition of flight release, load manifest, and flight plan forms; contacts with the operation base required by flight locating procedures; etc.

7.16 Emergency Procedures. This section is primarily intended for procedures associated with emergencies. It will include:

1. A list of the functions assigned each category of required crewmember in connection with an emergency and emergency evacuation for each type and model of airplane.
2. General guidelines for the evacuation of persons needing assistance (refer to § 125.73(p)).
3. Accident notification procedures.
4. Procedures for the certificate holder's management personnel to declare an emergency (refer to § 125.319(b)).
5. The procedures used whenever emergency authority is exercised (refer to § 125.319(c)).

7.17 Airplane Inspection Program.

7.17.1 Specific Information. See Chapter 9 for more specific information regarding the airplane inspection program.

7.17.2 Maintenance Manuals. The maintenance manuals required by § 125.249 are an integral part of those required by § 125.71. It should be noted that while those required by § 125.71 are accepted, the portions required by § 125.249 must be approved.

7.17.3 Detailed Program Explanation. Your inspection program should be a detailed explanation of exactly how you intend to control the inspection program and how you will have the airplane inspected. It must also explain what will be inspected, when it will be inspected, and to what standard it will be inspected. FSDO personnel reviewing your manual will make every effort to provide you with complete and specific information regarding any changes or additions required.

7.17.4 Key Terms. For clarity, key terms used in part 125 relative to inspection programs are defined as follows:

7.17.4.1 **Instructions:** The explanation of who will do what, and when it will be done. This includes assignment of responsibilities, assignment of duties, and detailed administrative controls.

7.17.4.2 **Procedures:** The explanation of how something is to be done, be it inspection, maintenance, recordkeeping, or your administrative systems.

7.17.4.3 **Standards:** Conditions, specified requirements, and functional limits, which must be met during the accomplishment of inspections and maintenance to determine the airworthiness of an item.

7.17.4.4 **Tests:** Examination of an item in order to ensure that the item meets specified requirements.

7.17.4.5 **Checks:** Examination to determine the functional capability or physical integrity of an item.

7.18 Separation of Operational and Maintenance Portions of the Manual.

7.18.1 Issuance and/or Availability. Section 125.71(d) provides for the issuance and/or availability of appropriate portions of the manual to ground and maintenance personnel and crewmembers based on their particular duties.

7.18.2 Two-Part Manual. At the certificate holder's option, it will be acceptable to have two major portions of the manual, operations and maintenance. If the certificate holder chooses this option, the format of the maintenance portion may be organized in a manner suitable to the operator and readily understandable by its personnel. OpSpecs material in the maintenance portion of the manual must retain its identity as OpSpecs so that the operator's personnel can readily identify the material as OpSpecs.

CHAPTER 8. CREWMEMBER, SIMULATOR, AND CHECK AIRMAN REQUIREMENTS

8.1 Scope and Contents. This chapter outlines the part 125 crewmember requirements with respect to certificates, ratings, experience, initial and recurrent testing, and recency of experience. It also discusses the rules regarding use of simulators to meet part 125 crewmember requirements, and the designation of check airmen.

8.2 Limitations on the Use of Crewmember Services. Part 125 certificate holders may not use the services of any crewmember (pilot, flight engineer (FE), flight navigator, or flight attendant (F/A)) who does not meet all of the requirements of the applicable sections of part 125. Any person who uses the services of crewmembers not specifically qualified under part 125 or performs part 125 operations without having met the required qualifications will have operated contrary to the regulations.

8.3 Pilot in Command (PIC). The part 125 requirements for a PIC are:

8.3.1 Minimum Qualifications.

1. Pilot Certificate: Commercial pilot, with appropriate category, class, and type rating, and an instrument rating (refer to § 125.281(a)).
2. Medical Certificate: At least a valid second-class medical certificate issued within the past 12 calendar-months (refer to 14 CFR part 61, § 61.23(a)(2)).
3. Minimum Flight Experience: 1,200 hours of flight time as a pilot, including 500 hours of cross-country flight time; 100 hours of night flight time, including at least 10 night takeoffs and landings; and 75 hours of actual or simulated instrument flight time, at least 50 hours of which were actual flight (refer to § 125.281(b)).

8.3.2 Part 125 Testing Requirements.

1. Written or oral test, given by the Administrator or an authorized check pilot, every 12 calendar-months on each type of airplane operated (refer to § 125.287(a)).
2. Competency test, given by the Administrator or an authorized check pilot, in each type of airplane operated every 12 calendar-months. The instrument proficiency check (IPC) required by § 125.291 may be substituted for the competency check required by this section for the type of airplane used in the check (refer to § 125.287(b).
3. For instrument flight rules (IFR), an IPC, conducted by the Administrator or an authorized check pilot, every 6 calendar-months (refer to § 125.291(a)). The Administrator or an authorized check pilot will certify the successful completion of an IPC in a letter of competency. The letter of competency will contain a list of the types of instrument approach procedures (IAP) and facilities authorized (refer to § 125.291(g)). The letter of competency will be placed in the pilot's record as required by § 125.401(a)(1).

4. The requirements for authorized instrument approaches are as follows:

    - No pilot may use any type of precision IAP under IFR unless, since the beginning of the sixth calendar month before that use, the pilot has satisfactorily demonstrated that type of approach procedure and that approach procedure is listed on his/her letter of competency (refer to § l25.29l(b)).
    - No pilot may use any type of nonprecision IAP under IFR unless, since the beginning of the sixth calendar month before that use, the pilot has satisfactorily demonstrated that type of approach procedure or any other two different types of nonprecision approach procedures and the approach procedures are listed on his/her letter of competency (refer to § 125.291(b)).
    - The IAP(s) must include at least one straight-in approach, one circling approach, and one missed approach. Each type of approach procedure demonstrated must be conducted to published minimums for that procedure (refer to § 125.291(b)).

8.3.3 Pilot Qualifications: Recent Experience.

8.3.3.1 Takeoffs and Landings. Three takeoffs and landings in the past 90 calendar-days (refer to § 125.285(a)). In the event a pilot does not maintain this currency on a continuous basis and allows his/her recent experience to lapse, they must then meet the requirements of § 125.285(b) or (c).

8.4 Second in Command (SIC). The part 125 requirements for SIC are as follows:

8.4.1 Minimum Qualifications.

1. Pilot Certificate: Commercial pilot with appropriate category, class, and instrument rating; and for flight under IFR, meets the recent instrument experience requirements prescribed for a PIC under part 61 (refer to § 125.283(a) and (b)).
2. Medical Certificate: At least a valid second-class medical certificate issued within the past 12 calendar-months (refer to § 61.23(a)(2)).
3. Minimum Flight Experience: There are no minimum flight experience requirements specified for SIC, initial qualification, under part 125.

