

ORDER: 8400.10 and 8300.10

APPENDIX: 4

BULLETIN TYPE: Flight Standards Information Bulletin
for Air Transportation (FSAT) and
Airworthiness (FSAW)

BULLETIN NUMBER: FSAT 96-02 and FSAW 96-02

BULLETIN TITLE: General Certification and Operations
Requirements for Air Carriers
Transitioning from Part 135 to Part 121

EFFECTIVE DATE: 01-19-96

NOTE: THIS BULLETIN REQUIRES PTRS INPUT. SEE ITEM #5

1. SUBJECT. This bulletin contains direction, policy, and guidance to inspectors for the certification of those operators who must transition from 14 CFR part 135 (part 135) to part 121 as a result of adoption of the commuter rule.

NOTE: For purposes of this bulletin, part 119 and the companion amendment to part 121 are referred to collectively as the commuter rule. References to rules in part 121 are to the text of the regulation after amendment by the commuter rule.

2. BACKGROUND. On December 20, 1995, the FAA published the Commuter Operations and General Certification and Operations Requirements rule. This rule requires certain operators that now conduct operations under part 135 to conduct those operations under part 121. The operators affected are those conducting scheduled passenger-carrying operations in airplanes that have passenger-seating configurations of 10 to 30 seats (excluding any crewmember seat) and those conducting scheduled passenger-carrying operations in turbojet airplanes regardless of seating configuration. The rule requires these certificate holders to have completed the transition process and begin conducting operations under part 121 on or before March 20, 1997. The commuter rule also requires that affected operators develop and submit a transition plan to their certificate holding district office (CHDO) no later than March 19, 1996. The certificate holder and the CHDO have until March 20, 1997 to complete the transition process from part 135 to part 121.

3. POLICY. Principal inspectors should plan to meet with affected certificate holders as soon as practical after receipt of this bulletin to discuss the certificate holder's initial plans and response to the new rule. It is Flight Standards policy that principal inspectors are to promote a cooperative working relationship with certificate holders. Flight Standards has developed a number of job aids and materials to facilitate the transition process for both the certificate holders and the FAA. For example, this bulletin contains a model transition plan, policy guidance, and background material. Nothing, however, can take the place of adequate planning and good communications between certificate holders and principal inspectors in ensuring the recertification process flows smoothly and without undue delays. Other planned initiatives include a training seminar in January 1996 for principal inspectors and a part 135/part 121 conversion guide. This bulletin is not intended to replace a thorough and careful reading of the new rule and FAA orders 8400.10. and 8300.10.

4. ACTION. Principal inspectors of affected operators shall:

A. Bring this bulletin to the attention of the certificate holder as soon as possible after receipt.

B. Review the new rule and this bulletin. After reviewing this material in enough detail to have a sound general understanding, the principals shall jointly plan to meet with the certificate holder for an initial discussion of the certificate holder's plans.

5. PROGRAM TRACKING AND REPORTING SUBSYSTEM (INPUT). POI's shall make a PTRS entry to record the actions directed in paragraph 4 of this bulletin with each of their operators as outlined in HBAT 94-08. The PTRS entry shall be listed as Activity Code No. 1381 and "TRANS" should be entered into the first five spaces of the "National Use" field.

6. INQUIRIES. This bulletin was developed by AFS-200 and AFS-300. However, questions regarding specific areas should be directed to the following Regional/Headquarters Focal Points:

Alaskan Region	Tom Carter	(907) 271-5907
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7. EXPIRATION DATE. This bulletin will expire after 03-20-97 and will be evaluated for continued use beyond that date.

