NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.270

National Policy

Effective Date:
7/28/14

Cancellation Date:
7/28/15

SUBJ: Part 135 Check Pilot (Check Airman) Functions

1. Purpose of This Notice. This notice provides guidance to Federal Aviation Administration (FAA) principal operations inspectors (POI) allowing the issuance of check pilot approvals with functions not currently available. This notice identifies the additional check pilot functions and the associated training and oversight requirements prior to issuance. The additional functions can expand the scope of check pilot authority when conducting checking elements required by Title 14 of the Code of Federal Regulations (14 CFR) part 135, § 135.293(a). Guidance found in FAA Order 8900.1, Volume 3, Chapter 20, Check Airman, Instructor, and Supervisor Programs for Part 121 and 135 Certificate Holders, is augmented by this notice.

2. Audience. The primary audience for this notice is POIs responsible for the approval and surveillance of training programs for part 135 certificate holders and 14 CFR part 142 Training Center Program Managers (TCPM). The secondary audience includes Flight Standards Service (AFS) branches and divisions in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at http://fsims.avs.faa.gov. Operators can find this notice on the FAA Web site at http://fsims.faa.gov. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Scope and Limitations. The use of this notice is mandatory for those inspectors issuing check pilot approvals with functions identified in this notice.

5. Definition. A check pilot is an airman approved by the FAA who has the appropriate knowledge, training, experience, and demonstrated ability to evaluate and certify the knowledge and skills of other pilots. While part 135 uses the terms “check pilot” and “check airman” interchangeably, only the term “check pilot” is used throughout this document. Nevertheless, the two terms are considered synonymous for the purpose of this guidance and the regulations referenced.

6. Background. In an effort to further improve the efficient use of check pilots, the Office of the Chief Counsel (AGC), HQ divisions, and field office personnel assessed currently available check pilot functions and the potential for additional functions. The review determined that the

limited expansion of check pilot functions is practical, will maintain or enhance safety, and would be in accordance with the provisions of the regulations. The additional functions determined available are:

- Section 135.293(a) checks conducted by line check pilots current, qualified, and holding a type rating, if applicable, on the respective aircraft; and
- Section 135.293(a)(1) and (4) through (8) checks of non-aircraft-specific functions conducted by a check pilot who does not hold the same type rating as the pilot being checked. The additional functions would be applicable to both line check pilots and proficiency check pilots.

  Note: Both functions would also be available to check pilots when no type rating is required to act as a pilot in command (PIC). These new functions require the operator to conduct additional training for the check pilot and oversight of the check pilot by the Administrator.

  Note: Check pilots issued the optional functions defined in this notice must concurrently hold check pilot approval in either an aircraft or simulator as detailed below. Check pilot approvals for "oral only" checks are not authorized and are contrary to regulatory requirements.

7. Classifications of Check Pilots. Qualification and training are established by the regulatory requirements of §§ 135.337 and 135.339 and are specific to the categories of all check pilots. The regulations organize check pilots into two categories with specific qualification requirements for each. The categories of check pilots are:

- Check Pilot—Aircraft; and
- Check Pilot—Simulator.

a. Functions. The specific functions for which a check pilot may be authorized are not defined by part 135 to allow for flexibility during the issuance of check pilot approvals. The available check pilot approvals are:

(1) Check Pilot—Aircraft.

(a) Section 135.293 competency check and § 135.297 proficiency check, with an optional § 135.293(a)(1) and (4) through (8) written or oral test for multiple aircraft.

(b) Section 135.299 line check and § 135.244 Operating Experience (OE), if applicable, observer's seat only or all seats (left, right, observer's), with optional § 135.293(a) written or oral test and/or § 135.293(a)(1) and (4) through (8) written or oral test for multiple aircraft.

(2) Check Pilot—Simulator. Section 135.293 competency check and § 135.297 proficiency check, with an optional § 135.293(a)(1) and (4) through (8) written or oral test for multiple aircraft.

b. References. For contract check pilot authorizations, see guidance in Order 8900.1, Volume 3, Chapter 54, Section 6, Part 142 Training Centers: Evaluate Training Programs, Curriculums, Flight Training Equipment, and Recordkeeping Requirements.