8.4.2 Part 125 Testing Requirements.

1. Written or oral test, given by the Administrator or an authorized check pilot, every 12 calendar-months on each type of airplane (refer to § 125.287(a)).
2. Competency test, given by the Administrator or an authorized check pilot, in the type of airplane used every 12 calendar-months (refer to § 125.287(b)).

8.4.3 Recent Experience.

1. Takeoffs and Landings. Three takeoffs and landings in the past 90 calendar-days (refer to § 125.285(a)). In the event a pilot does not maintain this currency on a continuous basis and allows his/her recent experience to lapse, they must then meet the requirements of § 125.285(b) or (c).
2. Flight under IFR: Recent experience required under § 61.57(c) for a PIC (refer to § 125.283(b)).

8.5 Flight Engineer (FE). An FE is required where the airplane type certificate requires an FE. The part 125 requirements for the FEs are:

8.5.1 Minimum Qualifications.

1. Flight Engineer Certificate: A current FE certificate with the appropriate class ratings (refer to § 125.265(a)).
2. Medical Certificate: At least a valid second-class medical certificate, issued within the past 12 calendar-months (refer to 14 CFR part 63, § 63.3(a)).
3. Minimum Flight Experience: No minimum flight experience is required for an FE under part 125.

8.5.2 Part 125 Testing Requirements. No initial or recurring testing requirements are specified, under part 125, as long as the FE meets the recent experience requirements for the type of airplane used. If recent experience requirements are not met, the FE must be checked by an authorized representative of the Administrator on that type of airplane to determine that he/she is familiar and competent with all essential current information and operating procedures (refer to § 125.265(b)). The check will be valid for 6 calendar-months.

8.5.3 Recent Experience. No person may serve as a required FE on an airplane unless, within the preceding 6 calendar-months, that person has had at least 50 hours of light time as an FE on that type airplane, or the Administrator has checked that person on that type of airplane and determined that person is familiar and competent with all essential current information and operating procedures.

8.6 Flight Navigator. Flight navigators are required on all flights outside the conterminous U.S. where the airplane's position cannot be reliably fixed for periods exceeding 1 hour. The part 125 qualifying requirements for flight navigators are:

8.6.1 Minimum Qualifications.

1. Flight Navigator Certificate: A current flight navigator certificate. (refer to § 125.267(a)(1)).
2. Medical Certificate: A valid second-class medical certificate issued within the past 12 calendar-months (refer to § 63.3(b)).

8.6.2 Part 125 Testing Requirements. There are no initial or recurring part 125 testing requirements for flight navigators.

8.6.3 Recent Experience. No recent experience for flight navigators is specified in part 125; however, the following is a recommendation that would ensure your flight navigator is briefed as to the particular type of airplane prior to acting as a flight navigator for a flight requiring a flight navigator.

1. Limitations on climb, cruise, and descent speeds;
2. Each item of navigational equipment installed, including appropriate radio, radar, and other electronic equipment;
3. Airplane performance;
4. Airspeed, temperature, and pressure indicating instruments or systems;
5. Compass limitations and methods of compensation;
6. Cruise control charts and data, including fuel consumption rates;
7. Operating limitations;
8. Fuel consumption and cruise control;
9. Flight planning;
10. Each normal and emergency procedure; and
11. The approved Airplane Flight Manual (AFM).

8.7 Flight Attendants (F/A). Certificate holders must provide the minimum number of qualified F/As specified in their operations specifications (OpSpecs) for the airplane operated. The part 125 requirements for F/As are:

8.7.1 Minimum Entry Qualifications. No minimum entry qualifications, such as certificates or experience, are specified for F/As; however, the FAA recommends that you assure your F/As are medically fit to perform their assigned duties.

8.7.2 Part 125 Testing Requirements. F/As must be tested before their services are used, and every 12 calendar-months thereafter, on the subjects listed in § 125.289.

8.7.3 Recent Experience. No recent experience for F/As is specified in part 125.

8.8 Crewmember Records. Crewmember records for PIC, SIC, FE, flight navigator, and F/A will be kept in accordance with § 125.401(a) through (c).

8.9 Meeting Testing Requirements and Recency of Experience.

8.9.1 Twelve-Month Check. (Refer to § 125.287.)

8.9.1.1 Written or Oral Tests. All pilots are required to complete a written or oral test of the subjects listed in § 125.287(a) for each type of airplane in which

they perform in a pilot capacity initially and every 12 calendar-months thereafter. Those who maintain this qualification on more than one airplane will be subject to the knowledge items in § 125.287(a)(2), (3), and (8) for each type of airplane.

Note: See Chapter 4, paragraph 4.11, Testing of Crewmembers, for information on electronic testing systems (ETS) for satisfying the requirements of § 125.287(a)(1) and (4) through (9).

8.9.2 Flight Test. All pilots are required to satisfactorily complete the competency check required by § 125.287(b) for each type of airplane in which they perform in a pilot capacity initially and every 12 calendar-months thereafter. The extent of that competency check shall be determined by the Administrator or authorized check pilot. The competency check may include any of the maneuvers and procedures currently required for the original issuance of the particular pilot certificate required for the operations authorized and appropriate to the category, class, and type of airplane involved.

8.9.3 Flight Check Job Aid. The job aid for a competency flight check can be found on the FAA's Web site at http://fsims.faa.gov. It should be used by the evaluator to assure all areas required by § 125.287 are covered. FAA Form 8410-1, Airman Proficiency/Qualification Check, is used to determine which specific maneuvers are to be performed, and should be used to indicate whether the maneuvers are satisfactory, unsatisfactory, or waived. The objective standards for the maneuvers are found in either the commercial pilot practical test standards (PTS) or Airman Certification Standards (ACS), as applicable, or the airline transport pilot (ATP) and aircraft type rating PTS or ACS, as appropriate. When the job aid for a competency flight check is used, consider the following information:

8.9.3.1 Use of Checklists. The inspector must note that the flightcrew members not only use all appropriate checklists, but also adhere to their provisions.

8.9.3.2 Crew Coordination. The emphasis is on adherence to company procedures included in the Policy and Procedures Manual (PPM), and accepted cockpit management methods.

8.9.3.3 Takeoffs. Takeoffs, for the purpose of the competency check, begin when the airplane is taxied into position on the runway to be used.

8.9.3.3.1 Crosswind takeoffs should be considered only when meteorological, airport, and traffic conditions allow them to be done safely. If not, crosswind technique can be discussed during the oral or written portion of the check.