/s/
David R. Harrington

ATTACHMENTS

Reference Only

ATTACHMENT A
MODEL TRANSITION PLAN

1. TRANSITION PLAN. Before March 19, 1996, all certificate holders must submit a transition plan to the FAA. This attachment contains a transition plan which can serve as a model for certificate holders in the transition from 14 CFR part 135 (part 135) to part 121. The model plan is laid out in a logical progression of steps and with the required level of detail needed by both the certificate holder and the FAA. The model is only one means of accomplishing the transition from part 135 to part 121. It is designed as an illustration and a starting point. Certificate holders are free to either modify the model to suit their needs or develop an entirely new approach. Regardless of the plan developed, all transition plans must contain the certificate holder's proposed schedule of events that show how and when it plans to make changes in its operations to meet the requirements of part 121. The transition plan will also need to show detailed plans for accomplishing activities and necessary retrofits for requirements with delayed compliance dates.

A. *Plan.* To complete the plan, the certificate holder needs to establish start and completion dates for each sequential task. By establishing these dates, the certificate holder is in a better position to start to identify critical issues and deadlines. For example:

(a) Some items will need to be accomplished simultaneously, i.e., the development of an air carriers manuals.

(b) New resources and services, or modification of existing resources and services, will have to be received, reviewed, and tested.

(c) The establishment of an actual date of transition from part 135 to part 121. Each air carrier will need to establish a date when it will be ready to demonstrate to the FAA that it can safely operate under the rules of part 121 prior to new operations specifications being issued.

(d) Each transition plan should provide for delays in scheduled events. Unrealistic time estimates for review and implementation issues will only lead to confusion and frustration. Regardless, all affected air carriers must have new part 121 Operations Specifications issued and approved by March 20, 1997.

B. *Gates.* The certificate holder's plan will contain tasks that require FAA participation, for example manuals review, acceptance, or approval. The FAA must be able to plan ahead to assure adequate resources are available to accomplish these tasks at the point called for and in the time allotted by the transition plan. Experience has shown that a piecemeal approach inevitably extends the review and approval processes. Therefore, the certificate holder's plan should contain gates at which the certificate holder commits to having completed the necessary preliminary tasks before the FAA begins work. In turn the FAA will need to commit to devoting the resources necessary to complete the task in the mutually agreed to time period. For example, the certificate holder might decide to establish a gate for the completion of a significant phase of the transition plan or for the review of all manuals. The negotiated time allotted for completion of the FAA's initial review might be a month. The certificate holder might also decide to establish a separate gate for review of each of the following manuals: Flight Operations Manual, Operational Control Manual, Flight Attendant Manual, Passenger Service Manual, and Maintenance Manual. In this case, the allotted time for the FAA's initial review might be three days for each manual.

2. PLAN MILESTONES. The following are suggested milestones in the conversion process.

- INITIAL COMPLIANCE STATEMENT. The process of preparing an initial compliance statement is intended to identify those programs and policies the certificate holder must develop to comply with the new rule. The statement must contain a brief statement of how the certificate holder intends to comply with each rule in part 119 and part 121. The FAA has developed a standardized compliance statement format that should facilitate the process for both the air carrier and the FAA. The use of this format is encouraged since it will aid with the required information the air carrier needs to provide and the FAA's review of that information. An electronic copy of the sample compliance statement is available on the Department of Transportation Corporate BBS, (800-224-6287) and the Flight Standards World Wide Web (WWW) Server (<http://www.faa.gov/avr/afshome.htm>).
- DEVELOP MAJOR POLICIES AND PROCEDURES. The certificate holder should identify the major policies, procedures, and program elements that will require major revision or

be newly developed, for example, dispatch facilities, dispatchers, and equipment retrofit.