8. Check Pilot Training Program Considerations. Check pilot training requirements are identified in § 135.339. When additional check pilot functions are requested, the operator must ensure the respective training is provided to that check pilot.

a. Evaluation. For operators requesting the additional check pilot functions provided in this notice, POIs must evaluate the adequacy of the additional training proposed with emphasis on:

- The additional check pilot duties, functions, and responsibilities associated with § 135.293(a) authority specific to those pilots to be checked;
- The applicable 14 CFR provisions, operator's policies, procedures, and operations specifications (OpSpecs);
- The operator's applicable methods, procedures, and techniques for conducting the required checks; and
- Proper evaluation of student performance including the detection of improper and insufficient training and use of corrective action in the case of unsatisfactory checks.

b. Operational Differences.

(1) The operator's check pilot training program must address how a check pilot who does not hold the same type rating as the pilot being checked will conduct the oral/written test, if this function is to be requested. The training and associated procedures the operator develops must address operational differences for all pilots the check pilot will be evaluating. In addition to the above requirements, the training must address critical differences, such as but not limited to:

- Applicable regulatory OpSpecs and relevant manual differences (e.g., domestic and international operations, and approach authorizations);
- Navigational differences between aircraft operations and types;
- Differences in air traffic control (ATC) procedures that may be used by the various aircraft;
- Differences associated with high altitude operations;
- New equipment, procedures, or techniques as appropriate; and
- Other items deemed appropriate by the POI or operator.

(2) Because of the potential for a wide variation in the fleet composition of an operator, the associated training that a check pilot would require could be equally diverse. The scope and breadth of training will be dependent upon the operator's fleet diversity and the associated check pilot's functions and limitations. For example, an operator may request that the check pilot administer knowledge tests to pilots of other aircraft (§ 135.293(a)(1) and (4) through (8)) that are similar in operational characteristics (e.g., Global Express and a G-V pilot or between a Lear Jet and Hawker). In such a case, the training scope and depth would be limited. Conversely, the check pilot training required to conduct a § 135.293(a)(1) and (4) through (8) to a G-V pilot and the operator's helicopter pilots or reciprocating engine aircraft would be more complex, and would require indepth review and consideration by the operator and POI.

(3) Due diligence is required on the part of an air carrier and during review of the check airman training program to ensure that the check pilot is adequately trained to perform his or her duties. The legal interpretation found in Appendix B, Legal Interpretation, highlights the need for diligence in the development and approval of check pilot training.

(4) To establish a clear understanding of the training requirements, POIs should discuss these points with the operator to ensure that each check pilot is adequately trained to perform their assigned duties. The observation of the check pilot will validate the effectiveness of the training and is discussed in detail later in this notice.

c. Amendments. Amendments to the training program must be made in accordance with applicable guidance found in Order 8900.1 and associated part 135 regulations.

9. Oversight of Check Pilots with Optional Functions. Maintaining an accurate oversight record in Enhanced Flight Standards Automation System (eFSAS) is crucial to managing individual check pilots.

a. Oversight Event Types. Inspector oversight events are described below.

(1) Check Pilot Observation. Refer to § 135.339(a)(2). This observation conducted by the FAA is to determine if the check pilot has the ability to perform the function(s) authorized in accordance with the operator's training program and regulatory requirements. Use Program Tracking and Reporting Subsystem (PTRS) activity codes 1641-1645.

(2) Records Review. Records review is an administrative function that allows the POI to review the quality of the records submitted by the check pilot, whether paper or electronic.

(3) Check Pilot Interaction. This is a record of any interaction that has occurred with the check pilot that the POI deems relevant enough to include in the check pilot's file.

b. Check Pilot Observations. Section 135.339(a)(2) requires that check pilots are observed by an inspector or an Aircrew Designated Examiner (ADE) within the preceding 24 calendar-months. The observation check required by § 135.339(a)(2) is considered to have been completed in the month required if completed in the calendar-month before or the calendar-month after the month in which it is due. If the observation check is not conducted, the individual may no longer serve as a check pilot. The following guidance applies to the content of the inspector's evaluation of the check pilot and the additional functions identified in this notice. The content of the evaluation is dependent upon the approval(s) requested. Check pilots are required to be observed conducting the applicable proficiency or competency checks in addition to the observations described in this notice.