8.9.3.3.2 The takeoff with a simulated failure of the most critical engine may be performed in a nonvisual simulator. When to induce the powerplant failure is up to the judgment of the inspector, given the airplane type and the prevailing conditions.

8.9.3.3.3 The rejected takeoff may be performed during a normal takeoff roll after reaching a reasonable speed. A reasonable speed is determined by considering airplane characteristics, runway length, surface conditions, wind direction and velocity, brake energy limits, and any other pertinent factors that may adversely affect safety. This speed should be no more than 50 percent of the takeoff decision speed (V_1).

8.9.3.3.4 Steep turns must be performed at a bank angle of 45°. The turn must be at least 180° and not more than 360°.

8.9.3.3.5 For the purpose of the check, the required approach to a stall is reached when there is a perceptible buffet or activation of stall warning devices (stick shaker or pusher). Where the airplane uses only a zero-flap takeoff configuration, stalls in the takeoff configuration may be omitted. At the discretion of the person conducting the check, one approach to a stall can be performed in one of the configurations while in a turn with a bank angle between 15° and 30°. If the certificate holder is authorized to operate the airplane with any stall warning device or indicator inoperative, the device or indicator may not be used during this maneuver.

8.9.3.4 Flight Characteristics Peculiar to the Airplane Type. Proper control of airspeed, configuration, direction, altitude, and attitude must be in accordance with procedures and limitations in the FAA-approved AFM, the operator's PPM, checklists, or other approved material appropriate to the airplane.

8.9.3.5 Powerplant Failures. In addition to the specific maneuvers to be demonstrated with an inoperative powerplant, the person conducting the check may require a simulated powerplant failure at any time during the check.

8.9.3.6 Landings. At least two actual landings are required, but the conditions may be combined, as appropriate.

8.9.3.6.1 Crosswind landings may be conducted only if existing meteorological, airport, and traffic conditions allow. If not, discussion of the technique can be included in the oral or written portion of the check.

8.9.3.6.2 The following are conditions for maneuvering to a landing with simulated powerplant failure:

- In the case of three-engine airplanes, a procedure that approximates the loss of two powerplants (center and one outboard), or
- In the case of other multiengine airplanes, a simulated failure of 50 percent of available powerplants with the simulated power loss on one side of the airplane (not to be done on a circling approach).
- The landing that is rejected must be approximately 50 feet above the runway and approximately over the runway threshold.

8.9.3.7 Normal and Abnormal Procedures. The pilots being tested must demonstrate the proper use of as many systems and devices as the person conducting the check finds are necessary to indicate the required proficiency. A rejected landing may be combined with instrument circling approach or Missed Approach Procedures (MAP).

8.9.3.8 Emergency Procedures. The pilots being tested must demonstrate the proper emergency procedures for as many of the possible emergency situations as the person conducting the check finds are necessary to indicate adequate knowledge and skill. If any emergency situations cannot be simulated, include these procedures in the oral or written portion of the test.

8.9.4 Emergency FE Functions. Those pilots the certificate holder wants qualified to perform emergency FE functions per § 125.263(c) will be required to demonstrate the knowledge and skill to perform these functions for an authorized representative of the Administrator.

1. This qualifying check may be administered in an airplane of the appropriate type on the ground.
2. It may be given in conjunction with the 12-month check or the IPC in that airplane.
3. The qualifying check will cover all anticipated critical situations with respect to the fuel, electric, hydraulic, and environmental systems, and any other function of the FE critical to the safe operation of that particular airplane.
4. The results of this check will be entered on an FAA Form 8410-1. Those items listed under "Flight Engineer" which were checked will be graded and an entry will be made under "Remarks" stating the results of that test; e.g., "Satisfactorily demonstrated emergency flight engineer functions per § 125.263(c)."

8.9.5 Six-Month Instrument Proficiency Check (IPC). (Refer to § 125.291.)

8.9.5.1 General. All persons who serve as PIC under IFR of an airplane during part 125 operations must satisfactorily complete the IPC outlined in § 125.291 initially and every 6 calendar-months thereafter.

8.9.5.2 Flight Test. A pilot must take this check in the type(s) of airplanes which the certificate holder has assigned him/her to perform pilot duties under part 125. If that person is only assigned to one type of airplane, the check must be accomplished in that type (refer to § 125.291(d)). If a pilot is assigned to more than one type of airplane, the check will be done on a rotational basis, but not more than one flight check during each 6-calendar-month period (refer to § 125.291(e)). For example, a pilot assigned to an A-320, B-737, and L-382, whose first IPC was in June 2015 in the A-320, could take the check due in December 2015 in the B-737, and the June 2016 check in the L-382. He/she would not be allowed to use just one of the aircraft to take successive IPCs.

8.9.5.3 **Contents of Check.** The IPC will consist of an oral or written equipment test for the type of airplane and a flight check under simulated or actual IFR conditions (refer to § 125.291(c)). The general content of the equipment check and flight check is included in § 125.291(c). The check will include the procedures and maneuvers for a commercial pilot certificate with an instrument rating and, if required, for the appropriate type rating (refer to § 125.291(c)(1)).

8.9.5.4 **Forms Issued.** A letter of competency will be issued to the pilot upon successful completion of the IPC. This letter will contain a list of the types of IAPs and facilities authorized (refer to § 125.291(g)). This letter will constitute an authorization for the pilot to perform PIC duties under IFR during operations under part 125. An FAA Form 8410-1 will also be issued showing successful completion of the checks required by § 125.287 (refer to § 125.287(c)).

8.9.6 Flight Attendant (F/A) Testing.

8.9.6.1 F/As may not be used if they have not been tested in the preceding 12 calendar-months by the certificate holder on the areas listed in § 125.289.

8.9.6.2 The certificate holder should develop a test (refer to § 125.289) which will determine that the F/As are knowledgeable and competent to perform their assigned duties and responsibilities as outlined in § 125.289(a) through (i). This test can be a combination of written and oral questions, and procedures to be performed or simulated. The certificate holder will maintain at least one copy of all test questions, written and oral, and list of procedures which are performed as a part of this test.

8.9.6.3 The results of each F/A's performance on this test will be inserted in the crewmember's record. Each attendant should be issued a memo which contains the certificate holder's name, the date of the test, and a statement that this named F/A has satisfactorily completed the certificate holder's test.

8.10 Use of Simulators.

8.10.1 Approved Simulators. Section 125.297(a) provides for the use of approved simulators for the checks required by part 125 subpart I. Sections 125.287(f) and 125.291(f) provide for the FAA to approve the use of a simulator or other appropriate training device to give portions of the 12-month check and the IPC. Section 125.285(c), with some limitations, provides for the use of a visual simulator to meet the recent experience requirements outlined in § 125.285(b).