- PREPARE AND SUBMIT TRANSITION PLAN. The air carrier's transition plan must be completed and submitted to the certificate holding district office no later than March 19, 1996. The transition plan also contains a schedule of events form and a form that details a summary of new equipment and compliance schedule for aircraft retrofit.
- HIRE OR INITIALLY QUALIFY ANY NEEDED PERSONNEL. Transitioning certificate holders may not have employees qualified to perform required duties (such as dispatchers), or to conduct required analysis and develop needed procedures. The certificate holder may need to send employees to training during the time these activities are taking place. For these reasons, the certificate holder may wish to hire experienced personnel. The certificate holder may also choose to hire a consultant to aid current employees in accomplishing these tasks. The certificate holder should make these decisions early in the planning process to prevent delaying the transition.
- BEGIN ACQUIRING ANY NEEDED FACILITIES OR EQUIPMENT.
- DEVELOP DETAILED PROCEDURES. The certificate holder should refine the major policies, procedures, and program elements previously identified.
- CONDUCT A REVIEW OF THE DUTIES AND RESPONSIBILITIES FOR EACH CATEGORY OF EMPLOYEE. 14 CFR section 121.135 requires that the certificate holders manual include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety. In order to comply with this rule the certificate holder must clearly define each duty and responsibilities of each category of employee. This includes all management positions, including the new management positions required by part 119.
- DEVELOP MANUAL MATERIAL. Complete writing and collating the material previously identified.
- PREPARE FINAL COMPLIANCE STATEMENT AND MANUALS APPROVAL. The final compliance statement should be nothing more than updating the initial compliance statement with a

specific manual/page reference of where in the certificate holder's manual the procedure to comply with the rule in parts 119 and 121 can be found. The final compliance statement speeds the manual review process.

- DEVELOP TRAINING MATERIAL AND GET INITIAL APPROVAL. Development of training material probably will begin concurrently with development of manuals, however, training material cannot be completed until the manuals are essentially complete.
- DISTRIBUTE NEW MANUALS TO ALL AFFECTED EMPLOYEES.
- CONDUCT TRAINING AND QUALIFICATION. The certificate holder should start by initially training an initial cadre of check airman, instructors, and supervisors while being observed by the FAA. Through this process, the training program is refined and granted final approval.
- ESTABLISH TRANSITION DATE.
- IMPLEMENT, TEST, AND PROVE NEW POLICIES AND PROCEDURES IN LOGICAL SEGMENTS.
- FINISH REVISING MANUALS AND TRAINING PROGRAMS.
- RECEIVE NEW OPERATIONS SPECIFICATIONS. (Must be accomplished by March 20, 1997)

MODEL TRANSITION PLAN

Name Of Company: _____

	<u>Planned Start Date</u>	<u>Planned Completion Date</u>
<u>Application Phase</u>		
Preliminary policies and procedures review	_____	_____
Initial compliance statement	_____	_____
Schedule of events	_____	_____
Summary of new equipment and compliance schedule	_____	_____
Submission of transition plan	_____	_____
Formal Transition Meeting	_____	_____
<u>Document Compliance Phase</u>		
Review of duties/responsibilities for each category of employee	_____	_____
Initiate revisions to manuals	_____	_____
Initiate revisions to training programs	_____	_____
Hire/qualify required personnel	_____	_____
Review required management positions	_____	_____
Acquire needed facilities and equipment	_____	_____
Submit leases and contracts for review	_____	_____
<u>Initial Approval Phase</u>		
Submit manual revisions	_____	_____
Submit training program revisions	_____	_____
Proving test plan	_____	_____
Final compliance statement	_____	_____
Exemption/deviation requests	_____	_____
Operations specifications data	_____	_____

	<u>Planned Start Date</u>	<u>Planned Completion Date</u>
<u>Training and Testing/Checking Phase</u>		
Distribute manual	_____	_____
Conduct training	_____	_____
Complete testing/checking of personnel	_____	_____
<u>Transition Phase</u>		
Establish transition date	_____	_____
Aircraft conformity inspections	_____	_____
Principal base of Operations	_____	_____
Maintenance base inspections	_____	_____
Station facilities inspections	_____	_____
Dispatch facilities inspections	_____	_____
Recordkeeping inspections	_____	_____
Proving tests	_____	_____
Complete revision to manuals and training programs	_____	_____
<u>Issue Operations Specification</u>	_____	_____