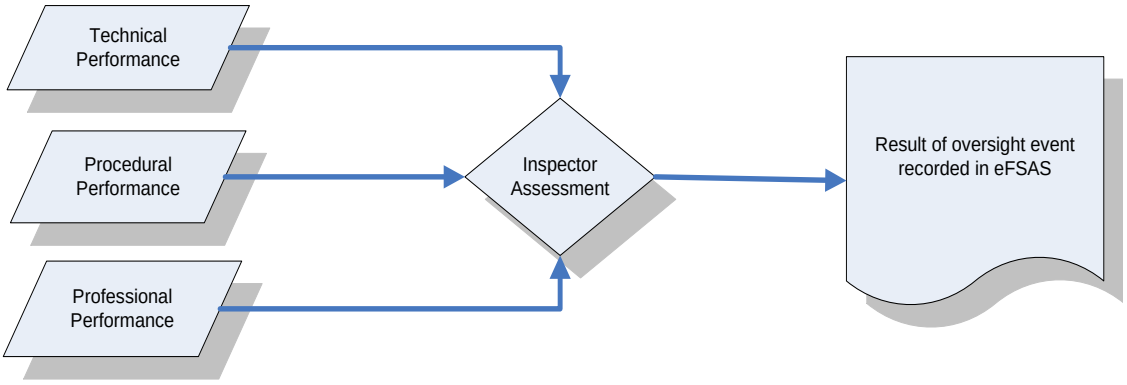
10. Check Pilot with Optional Approval(s).

a. Written or Oral Test Approval (available to § 135.299 check pilots only). As part of the § 135.339 observation check, an inspector must evaluate the candidate while the candidate conducts a complete written/oral test required by § 135.293(a).

b. Written or Oral Test Multiple Aircraft Approval (available to all check pilots except contract check pilots). As part of the § 135.339 observation check, an inspector must evaluate the candidate while the candidate conducts a complete oral/written test required by § 135.293(a)(1) and (4) through (8).

11. Check Pilot Performance Measures. The performance measures below have been established to aid in the evaluation of all check pilots. The three categories of performance measures are technical, procedural, and professional and are detailed below in Figure 1, Performance Measure Consolidation. The type of oversight activities conducted will determine the performance measure attributes considered by the inspector.

Figure 1. Performance Measure Consolidation



a. Technical. The check pilot must demonstrate a superior level of technical knowledge, skill, and ability in order to conduct authorized tasks.

(1) Equipment and Materials. Does the check pilot select or use the appropriate equipment, device, tools, and reference material when planning or conducting checks?

(2) Knowledge and Understanding.

(a) Does the check pilot understand the technical terminology contained in the operator manual, the training program, and other reference material used in planning, describing, or conducting pilot checks?

(b) Is the check pilot thoroughly familiar with the operator's standard operating procedures, authorizations/limitations, checklists, and other items used by the operator?

(c) Does the check pilot demonstrate an expert level of knowledge about the aircraft operation and systems?

(3) Interpret and Apply.

(a) Does the check pilot correctly interpret and apply the technical performance standards defined by the appropriate training program standard?

(b) Does the check pilot demonstrate effective questioning techniques?

b. Procedural. The check pilot must demonstrate compliance with the operator policies and procedures contained within the operator's manuals and applicable regulations used to conduct approved functions. Factors in determining procedural proficiency:

(1) Does the check pilot properly submit information, documents, or data to the operator when required by operator procedures and FAA regulations?

(2) While conducting the check:

- Does the check pilot follow the correct procedures when conducting, grading, and providing feedback to pilots during checks or observations?
- Does the check pilot have a plan of action to conduct the check?
- Do pre-briefings contain clear objectives, safety briefing elements, and completion standards?

(3) Does the check pilot:

- Complete required events?
- Demonstrate effective workload management?
- Identify deviations from applicable standards and procedures?
- Demonstrate knowledge and observation of operator operations and procedures?
- Conduct the check and ensure safe operation of aircraft or proper operation of the flight simulation training device (FSTD)?
- Use proper ATC phraseology?
- Conduct a debriefing that is accurate, appropriate, clear/concise and informative?
- Demonstrate the proper use of training aids and FSTDs that are realistic and contain appropriate scenario progression?
- Utilize training aid and FSTD capabilities?
- Demonstrate the ability to efficiently use FSTDs?

(4) Does the check pilot follow the correct procedure(s) when completing approvals, recording results, or other administrative items upon completion of the checking activity?

c. Professional. Professionalism means compliance with ethical and technical standards that indicate a professional representation of a person approved by the Administrator. This includes the quality, completeness, and timeliness of oral and written communications and the continual demonstration of integrity, tact, and diplomacy with pilots, industry, and the FAA. Factors in determining professionalism are:

(1) Oral/Written Communication. There are no reported issues of deficient communications between the check pilot, operator, and FAA.