8.10.2 Requirements. Each simulator and flight training device (FTD) that is used in training, testing, and checking, required under part 125, must be used in accordance with an approved training course conducted by a training center certificated under 14 CFR part 142 or meet the requirement specified in § 125.297(b)(1) through (3).

8.10.3 Inoperative Simulators. Should the simulator or FTD become inoperative, out of tolerance for the applications approved, or otherwise unavailable for the checks authorized, the check maneuvers may be accomplished in the airplane.

8.11 Authorization of a Check Airman.

8.11.1 Types of Checks. Part 125 provides for the authorization of a check airman to perform some or all of the checks required in part 125 subpart H or I (refer to § 125.295). The checks which a check airman may be authorized to perform are:

1. Twelve-month checks required by § 125.287.
2. IPCs required by § 125.291.
3. FE familiarization checks required by § 125.265(b) and the emergency FE function checks given to pilots per § 125.263(c).
4. Recent experience observations required by § 125.285(b) and (c)(2)

8.11.2 Approval Requests. Request for approval of a check airman should be submitted, in letter form, by the operator, to the certificate-holding district office (CHDO).

8.11.2.1 The letter of request constitutes the operator's nomination. It originates from the operator, not a training center, candidate, or some other party. It will include:

- Candidate's name;
- Business address;
- Applicable airman's certificate number;
- Current flightcrew member position;
- Requested check pilot or check FE classification;
- Airplane type;
- Brief résumé of the candidate's aviation background and experience; and
- Copies of the candidate's training records, including his or her initial, transition, or upgrade training in requested airplane type; record of most recent applicable recurrent training; and record of check pilot or check FE training.

Note: The principal operations inspector (POI) may require that this information be expanded to suit circumstances.

8.11.3 Review of Requests. Each request received by the Flight Standards District Office (FSDO) will be reviewed to determine the need for a check pilot. If a determination is made that a need does not exist, or the nominee is not qualified, the operator will be advised, by letter, of the reasons for not acting on its request. The decision by the FSDO will be based on the following:

- Number of airplanes and flightcrew members,
- Complexity of operations, and
- The nominee's qualifications.

Note: If the FSDO determines that your company does not need a check airman, they will issue you a letter of denial.

8.11.4 Check Airman Qualifications. Check airmen, selected by the operator, will be required to meet the following qualifications:

1. The requirements of § 125.287 for each type of airplane on which he/she will perform checks.
2. The requirements of § 125.291 for PIC under IFR.

8.11.4.1 Ensure that your nominee meets the following applicable requirements:

8.11.4.1.1 For a pilot check airman:

1. An airman certificate with category, class, ratings, and type ratings appropriate for the airplane in which the tests will take place.
2. A medical certificate appropriate for the category of airman certificate.
3. The PIC requirements of § 125.281.
4. The recent experience requirements of § 125.285.
5. The initial and recurrent pilot testing requirements of § 125.287.
6. The PIC requirements of § 125.291 for IFR flight.
7. The ability to properly evaluate another pilot's technique and proficiency. This can be determined by a history as a check pilot for another operator, as a certificated flight instructor (CFI), pilot examiner, etc.
8. Good record as a pilot and good reputation in the industry and the local aviation community.

8.11.4.1.2 For an FE check airman:

1. A Flight Engineer Certificate with category, class, ratings, and type ratings appropriate for the airplane in which tests will take place.
2. At least a valid second-class medical certificate, issued within the last 12 calendar-months.
3. The FE experience requirements of § 125.265.

Note: If the nominee does not meet the above qualifications, the FSDO will issue a letter of denial to the company.

8.12 Approval of Check Airmen.

8.12.1 General. The local FSDO is responsible for verifying the qualifications of check airmen. The certificate holder is not required to designate check airmen for the purpose of determining the initial or continued competency of F/As. Appropriate supervisors or instructors may be utilized for the purposes of F/A initial and continued competency. These personnel do not require FAA approval.

8.12.2 Approval. All check airmen must be approved by the jurisdictional FSDO. Approval will be contingent upon the individual being properly certificated, and qualified in accordance with § 125.295, and having demonstrated the ability to conduct and evaluate flight checks and other tests under the observation of an FAA aviation safety inspector (ASI).

8.12.3 Initial Designation. FAA inspectors will determine if a check airman designee possesses the following:

1. A thorough knowledge of requirements associated with administering the particular flight check or test.
2. A clear understanding of what is considered appropriate action to be taken when acceptable standards have not been met.
3. A satisfactory knowledge of FAA procedures and regulations and procedures pertinent to the operations in which he/she will be used.

8.12.3.1 For a pilot check airman nominee, the FAA will observe the following:

1. Did the flight test include a competency check of the maneuvers and procedures currently required for the issuance of a commercial pilot certificate with instrument rating as required by §§ 61.127(a) and 61.65? (Refer to § 125.287(b) and use FAA Form 8410-1 as a job aid.)
2. Was the flight test conducted in an efficient and logical sequence?
3. Was the flight test conducted safely?
4. Did the debriefing reflect the actual performance of the pilot?
5. Did the nominee properly evaluate the results of the flight test?

8.12.3.2 For a FE check airman nominee, the FAA will observe the following:

1. Did the flight test satisfactorily cover the items required by § 63.39(b)?
2. Was the flight test conducted in an efficient and logical sequence?
3. Was the flight test conducted safely?

4. Did the debriefing reflect the actual performance of the FE?
5. Did the nominee properly evaluate the results of the FE's flight test?

8.12.4 Unsatisfactory Evaluation of Designee. If a candidate for check airman fails to demonstrate the required knowledge, ability, techniques, and proficiency, that person will not be approved as a check airman. The operator will be advised, by letter, of the reasons for denial.

8.12.5 Approval Procedures. If the check airman applicant is considered to be satisfactory, the certificate holder will be so advised by letter. This letter will state the full name of the check airman, the specific check airman duties he/she is approved for, and the specific type(s) of aircraft on which he/she may conduct the required checks.

8.12.6 Authorization Letter. The check airman authorization letter is issued to the certificate holder, not to the airman. The check airman is limited to checking only those pilots employed by the operator.