Reference Only

Operator: _____

Make-Model-Series: _____

**SUMMARY OF NEW EQUIPMENT AND COMPLIANCE
SCHEDULE FOR AFFECTED COMMUTERS**

Effective date of required upgrade is as stated, measured from the rule publication date	Upgrade will apply to all airplanes including newly manufactured airplanes		Proposed date of compliance (MM/DD/YY)
	Within 15 Months	Within Years (#)	
1. Passenger Seat Cushion Flammability, 10-19 Pax §§ 121.2, 121.312(c)		15	
2. Lavatory Fire Protection, 10-30 Pax §§ 121.2, 121.308		2	
3. Exterior Emergency Exit Markings, 10-19 Pax § 121.310(g)	YES		
4. Pitot Heat Indication System, 10-19 Pax §§ 121.2, 121.342		4	
5. Landing Gear Aural Warning, 10-19 Pax §§ 121.2, 121.289		2	
6. Takeoff Warning System, 10-19 Pax §§ 121.2, 121.293	(See Note 1)		
7. Emergency Exit Handle Illumination, 10-19 Pax §§ 121.2, 121.310(e)(2)		2	
8. First Aid Kits, 10-19 Pax § 121.309(d)(1)(i)	YES		
9. Emergency Medical Kits, 20-30 Pax § 121.309(d)(1)(ii)	YES		
10. Wing Ice Light, 10-19 Pax §121.341(b)	YES		
11. Fasten Seat Belt Light and Placards, 10-19 Pax §§ 121.2, 121.317	YES (See Note 2)		
12. Third Attitude Indicator, 10-30 Pax: Turbojet Turboprop §§ 121.2, 121.305(j)	YES (See Note 3)	15 (See Note 3)	
13. Airborne Weather Radar, 10-19 Pax § 121.357	YES		
14. Protective Breathing Equipment, 10-30 Pax § 121.2 § 121.337(b)(8) - Smoke and Fume protection § 121.337(b)(9) - Fire Fighting (20-30 only)		2	

¹ All non-transport category airplanes manufactured 4 years after the Rule publication date must be in compliance with § 121.293

² In-service airplanes must comply within 15 months. They may use lights or placards. Newly manufactured airplanes must comply with seat belt sign requirements of § 121.317(a) within 2 years.

³ Turbojet airplanes must comply within 15 months. Newly manufactured turboprop airplanes must comply within 15 months. In-service 10-30 Pax turboprop airplanes must comply within 15 years.

**SUMMARY OF NEW EQUIPMENT AND COMPLIANCE
SCHEDULE FOR AFFECTED COMMUTERS**

Effective date of required upgrade is as stated, measured from the rule publication date	Upgrade will apply to all airplanes including newly manufactured airplanes		Proposed date of compliance (MM/DD/YY)
	Within 15 Months	Within Years (#)	
15. Safety Belts and Shoulder Harness, Single Point Inertial Harness, 10-19 Pax §§ 121.2, 121.311(f)	(See Note 4)		
16. Cabin Ozone Concentration, 10-30 Pax § 121.578	YES		
17. Retention of Galley Equipment, 10-30 Pax §§ 121.576, 121.577	YES		
18. Ditching Approval, 10-30 Pax §§ 121.2, 121.161(b)	YES (See Note 5)	15 (See Note 5)	
19. Flotation Means, 10-30 Pax §§ 121.2, 121.340		2	
20. Door Key and Locking Door, 20-30 Pax §§ 121.313 (f) & (g)	YES		
21. Portable O₂, 20-30 Pax §§ 121.327 through 121.335	YES		
22. Additional Life Rafts, 10-30 Pax § 121.339	YES		
23. First Aid Oxygen, 20-30 Pax § 121.333(e)(3)	YES		
24. En Route Radio Communications, 10-30 Pax § 121.99	YES		
25. Latex Gloves, 10-30 Pax § 121.309(d)(2)	YES		
26. Passenger Information Cards, 20-30 § 121.571(b)	YES		
27. Flashlights-Additional for Flight Attendant and Pilot, 10-30 Pax §121.549(b)	YES		
28. Flashlight Holder for Flight Attendant, 20-30 Pax § 121.310(l)	YES		
29. DME, 10-30 Pax § 121.349(c)	YES		
30. Single Engine Cruise Performance Data, 10-30 Pax (required for determining alternates) § 121.617	YES		
31. Performance, Obstruction Clearance, and Accelerate-Stop Requirements, 10-19 Pax §§ 121.2, 121.157, 121.173(b), 121.189(c)	YES (See Note 6)	15 (See Note 6)	