(2) Professional Representation of the Operator and the FAA. The POI should consider whether the check pilot demonstrates a positive reflection of the approval provided by the FAA and a willingness to comply with FAA requirements and operator policies and procedures.

(3) Cooperative Attitude. The POI should consider whether the check pilot works effectively with and presents a positive attitude when interacting with pilots, operators, and the FAA.

(4) Ethics and Judgment. The POI should consider whether the check pilot maintains the highest standards and demonstrates good judgment in the conduct of authorized activities.

12. Overall Oversight Assessment. In determining the overall oversight assessment, the inspector considers the frequency, causal considerations, and safety significance of the three performance measure criteria.

a. Frequency of Deficiencies. The frequency of deficiencies is based on the inspectors evaluation with the following considerations applied:

(1) No performance related issues noted.

(2) Few or minor performance related issues noted.

(3) Some issues noted, but were corrected and/or were of minimal impact to safety.

(4) Some significant issues were noted and were safety related.

b. Causal Considerations.

(1) Unknowingly—The check pilot was not aware of the error.

(2) Carelessly—As a result of inattention by the check pilot, an error was made.

(3) Intentionally—The check pilot demonstrates a disregard for policy, procedures, or regulatory requirements.

c. Safety Significance.

(1) Because the role of the check pilot is to ensure that the pilot has met competency and safety standards required by regulations and the operator, the position requires an exceptional level of integrity, dedication, knowledge, and professionalism. With high initial standards required, any deficiencies should be carefully noted, reviewed, and appropriate action taken.

(2) There is minimal tolerance for the display of safety deficiencies, less tolerance for careless acts, and no tolerance for the intentional disregard of safety standards by check pilots. The inspector must carefully consider the cumulative safety significance of deficiencies and causal factors when determining the overall assessment of the check pilot. If the inspector determines that the level of performance expected of the check airman is unsatisfactory, actions must be taken to rescind the check pilot’s approval.

d. Recording the Observation. Upon completion of the check pilot observation, the inspector must record the result of the inspection in PTRS by using the appropriate activity

codes 1641-1645. If the POI determines that the results of the event require additional review, the POI should determine and record in eFSAS any appropriate followup activity.

13. Check Pilot Letter of Approval. All check pilots approved to conduct part 135 checks must be approved by the operator's POI. Approval of a check pilot in accordance with this notice will be in the form of a letter of approval found in Appendix A, Check Pilot Letters of Approval, as applicable, addressed to a responsible official of the operator, and signed by the POI or a representative approved by the POI. This letter of approval may be transmitted to the operator by conventional mail, email, fax, or by other means acceptable to the operator and the POI. The certificate-holding district office (CHDO) must retain a copy of the check pilot letter of approval together with the operator's original letter of nomination for the candidate. Regulations do not require renewal or a term of expiration for the approvals of check pilots. However, check pilots must continue to demonstrate competency and ability in those functions authorized. Since check pilot oversight requirements have defined intervals, the need to reissue approvals is unwarranted, inefficient, and thus not required. Inspectors make performance assessments of the check pilot on an ongoing basis and address deficiencies as needed. Check pilots are selected, appointed, and trained to serve the needs of the operator to meet regulatory requirements to augment the FAA's safety mission. Therefore, a check pilot's approval may be given, limited, or withdrawn at the discretion of the POI for any reason considered appropriate by the Administrator. Check pilots who are performing poorly as a check pilot or as a pilot in line operations, or require excessive resources to manage may have their approval withdrawn to ensure continued effectiveness of the check pilot program. The check pilot letter of approval must contain the following:

- Name and certificate number of the operator for which the approval is granted;
- Check pilot's name and applicable FAA airman's certificate number;
- Approved check pilot classification;
- Specified category, class, or type of aircraft;
- Authorizations and limitations; and
- Effective date of each approval. (Since different approvals may occur at different times, this information simplifies record checks. The date on which the check pilot was recommended for approval by an inspector will be the effective date of approval.)

Note: See Appendix A for sample letters of approval.