8.12.7 Surveillance. Surveillance will be accomplished through observation of flight checks or other tests conducted by the check airmen. Observe the check airman at appropriate intervals depending upon the size of the operation and the number of checks accomplished. After initial authorization of a company check airman, observe two of the first six check flights conducted by the check airman. Observe a minimum of one flight check conducted by each check airman during annual surveillance (check airman other than a check airman approved as a contract check airman for a part 142 training center). FAA inspectors conducting surveillance of check airmen will normally meet with the check airman prior to the check to review the manner in which the flight will be conducted, areas of special emphasis, and established standards of performance expected during a check.

8.12.8 Surveillance Results. Check airman and the observing FAA inspector should mutually agree on the results of an observed competency or IPC, before the pilot being checked is advised of the results. Any discussion concerning the pilot or the results of the observed check will not be discussed in the presence of the pilot being checked. The FAA will, if there is a problem with regard to the performance of the check airman, inform the company in writing of the problem, document discrepancies (if any), and recommend corrective action. This letter will also advise the company as to the future status of the check airman.

Note: The FAA inspector observing the conduct of the check will normally debrief the check airman following the check airman's debriefing of the pilot being checked.

8.13 Record of Airmen Proficiency/Qualification Check.

8.13.1 FAA Form 8410-1. Check airmen will record the results of all knowledge and flight tests on an Airman Proficiency/Qualification Check (FAA Form 8410-1) with a copy being

provided to the pilot being checked, and the original being placed in the pilot's record as required by § 125.401.

8.13.2 Letter of Competency. A letter of competency will be issued to a pilot who passes an IPC and will contain the make and model of airplane used, and the type of IAPs and facilities authorized.

8.14 Cancellation of Check Airman Authorization.

8.14.1 Withdrawal of Authorization. The FAA will withdraw the check airman authorization and request the return of the letter authorizing the check airman when:

- There is no longer a need for check airman services.
- The check airman's performance is not satisfactory.
- The check airman leaves the employment of the operator that issued the check airman authorization.

8.15 Contract Check Airmen.

8.15.1 Part 142 Training Centers. Certificate holders who contract with a part 142 training center may elect to nominate a qualified employee from that organization to perform the crewmember checks required by §§ 125.265(b), 125.285, 125.287, and 125.291.

8.15.2 Requirements. This nominee will be subject to all initial and recurrent requirements specified in part 125 for check airmen.

8.15.3 Approval. POIs are authorized to approve part 142 flight instructors or Training Center Evaluators (TCE) as contract check airmen to conduct initial, recurrent, and/or instrument proficiency checks required by §§ 125.265(b), 125.285, 125.287, and/or 125.291.

8.15.4 Multiple Approvals. At the discretion of the POI, the POI may approve more than one contract check airman in a single letter of authorization (LOA). List each individual's name, certificate number, and associated authorization.

8.15.5 Oversight Responsibility. If you request check airman authority, whether for your own employees or those of a part 142 training center, your company retains oversight responsibility for its authorized contract check airmen. However, if a contract check airman is employed by a part 142 training center, the POI may request assistance from the Training Center Program Manager (TCPM) to assist with these surveillance duties.

8.15.6 Recordkeeping. Part 125 rules require each operator to maintain training and qualification records for its check airmen (refer to § 125.401). If specified in the recordkeeping section of an operator's PPM and approved by the POI, one operator or training center may maintain a contract check airman's training and qualification records for all operators for which the contract check airman serves.

8.15.7 Certificate Holder Responsibility. If such an authorization is issued to the certificate holder, the check airman/contract check airman is only authorized to check the certificate holder's crewmembers. The authorization remains the property of the certificate holder, and the certificate holder remains responsible for the actions and performance of the check airmen while the airman is conducting checks for the certificate holder's personnel. See Chapter 3, paragraph 3.12 for additional information.

CHAPTER 9. AIRPLANE INSPECTION PROGRAM AND ADDITIONAL MAINTENANCE REQUIREMENTS

9.1 Scope and Contents. This chapter provides information for the development of the certificate holder's airplane inspection program.

9.2 Inspection Programs—General. Since any inspection program selected under § 125.247(e) must be approved for a specific operator's use, the FAA will review all programs to ensure that they meet the regulatory requirements, are complete, meet the needs of the intended operation, and do not rely on quality control procedures which are not available or not used. When an inspection program is comprised of the inspection portions of a continuous airworthiness program, approved for an operator under 14 CFR part 121 or 135, consideration must be given to the effect of not doing all the maintenance, required in that program, on the effectiveness of the inspection portion of the program.

9.2.1 Inspection Programs Which May be Approved. The inspection programs which may be approved for use under part 125 include, but are not limited to:

1. A continuous inspection program which is a part of a current Continuous Airworthiness Program (CAP) of a part 121/135 certificate holder;
2. An inspection program currently recommended by the manufacturer of the airplane, aircraft engines, propellers, appliances, or survival and emergency equipment; or
3. An inspection program developed by the applicant/operator.

9.3 Inspection Program Content.

9.3.1 Program Coverage. Inspection programs must cover the entire airplane, including the airframe, engines, propellers, survival equipment and emergency equipment, appliances, and the component parts of any of these. If a program is selected under § 125.247(e)(l) or (2) which does not address all of these items, prior to its use, it must be modified to include them. Most airplane manufacturer's recommended programs do not include all appliances etc., since the manufacturer has no way of determining what will be installed on the airplane after delivery. When such is the case, the recommendations of the manufacturer of the appliance or equipment will be made a part of the part 125 program. It should be noted that § 125.247 does not reference only the airplane manufacturer. In addition, to these basic considerations, inspection programs, in order to be complete, must include:

1. Instructions for conducting the inspection. This includes the administrative methods used to ensure that qualified persons conduct the inspection at the proper time and in a proper manner, execute the correct records, and otherwise act in accordance with the procedures of the program.
2. Procedures to be used in actually conducting the inspection. These procedures must be detailed enough to permit a person, unfamiliar with the program, to

read, understand, and properly conduct the inspection or a segment of the inspection.

3. Standards to which the inspection is to be conducted. Standards differing from or in addition to those specified in 14 CFR part 43, §§ 43.13 and 43.15 are to be included.
4. All checks, routine and special, which must be accomplished in determining the airworthiness of the items being inspected.
5. The engine overhaul periods required by § 125.247(d)(2).

9.3.2 Revisions to the Inspection Program. Changes to inspection programs may be made at the request of the operator or the FAA. Any changes must be approved by the FAA and made a part of the manual prior to use. Changes initiated by the FAA will be coordinated with the operator and the operations specifications (OpSpecs) updated to reflect the change.

9.4 Engine Overhaul Requirements.

9.4.1 Engine Overhaul Period Options. Section 125.247(d) provides only two options regarding engine overhaul periods. It provides that all engines operated under part 125 will be maintained in accordance with a specified engine overhaul period; either one recommended by the manufacturer or one approved by the FAA.