⁴ All non-transport category airplanes manufactured 15 months after the Rule publication date must be in compliance with § 121.311.

⁵ Transport category must comply within 15 months. Non-transport category can operate for 15 years without ditching approval.

⁶ Commuter category airplanes must comply within 15 months. SFAR 41 and predecessor category airplanes must comply within 15 years.

SUMMARY OF NEW EQUIPMENT AND COMPLIANCE SCHEDULE

NOTE: Compliance dates are from the rule publication date. The compliance dates are:

15 months	March 20, 1997
2 years	December 20, 1997
4 years	December 20, 1999
15 years	December 20, 2010

1. PASSENGER SEAT CUSHION FLAMMABILITY(10-19)

Requires all seat cushions, except those on flight crewmember seats, to pass the fire test described in part 125, Appendix F, Part II. Compliance may be achieved by either adding a material under the seat covers that will protect the cushion -- i.e. "fire blocked seats" -- or by selecting seat cushion material that will pass. All part 23 normal or commuter category airplanes operated under part 121 must comply March 2010.

2. LAVATORY FIRE PROTECTION(10-30)

Requires a smoke detector in each lavatory and a built in fire extinguisher in the lavatory receptacle for disposal of towels, etc. Commercial (e.g., household) smoke detectors may be used in lieu of aircraft quality -- serves as a deterrent to smoking rather than a primary means to detect illicit smoking. All airplanes operated under part 121 must comply if they have a lavatory installed.

3. EXTERIOR EMERGENCY EXIT MARKINGS

Requires each passenger emergency exit and the means of opening the exit from the outside to be marked on the outside. There must be a two inch band of contrasting color outlining each emergency exit -- either on the exit or the exit opening. Only airplanes with 19 or fewer passenger seats affected by the Commuter Rule since airplanes with more than 19 are already required to comply. Commuter category and later transport category airplanes are required to comply as a condition of type certification.

4. PITOT HEAT INDICATION SYSTEM

Requires indication to flightcrew when the pitot heating system is not operating. Most, if not all, transport category airplanes affected by the Commuter Rule are already required to comply as a condition of type certification.

5. LANDING GEAR AURAL WARNING

Wing-flap position activated aural means must be provided to warn that the landing gear is not extended and locked for landing. All airplane operated under part 121, except those that comply with section 25.729, must comply. Section 25.729 requires a

warning to serve the same purpose, but does not require the system to be flap activated. Any airplanes that do not have a flap-activated system will have to be modified or be shown to comply with section 25.729. Any that do not have an aural warning means will also have to be modified.

6. TAKEOFF WARNING SYSTEM

Requires a takeoff warning system for any device (e.g., flaps, trim, etc.) unless it is demonstrated that takeoff with the device in the most adverse position would not create a hazardous condition./ All part 23 commuter category airplanes manufactured after December 20, 1999 and operated under part 121 must comply. Normal and commuter category airplanes currently in service are considered to meet the intent of this rule -- either by having a warning system (e.g., Beech 99s) or by not being unsafe during a takeoff with any device in the most adverse position. A system would be required for airplanes manufactured after that date only if they are changed in such a way that takeoff with a device in the most adverse position would create a hazardous condition.