14. Recording Check Pilot Functions in the Enhanced Vital Information Database (eVID).

a. Functions should be documented in the standard format with optional functions identified in the "comments" section with the applicable text found below. Include only the text in quotes. If both functions are issued, use separate comment lines.

b. When the POI determines the initial approval of the check pilot or adds additional functions, it must be recorded in the PTRS using code 1346, TECH/ADMN/OPER/APV CHK AMN PLT (121, 125, 135, 91K).

(1) When issuing functions that allow § 135.293(a)(1) and (4) through (8) written or oral tests for other multiple aircraft (applicable for all check pilots types), enter a comment code as follows:

- Primary area “A”,
- Keyword “781”,
- Opinion code “I”, and
- Comment “AMAR”.

(2) When issuing functions that allow § 135.293(a) written or oral tests (applicable only to line check pilots), enter a comment code as follows:

- Primary area “A”,
- Keyword “781”,
- Opinion code “I”, and
- Comment “ALCA”.

15. Disposition. We will incorporate the information in this notice into Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the Air Transportation Division (AFS-200) at 202-267-8166.

John Barbagallo
Acting Deputy Director, Flight Standards Service

Appendix A. Check Pilot Letters of Approval

Sample Letter 1

April 19, 2013

Mr. Sam A. Frost
Chief Pilot
Transcon Express, Inc.
48 Perimeter Rd.
Utica, OH 22032

Dear Mr. Frost:

John R. Smith, FAA certificate number 467120928, is approved as a check pilot. This check pilot is approved to conduct checks for Transcon Express, certificate number A1BC, and their pilots. This approval is applicable for the following checking functions:

Check Pilot Functions	**Classification and Types**		**Effective Date**
	Simulator M/M/S(s)	**Aircraft Type(s)**	
Section 135.293 competency check	N/A	N/A	N/A
Section 135.297 proficiency check	N/A	N/A	N/A
Section 135.299 line check			
Observer's seat only, or		N/A	N/A
All seats		BBD-700	05/01/2013
Optional functions when § 135.299 or § 135.293 is also approved			
	Aircraft Type(s)*		**Effective Date**
Section 135.293(a) written or oral test (Not used when check pilot has § 135.293 approval)	BBD-700 only		05/01/2013
Section 135.293(a)(1) and (4) through (8) written or oral test for pilots assigned to the following aircraft	G-V, CL-604, multiengine Cessna reciprocating-series airplanes		05/01/2013

N/A = Not approved

Please retain a copy of this letter in Mr. Smith's individual flight training records.

Sincerely,

James J. Jones
Principal Operations Inspector
FSDO (XXXX)

In Sample Letter 1, the check pilot would be approved to conduct § 135.299 line checks in the BBD-700 aircraft and conduct a § 135.293(a) written or oral test in the same aircraft. The check pilot also has been approved to conduct the test required by § 135.293(a)(1) and (4) through (8), written or oral test for pilots assigned to the G-V, CL-604, and multiengine Cessna reciprocating-series airplanes. The check pilot approval would come after the check pilot successfully completed the additional training and has demonstrated the additional function(s) under the observation of an FAA inspector.

*Type: As used with respect to the certification, ratings, privileges, and limitations of airmen, means a specific make and basic model of aircraft, including modifications thereto that do not change its handling or flight characteristics. Examples include: DC-7, G-IV, and F-27.

Refer to FAA Order 8900.1, Volume 3, Chapter 20, Section 2, for additional aircraft approval options.

Sample Letter 2

April 19, 2013

Mr. Sam A. Frost
Chief Pilot
Transcon Express, Inc.
48 Perimeter Rd.
Utica, OH 22032

Dear Mr. Frost:

John R. Smith Sr., FAA certificate number 467120928, is approved as a check pilot. This check pilot is approved to conduct checks for Transcon Express, certificate number A1BC, and their pilots. This approval is applicable for the following checking functions:

Check Pilot Functions	**Classification and Types**		**Effective Date**
	Simulator M/M/S(s)	**Aircraft Type(s)***	
Section 135.293 competency check	CL-604	N/A	N/A
Section 135.297 proficiency check	CL-604	N/A	N/A
Section 135.299 line check			
Observer's seat only, or		N/A	N/A
All seats		N/A	N/A
Optional functions when § 135.299 or § 135.293 is also approved			
	Aircraft Type(s)*		**Effective Date**
Section 135.293(a) written or oral test (Not used when check pilot has § 135.293 approval)	N/A		N/A
Section 135.293(a)(1) and (4) through (8) written or oral test for pilots assigned to the following aircraft	G-V, BBD-700, Multiengine Cessna reciprocating-series airplanes		05/01/2013

N/A = Not approved

Please retain a copy of this letter in Mr. Smith's individual flight training records.