9.4.2 Program Limitations. The rule references only an overhaul period. It does not specify the maintenance procedures to be used on the engine between overhauls or those to be used at overhaul. Therefore, establishing an overhaul period does not preclude the use of manufacturer's programs, reliability programs, continuous airworthiness programs, or any other system which will ensure the continued airworthiness of the engine. Operators, therefore are at liberty to make their programs as simple or as sophisticated as they desire within two limitations. That is, the programs must be appropriate to the overhaul periods being used and the systems being used must be within the organizational and equipment capabilities of the operator.

9.4.3 Establish Overhaul Period. When an FAA-approved overhaul period is established, either because the manufacturer has not recommended one or in order to operate an engine beyond the manufacturer's recommended period, it will be based on the manufacturer's recommended overhaul period or the period specified for that engine in a Maintenance Review Board (MRB) report (for further information on MRB reports reference the current edition of Advisory Circular (AC) 121-22, Maintenance Review Boards, Maintenance Type Boards, and OEM/TCH Recommended Maintenance Procedures). Those engines for which neither a manufacturer's recommendation or an MRB report exists will have an overhaul period established which is consistent with the operating history of that make and model engine, in general, and the history of the specific engine. Regardless of the base used to establish an overhaul period, any program or system proposed, which will ensure the continued airworthiness of the engine, beyond the base period will be given full consideration.

9.4.4 Approval of Overhaul Period. Approval of an overhaul period indicates approval of the programs or systems and data used to substantiate that overhaul period. Consequently, such programs, systems, and the data will need to be thoroughly documented and appropriately referenced in OpSpec D088, indicating the overhaul period.

9.4.5 Include in Manual. The systems or programs, used in conjunction with an overhaul period, together with instructions for their use and control will be made a part of the manual required by § 125.249.

9.4.6 Operators with Limited Experience. The basic overhaul period recommended by the manufacturer or specified in an MRB report is appropriate for operators with limited experience with a particular engine and for operators who have operated an engine(s) under an inspection program which did not contain maintenance requirements to ensure continued airworthiness of the engine.

9.4.7 Engine Time-in-Service Interval Extensions. The engine manufacturer establishes the recommended time-in-service interval, which is an estimated number of hours, cycles, or events that an engine can safely and reliably operate without exceeding the overhaul service wear limits. Some engine manufacturers refer to the recommended time-in-service intervals as time between overhaul (TBO) intervals. When an engine has an established time-in-service interval, the FAA may allow for an extension of the time-in-service interval if the certificate holder can extend the useful life of the engine without compromising safety. Time-in-service interval extensions should be based on demonstrated in-service reliability, proper justification, and risk analysis. The current edition of AC 120-113, Best Practices for Engine Time-in-Service Interval Extensions, provides information on engine time-in-service interval extensions. The AC explains the background of engine time-in-service intervals as well as the FAA regulatory requirements for time limitations and time-in-service intervals for engine overhauls. The AC also provides aircraft operators with information on the best practices for an engine time-in-service interval extension program and how to obtain an engine time-in-service interval extension.

9.4.8 Task-Oriented Engine Maintenance Programs. In response to improvements in engine design and reliability, and responding to the needs of industry, the FAA allows part 125 certificate holders to utilize task-oriented engine maintenance programs, which allow certificate holders to operate certain engines without overhauling those engines at an established time-in-service interval. Currently, engine reliability has improved to a level where the safety of the operations is not impacted to an unacceptable level by the use of a task-oriented engine maintenance program. The certificate holder or engine manufacturers may refer to these engine maintenance programs as task-oriented, task-centered, task-based, on-condition, or condition monitoring programs. The task-oriented engine maintenance program should be based on methods, techniques, and practices prescribed in the current engine manufacturer’s maintenance manual, instructions for continued airworthiness (ICA) prepared by the engine manufacturer, or other methods, techniques, and practices acceptable to the FAA.

9.5 Maintenance Requirements.

9.5.1 Part 125 Maintenance, and Continued Airworthiness Requirements. The applicant/operator must have policies and procedures to ensure:

9.5.1.1 The replacement times for life-limited parts specified in the aircraft Type Certificate Data Sheets (TCDS), or other documents approved by the Administrator, are complied with.

9.5.1.2 Defects disclosed between inspections, or as a result of inspection, have been corrected in accordance with part 43.

9.5.1.3 The airplane, including airframe, aircraft engines, propellers, appliances, and survival and emergency equipment, and their component parts are inspected in accordance with an inspection program approved by the Administrator.

9.5.1.4 The installed engines have been maintained in accordance with the overhaul periods recommended by the manufacturer or a program approved by the Administrator.

9.5.1.5 The engine overhaul periods are specified in the inspection program required by § 125.247(a)(3).

9.5.1.6 The repairs assessment for pressurized fuselages is complied with, as applicable. (Refer to § 125.505.)

9.5.1.7 The fuel tank system inspection program is complied with, as applicable. (Refer to § 125.507.)

9.5.1.8 Flammability reduction means (FRM) is complied with, as applicable. (Refer to § 125.509.)

9.5.1.9 Other additional maintenance requirements are completed, to include:

1. Emergency locator transmitter (ELT) test and inspection. (Refer to 14 CFR part 91, § 91.207.)
2. Altimeter system and altitude reporting equipment tests and inspections. (Refer to § 91.411.)
3. Air traffic control (ATC) transponder tests and inspections. (Refer to § 91.413.)
4. Airworthiness Directives (AD) compliance. (Refer to 14 CFR part 39, § 39.11 and § 91.403.)
5. ICA for any alterations or repairs that have been accomplished. (Refer to 14 CFR part 21, § 21.50 and part 43, § 43.13).
6. Manufacturer’s maintenance manuals having Airworthiness Limitations sections. (Refer to §§ 21.50, 43.16, and 91.403.)

9.5.1.10 The current empty weight and center of gravity (CG) are calculated from the values established by actual weighing of the airplane within the preceding 36 calendar-months. (Refer to § 125.91.)

9.5.2 Required Inspection Items (RII). The applicant/operator must have policies and procedures for RIIs that include:

9.5.2.1 The operator may not use any person to perform required inspections unless the person performing the inspection is appropriately certificated, properly trained, qualified, and authorized to do so.

