

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.415

National Policy

Effective Date:
4/7/17

Cancellation Date:
4/7/18

SUBJ: Logging of Flight Time Towards the Part 121 Operating Experience
and Consolidation Requirements During Augmented Flightcrew Operations

- 1. Purpose of This Notice.** This notice requires principal operations inspectors (POI) to conduct a focused review of Title 14 of the Code of Federal Regulations (14 CFR) part 121 qualification programs. The objective of this review is to identify and correct part 121 qualification programs that allow the logging of flight time towards the Operating Experience (OE) or consolidation requirements during augmented flightcrew operations when the flightcrew member is not seated at the controls (or Flight Engineer (FE) station) and performing the pilot or FE duties, as applicable.
- 2. Audience.** The primary audience for this notice is POIs responsible for the surveillance of part 121 qualification programs for air carriers that conduct augmented flightcrew operations. The secondary audience includes Flight Standards Service (AFS) personnel in certificate-holding district offices (CHDO), branches, and divisions in the regions and headquarters (HQ).
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website 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 Federal Aviation Administration (FAA) website at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.
- 4. Background.** In June 2013, the FAA issued a legal interpretation regarding logging flight time towards the pilot OE requirements set forth in part 121, § 121.434(c) and (g). This legal interpretation explained that § 121.434(c)(1)(i) specifically provides that in order for a pilot in command (PIC) to acquire the required OE, that PIC “must *perform the duties* of a pilot in command under the supervision of a check pilot.” Additionally, as provided in § 121.434(c)(2), second in command (SIC) pilots “must *perform the duties* of a second in command under the supervision of an appropriately qualified check pilot” to acquire OE. Section 121.434(d) also requires that FEs “must *perform the duties* of a flight engineer under the supervision of a check airman or a qualified flight engineer” to acquire OE. Therefore, time spent by a pilot or FE while not seated at the controls or FE station, as applicable, including time spent resting, as required by 14 CFR part 117 and part 121 subparts Q, R, and S, cannot be counted to satisfy the OE or consolidation requirements of § 121.434 (see Legal Interpretation to Hugh Thomas, June 10, 2013).

5. Action. Within 60 calendar-days of issuance of this notice, POIs responsible for the surveillance of air carriers that conduct augmented flightcrew operations must conduct a focused review of the qualification programs for their assigned certificate holder to identify if the certificate holder is in noncompliance.

a. Certificate Holder is in Noncompliance. If the certificate holder is in noncompliance by allowing logging of flight time towards the OE or consolidation requirements when a flightcrew member is not performing the required duties and is not seated at the controls or FE station, as applicable, the POI must follow the procedures in FAA Order 8900.1, Volume 14, Chapter 1, Flight Standards Service Compliance Policy, to correct the noncompliance.

b. Certificate Holder is in Compliance. If the certificate holder is in compliance and only allows logging of flight time towards the OE or consolidation requirements when a flightcrew member is performing the required duties while seated at the controls or FE station, as applicable, no further action is required.

6. 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.

A handwritten signature in black ink, appearing to read "J. Barbagallo", with a stylized flourish at the end.

John Barbagallo
Deputy Director, Flight Standards Service