Sincerely,

James J. Jones
Principal Operations Inspector
FSDO (XXXX)

In Sample Letter 2, the check pilot would be approved to conduct § 135.293 competency and proficiency checks in the CL-604 simulator. The check pilot also has to be approved to conduct the test required by § 135.293(a)(1) and (4) through (8), written or oral test for pilots assigned to the G-V, BBD-700, and multiengine Cessna reciprocating-series airplanes. The check pilot approval would come after the check pilot successfully completed the additional training and after an FAA inspector observation of the additional functions.

Appendix B. Legal Interpretation

U.S. Department
of Transportation
**Federal Aviation
Administration**

SEP 20 2013

Mr. Phillip Kelsey
Director of Operations
Reliant Air Charter, Inc.
Danbury Municipal Airport
1 Wibling Road
Danbury, CT 06810

Dear Mr. Kelsey:

This letter is in response to your January 22, 2013 request for interpretation of the provisions of 14 C.F.R. §§ 135.293 and 135.225. In your letter you ask three questions – two pertaining to the knowledge check required by § 135.293 and one pertaining to instrument flight rules (IFR) approach minimums as set forth in § 135.225.

1. Questions Regarding the Initial and Recurrent Pilot Testing Requirements of 14 C.F.R. § 135.293

Your first question is whether a pilot would need to be tested on the areas listed in § 135.293(a)(1) and (4)-(8) for each aircraft that the pilot will fly for a certificate holder. A pilot is not permitted to conduct part 135 operations unless he or she has passed a test on the subject matter listed in § 135.293(a) in the previous 12 months. Of the subjects tested only items listed in paragraphs (a)(2) and (a)(3) relate to the "type of aircraft" that the pilot will fly. *Administrator v. Darby*, NTSB Order No. EA-5521 (June 2, 2010), 2010 WL 2393714, at *10. The remaining subjects, listed in paragraphs (a)(1) and (a)(4) through (8), relate to general aeronautical knowledge or the appropriate provisions of the certificate holder's operations. *See id.* at *11 (finding the plain language of those paragraphs "does not require a separate oral or written test on those subjects for each aircraft"); *see also* 43 Fed. Reg. 46742, 46774 (Oct. 10, 1978) (stating § 135.293(a) covers generally applicable subjects). Accordingly, a pilot who flies multiple aircraft for a certificate holder in part 135 operations would not need to repeat testing of the subjects in § 135.293(a)(1) and (a)(4)-(8) provided the pilot is tested on the appropriate provisions respective to the operations to be flown. We note that the FAA is currently revising its guidance to reflect this approach.

However, although § 135.293(a)(1) and (4)-(8) are not related specifically to the type of aircraft flown we emphasize that there are elements of the areas checked that will be relevant to the operations to be conducted by a pilot, which may be associated with aircraft operational capabilities. For example, § 135.293(a)(7)(ii) indicates pilots, except rotorcraft pilots, should be tested on procedures for escaping from severe weather situations, including low-altitude windshear. In the case of a pilot who conducts both rotorcraft and airplane operations for a certificate holder, the rotorcraft exception should not be invoked to avoid testing that pilot on

low-altitude windshear escape. Another example is the requirement to test pilots on "new equipment, procedures, or techniques, as appropriate." § 135.293(a)(8). It would be appropriate for a pilot that conducts operations in different aircraft to be tested on new procedures, for example, for each aircraft if relevant. Certificate holders must ensure that pilots have knowledge appropriate for the operations to be conducted.

Next you ask whether the knowledge test would need to be given by a check pilot who is qualified to perform checks in the same aircraft the pilot will be flying in part 135 operations. As discussed above, § 135.293(a)(1) and (a)(4)-(8) are not specific to the type of aircraft a pilot will be flying. Therefore, a check pilot authorized to give knowledge tests for the certificate holder could test pilots on the subjects listed in those paragraphs. However, we caution that in circumstances, like those above, where the questions tested in the otherwise generally applicable subject areas are tied to operations in a particular aircraft type, the check pilot would need to be appropriately knowledgeable to conduct that portion of the knowledge test.

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Sincerely,

Mark W. Bury
Acting Assistant Chief Counsel for International
Law, Legislation and Regulations