9.5.2.2 No person may perform a required inspection if that person performed the item of work required to be inspected.

9.5.2.3 The operator's manual contains the following RII policies and procedures:

1. The designation of the items that must be inspected (required inspections), including at least those which, if improperly accomplished, could result in a failure, malfunction, or defect endangering the safe operation of the airplane.
2. The method of performing required inspections.
3. Procedures for the inspection of work performed under previously required inspection findings ("buy-back procedures").
4. Procedures, standards, and limits necessary for required inspections and acceptance or rejection of the items required to be inspected.
5. Instructions to prevent any person who performs any item of work from performing any required inspection of that work.
6. Procedures to ensure that work interruptions do not adversely affect required inspections and to ensure required inspections are properly completed before the airplane is released to service.

9.5.3 Maintenance-Related Records and Reports.

9.5.3.1 As per § 125.249, each operator's manual shall contain a suitable recordkeeping system which may include a coded system that provides for the retention of the following:

1. A description (or reference to data acceptable to the Administrator) of the work performed.
2. The name of the person performing the work and the person's certificate type and number.
3. The name of the person approving the work and the person's certificate type and number.

9.5.3.2 Part 125 subpart L, Records and Reports, contains certain regulatory requirements for maintenance-related records and reports.

1. Maintenance log: airplanes. (Refer to § 125.407.)
2. Service Difficulty Report (SDR). (Refer to § 125.409.)
3. Airworthiness release or maintenance record entry. (Refer to § 125.411.)

9.5.3.3 Section 91.417 requires registered aircraft owners or operators to keep records containing the following information:

1. The total time-in-service of the airframe, each engine, and each propeller.
2. The current status of life-limited parts of each airframe, engine, propeller, and appliance.
3. The time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis.
4. The current inspection status of the aircraft, including the time since the last inspection required by the inspection program under which the aircraft and its appliances are maintained.
5. The current status of applicable ADs and safety directives including, for each, the method of compliance, the AD or safety directive number, and revision date. If the AD or safety directive involves recurring action, include the time and date when the next action is required.
6. Copies of the forms prescribed by § 43.9(d) for each major alteration to the airframe and currently installed engines, propellers, and appliances.
7. The records specified in § 91.417(a)(1) shall be retained until the work is repeated or superseded by other work or for 1 year after the work is performed. The records specified in § 91.417(a)(2) shall be retained and transferred with the aircraft at the time the aircraft is sold.
8. The owner or operator shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

9.5.4 Manufacturers' Service Publications. Refer to the current editions of AC 20-77, Use of Manufacturers' Maintenance Manuals, and FAA Order 8620.2, Applicability and Enforcement of Manufacturer's Data. These documents list situations when Service Bulletins (SB) would be regulatory.

Note: For additional information on the evaluation/certification of a part 125 applicant/operator's maintenance capabilities, refer to the FAA's Web site at http://fsims.faa.gov.

CHAPTER 10. DEVIATION AUTHORITY

10.1 Scope and Contents. This chapter outlines the types of deviation authority authorized and the action necessary to apply for deviation authority.

10.2 Deviation Authority. Deviation authority authorized under 14 CFR part 125, § 125.3 can be granted for:

1. Granting an A125 Letter of Deviation Authority (LODA) authorizing deviation as described in 14 CFR part 119, § 119.23 and § 125.5, from the requirement to hold a certificate and operations specifications (OpSpecs). The holder of a LODA is identified in the Web-based Operations Safety System (WebOPSS) as an A125 LODA holder or "125M" operator. Section 125.5(a) still requires an A125 LODA holder to comply with part 125 with the exception of deviations and exemptions listed in the operator's letter of authorization (LOA) paragraph A005.
2. Granting a certificate holder LODA authorizing deviations from specified sections of part 125. These deviations are listed in OpSpec/LOA A005.
3. Granting a LODA deviation authorizing Special Flight Authorization (SFA). Certificate and LODA holders may be issued an SFA for limited flight operations within a specific timeframe. The SFA is issued via WebOPSS as part of a certificate holder's OpSpecs or among the LOAs for an A125 LODA holder.
4. Granting LODAs authorizing parachute, museum, and airplane leasing/manufacturer operations.

10.3 Letter of Deviation Authority (A125 LODA).

10.3.1 Deviation from Requirements. An A125 LODA is the authority to deviate from the requirement to hold an air operator certificate and the OpSpecs associated with that certificate as described in §§ 119.23(a) and 125.5. This deviation authority is granted in accordance with § 125.3. The A125 LODA holder must comply with all other sections of part 125 with the exception of § 125.5. Authorizations for an A125 LODA holder will be granted via a LOA.

10.3.2 Noncommercial Operations. The A125 LODA provides relief from the requirements to hold a certificate and OpSpecs for noncommercial operations. The A125 LODA assures the safety intent of the operating rule while granting certification relief to corporate and private use operators. Operation under an A125 LODA is authorized when the operations are noncommercial in nature. Noncommercial operations, as they relate to the A125 LODA, are defined as:

- Operations in which persons or cargo are transported without compensation or hire; or
- Operations that do not involve the transportation of persons or cargo.

10.3.3 Private Carriage. The A125 LODA may also be issued when the operator conducts compensation operations not involving common carriage (private carriage). Carriage for hire which does not involve "holding out" is considered private carriage. Such compensation operations should only be conducted in accordance with the following:

1. Aerial work operations such as aerial photography or survey, or pipeline patrol, but not including firefighting operations.
2. Flights for the demonstration of an airplane to prospective customers when no charge is made except for those specified in expenses below.
3. Flights conducted by the operator of an airplane for his personal transportation, or the transportation of his guests when no charge, assessment, or fee is made for the transportation.
4. Carriage of officials, employees, guests, and property of a company on an airplane operated by that company, or the parent or a subsidiary of the company or a subsidiary of the parent, when the carriage is within the scope of, and incidental to, the business of the company (other than transportation by air) and no charge, assessment or fee is made for the carriage in excess of the cost of owning, operating, and maintaining the airplane. The exception is that no charge of any kind may be made for the carriage of a guest of a company, when the carriage is not within the scope of, and incidental to, the business of that company.
5. The carriage of company officials, employees, and guests of the company on an airplane operated under a time sharing, interchange, or joint ownership agreement as specified in category below.
6. The carriage of property (other than mail) on an airplane operated by a person in the furtherance of a business or employment (other than transportation by air) when the carriage is within the scope of, and incidental to, that business or employment and no charge, assessment, or fee is made for the carriage other than those specified in expenses below.
7. The carriage on an airplane of an athletic team, sports group, choral group, or similar group having a common purpose or objective when there is no charge, assessment, or fee of any kind made by any person for that carriage.
8. The carriage of persons on an airplane operated by a person in the furtherance of a business other than transportation by air for the purpose of selling them land, goods, or property, including franchises or distributorships, when the carriage is within the scope of, and incidental to, that business and no charge, assessment, or fee is made for that carriage.

