NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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National Policy

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11/1/24

SUBJ: Qualification Requirements for an Operations ASI to Perform Part 183 Evaluations from an Observer Seat in Aircraft Requiring a Type Rating or Experimental Aircraft Authorization

1. Purpose of This Notice. This notice provides revised policy and guidance to aviation safety inspectors (ASI) concerning the qualification requirements to perform Title 14 of the Code of Federal Regulations (14 CFR) part 183 Designated Pilot Examiner (DPE) or Specialty Aircraft Examiner (SAE) evaluations from an observer seat (no access to flight controls) in aircraft requiring a type rating or Authorized Experimental Aircraft (AEA) authorization to act as pilot in command (PIC), including evaluations in elevated-risk experimental aircraft. This notice updates policy published in Federal Aviation Administration (FAA) Order 8900.1, Volume 1, Chapter 3, Section 6, Operations Inspector Qualifications and Currency Overview, dated June 10, 2019.

2. Audience. The primary audience for this notice is Flight Standards (FS) ASIs with oversight of SAEs. The secondary audience includes personnel working in the Regulatory Support Division (AFS-600) and other FS divisions.

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 and the Dynamic Regulatory System (DRS) at https://drs.faa.gov. Operators and the public can find this notice on the FAA's website at https://www.faa.gov/regulations_policies/orders_notices and DRS.

4. Background. Currently, Order 8900.1, Volume 1, Chapter 3, Section 6, Figure 1-2, Operations Inspector Qualifications and Currency Requirements Matrix, requires an ASI to hold a type rating if applicable to the subject aircraft when conducting part 183 evaluations from an observer seat.

a. This type rating requirement for part 183 evaluations does not align with the similar policy for 14 CFR part 91 subpart K (part 91K)/121/125/135 check pilot evaluations, also found in Figure 1-2, which requires an ASI to hold a type rating but not necessarily in the subject aircraft.

b. Additionally, the June 2019 revision of Figure 1-2 does not clearly address whether an ASI is required to hold an AEA to conduct SAE evaluations from an observer seat for aircraft requiring an AEA to act as PIC.

c. Finally, Figure 1-2 does not address SAE evaluations from an observer seat in elevated-risk experimental aircraft. This includes aircraft with very high performance characteristics, new and novel designs, or the ever-expanding fleet of former military aircraft used in support of Department of Defense (DOD) contracts.

d. As a result, Figure 1-2, Note (10) will be revised for consistency and clarity of ASI type rating and AEA qualification requirements. New paragraph 1-264 will be introduced to address elevated-risk experimental aircraft.

5. Guidance.

a. Figure 1-2, Note (10). Figure 1-2, Note (10) is revised as follows:

"(10) The inspector must hold a type rating in the same category and class but does not need to hold a type rating in the subject aircraft. An inspector must be type rated in an airplane that has a passenger capacity of 30 seats or more, or a payload capacity of more than 7,500 pounds, to conduct the evaluation in an airplane of these capacities.

For experimental aircraft, the inspector must hold either a type rating or an Authorized Experimental Aircraft (AEA) authorization in the same category and class but does not need to hold a type rating or AEA in the subject aircraft. For all experimental aircraft, see paragraph 1-264 below."

b. Paragraph 1-264. Volume 1, Chapter 3, Section 6 is revised to add the following paragraph:

"**1-264 ADDITIONAL REQUIREMENTS FOR SPECIALTY AIRCRAFT EXAMINER (SAE) EVALUATIONS.**

A. Evaluations In Elevated-Risk Experimental Aircraft. Inspectors are not authorized to conduct SAE evaluations on board elevated-risk experimental aircraft. For the purposes of this section, an elevated-risk experimental aircraft is an aircraft with any of the following characteristics:

- Turbojet Straight-Wing Single-Engine.
- Turbojet Straight-Wing Multi Engine.
- Swept-Wing Subsonic Single-Engine Turbojets and Rockets.
- Swept-Wing Supersonic Single-Engine Turbojets and Rockets.
- Swept-Wing Supersonic Multi Engine Turbojets and Rockets.
- Any aircraft in which a single system failure will render the aircraft uncontrollable (e.g., an airplane with a hydraulic flight control system with only one hydraulic pump).
- Unable to comply with 14 CFR part 91, § 91.117(a) (i.e., 250 knots below 10,000 feet) in normal cruise configuration.
- Equipped or originally equipped with ejection seats, whether armed or not armed (excluding aircraft where the ejection seat has been removed or permanently deactivated).

- Rocket-powered.
- Unconventional designs or first-of-its-kind aircraft (e.g., Stratolaunch).

Note: A list of examples of aircraft that meet some of the above criteria can be found at https://www.faa.gov/licensescertificates/vintageexperimental/experimental-aircraft-examiner-eae-designations. This list is not all-inclusive.

B. Alternate Methods to Conduct Evaluations in Elevated-Risk Experimental Aircraft. When it is necessary to evaluate a designee for an authorization in an aircraft with any of the characteristics listed in subparagraph 1-264A above, inspectors must complete the evaluation through one of the following alternative methods:

- Evaluate the designee conducting a test or check in a standard category aircraft regularly used by the designee for testing and checking.
- Evaluate the designee conducting a test or check in a standard category aircraft, not regularly used by the designee for testing and checking but authorized on their Certificate Letter of Authority (CLOA).
- Evaluate the designee in person and utilize remote technology, for the flight portion only, in accordance with Volume 1, Chapter 3, Section 9. The inspector does not need to hold an AEA authorization in the subject experimental aircraft.
- Evaluate the designee in an FSTD representing the subject aircraft. The inspector does not need to hold an AEA authorization in the subject experimental aircraft.
- For ongoing observations, an inspector may accept a 14 CFR part 135 or part 121 check airman observation within the previous 12 calendar-months in aircraft with similar characteristics authorized."

6. Disposition. We will incorporate the information in this notice into Order 8900.1, Volume 1, Chapter 3, Section 6 before this notice expires. Direct questions concerning the information in this notice to the General Aviation and Commercial Division (AFS-800), Training and Certification Group (AFS-810) at 9-AFS-800-Correspondence@faa.gov.

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