10.3.4 Request for an A125 LODA. An applicant seeking an A125 LODA must submit a request for A125 LODA deviation authority at least 60 calendar-days prior to the date the applicant plans to begin operations (refer to § 125.3(c)). The written request must declare that no operations conducted with the airplane listed in the request will be used for compensation or hire.

10.3.5 Compliance Plan. The Flight Standards District Office (FSDO)/certificate-holding district office (CHDO) will scrutinize each operator and the circumstances of the proposed operation to determine if granting the A125 LODA is appropriate. If the applicant is eligible for the A125 LODA, they should present a written plan to the FSDO/CHDO. The plan should outline how they will comply with the requirements of each section of part 125 as listed in the LODA. The A125 LODA will be issued at the FSDO level.

10.3.6 Additional Deviations. Any additional deviations from part 125, besides the deviation from §§ 119.23(a) and 125.5, must be authorized in the A125 LODA holder's LOA A005, Exemptions and Deviations.

10.4 Part 125 Deviation.

10.4.1 List of Deviations. A list of permitted part 125 deviations can be found in Maintain Operator Data—Deviations area of WebOPSS for authorization in OpSpec/LOA A005. These deviations have been authorized by FAA headquarters (HQ) (Commercial Operations Branch (AFS-820)) and can be approved at the FSDO level. Requests for deviations not listed in WebOPSS Deviations must be forwarded to FAA HQ (AFS-820) along with the justification and any supporting documents. FAA HQ (AFS-820) will either approve or reject the request. If FAA HQ approves the deviation sought, the deviation will be entered into WebOPSS at the HQ level and will become available to assign to an operator. If the request for deviation is rejected, FAA HQ (AFS-820) will notify the FSDO/CHDO.

10.4.2 Authorizing Deviations. A certificate holder or an A125 LODA holder may apply for a deviation from certain sections of part 125. The requestor must submit a specific request to its CHDO/FSDO. The requestor must identify, in writing, the specific regulatory section(s) from which a deviation is requested. The request must contain the specific reasons for the deviation request, including information to show that an equivalent level of safety will be maintained, and any other information the FAA may require. An entity seeking deviation authority from one or several sections of part 125 must file the request at least 60 calendar-days before the date of intended operations. The requestor may not deviate from Federal regulations until the authority is granted and the deviation is authorized through the issuance of OpSpec/LOA A005 to the certificate holder or A125 LODA holder.

10.5 Special Flight Authorization (SFA) and Special Flight Permit (SFP).

10.5.1 SFA LODA. The FSDO issues an SFA LODA through WebOPSS when a particular operation is infrequent and involves a defined short period. The limitations on the operation vary depending on the type of operation. The SFAs for part 125 are: A510, SFA for Ferry Flights; A511, SFA for Sales Demonstration Flights; and A512, SFA for Training Flights.

10.5.2 SFP. SFPs are issued to the operator of an aircraft that may not currently meet the applicable airworthiness requirements, but is capable of safe flight (refer to § 21.197 and § 21.199).

10.6 Parachute, Museum, and Airplane Leasing/Manufacturer Operations Deviations.

10.6.1 Application. The operator must apply in writing to the local FSDO or CHDO (in accordance with § 125.3) stating that they are engaged in, or planning to engage in, either parachute, museum, or airplane leasing/manufacturer operations, and are requesting authorization for a LODA. To qualify for a museum LODA, the museum must be established for the purpose of exhibiting and operating historic aircraft and hold a determination from the U.S. Internal Revenue Service (IRS) that it is a 501(c)(3) nonprofit, tax-exempt, charitable organization or be approved by the General Aviation and Commercial Division (AFS-800).

10.6.2 Verification and Issuing the LODA. The principal operations inspector (POI)/FSDO will verify that the operator is engaged in or is planning to engage in the operation from which they are seeking LODA relief. The POI/FSDO will verify that the operator can comply and is willing to comply with the conditions and limitations listed in the LODA. After verification, the FSDO should submit a written request to AFS-800 for authorization to issue the LODA sought. Upon receipt of the FSDO's request, AFS-800 will complete the standard LODA memorandum and issue it to the FSDO. Upon receipt of the memorandum, the FSDO will comply with the instructions of the standard memorandum and issue the standard LODA to the operator.

Note: Each operator holding a LODA issued under part 125 must carry a true copy in each of the airplanes that are applicable to the issued LODA.

APPENDIX A. RECOMMENDED MANUAL FORMAT

PREFACE PAGE

A preface page containing a brief statement signed by a person in company management (preferably the president), which outlines the purpose of the manual and emphasizes that company management wants the policies and procedures to be followed, should be inserted as the first page of the manual.

REVISION PAGE

Title 14 CFR part 125, § 125.73 requires that each revised page of the manual has the revision number and date of the last revision.

Publishing a list of effective pages which shows the current revision number for each page has proven to be an effective method for maintaining a current manual per § 125.7l(a). This page can be inserted following the preface page.

TABLE OF CONTENTS

A table of contents should be included which lists the major topics in each chapter and the appropriate page number. The contents of each of the following chapters are discussed in Chapter 7 beginning with paragraph 7.3.

CHAPTER 1 – Company Organization.

CHAPTER 2 – Operations Specifications.

CHAPTER 3 – Minimum Equipment List.

CHAPTER 4 – Airplane Loading Instructions.

CHAPTER 5 – Preflight Planning and Flight Release Procedures.

CHAPTER 6 – Procedures for Assuring Airworthiness of Airplanes.

CHAPTER 7 – Pretakeoff Procedures.

CHAPTER 8 – Flight Operation Procedures.

CHAPTER 9 – Post-Flight Procedures.

CHAPTER 10 – Emergency Procedures.

CHAPTER 11 – Airplane Inspection Program.

APPENDICES

The appendices may be used to include other information the certificate holder wants to have available to his/her personnel, such as a copy of part 125, etc.

Advisory Circular Feedback Form

If you find an error in this AC, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by contacting the General Aviation and Commercial Division (AFS-800) at 9-AFS-800-Correspondence@faa.gov or the Flight Standards Directives Management Officer.

Subject: AC 125-1A, Operations of Large Airplanes Subject to 14 CFR Part 125

Date: _____

Please check all appropriate line items:

☐ An error (procedural or typographical) has been noted in paragraph _____ on page _____.

☐ Recommend paragraph _____ on page _____ be changed as follows:

_____

_____

☐ In a future change to this AC, please cover the following subject:
(Briefly describe what you want added.)

_____

_____

☐ Other comments:

_____

_____

☐ I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____