7. EMERGENCY EXIT HANDLE ILLUMINATION

Since all affected airplanes are already required to comply as a condition of type certification, the only relevance of section 121.310, insofar as the Commuter Rule is concerned is that handles or handle covers that have lost their brightness must be replaced.

8. FIRST AID KITS(10-19)

All airplanes operated under part 121 must have approved first-aid kits -- part 135 only required those with more than 19 passengers to comply.

9. EMERGENCY MEDICAL KITS(20-30)

Airplanes required to have flight attendants must also have emergency medical kits. Latex gloves are also required (see #25).

10. WING ICE LIGHT

For operations in icing conditions at night, means must be provided to illuminate or otherwise determine the formation of ice on critical wing parts. Most, if not all, transport category airplanes affected by the Commuter Rule are already required to comply as a condition of type certification.

11. FASTEN SEAT BELT LIGHT AND PLACARDS

All airplanes operated under part 121 must comply; however, all transport category airplanes affected by the Commuter Rule probably comply already.

12. THIRD ATTITUDE INDICATOR FOR TURBOJET AND TURBOPROP

Requires a third independently powered instrument. Each turbopropeller airplane manufactured after March 20, 1997 and each turbojet powered airplane, regardless of the date of manufacture, must comply (All others required to comply by December 20, 2010)

13. AIRBORNE WEATHER RADAR(10-19)

Requires approved weather radar for all operations except those in Hawaii, Alaska, and certain parts of Canada. DC-3 vintage non-transport category and Curtiss C-46s not required to comply regardless of where they are operated. Part 135 permitted optional use of thunderstorm detection equipment in some airplanes in lieu of weather radar. Most airplanes affected by the Commuter Rule, already have weather radar; however, there may be some in which thunderstorm detection equipment will have to be replaced with radar.

14. PROTECTIVE BREATHING EQUIPMENT

All airplanes must have flight deck protective breathing equipment. All airplanes except part 23 normal and commuter category must also have portable equipment to fight fires.

15. SAFETY BELTS AND SHOULDER HARNESSSES

Requires each flight deck station to be equipped with a combined safety belt and shoulder harness. Transport category airplanes manufactured after January 1, 1958, and part 23 normal or commuter category airplanes manufactured after March 20, 1997, must comply. Commuter category and most transport category airplanes are already required to comply as a condition of type certification.

16. CABIN OZONE CONCENTRATION (10-30)

Requires compliance for certain operations above 27,000 feet. Most of the airplanes formerly used in part 135 operations aren't affected because they aren't approved to fly that high.

17. RETENTION OF GALLEY EQUIPMENT(10-30)

All items of galley equipment and each serving cart, when not in use, and each item of crew baggage, which is carried in the crew or passenger compartment, must be secured. The requirements of section 121.577 are essentially the same as section 135.122.

18. DITCHING APPROVAL(10-30)

Involves an evaluation of the ditching and floatation characteristics of the airplane. Compliance usually based on model basin tests rather than full scale tests. Emergency exits must be above the water line, and it must be possible to successfully launch life rafts through them. Transport category airplanes, except Convair 240/340/440s, etc., must comply when used in extended overwater operations. Most, if not all

transport category airplanes affected by the Commuter Rule are already approved for ditching (Part 23 normal and commuter category airplanes not required to comply until December 20, 2010). Part 23 normal or commuter category airplanes used in extended overwater operations must comply. Currently a few metros and Twin Otters are the only normal or commuter category airplanes used in such service. Unlikely that any of those will remain in extended overwater operations after March of 2010.

19. FLOTATION MEANS(10-30)

All large airplanes used in most overwater operations must be equipped with a life preserver or an approved flotation means for each occupant. "Large" excludes all part 23 normal category airplanes, but includes transport category and part 23 commuter category airplanes over 12,500 lb.

20. DOOR KEY AND LOCKING DOOR(20-30)

Requires a door between the passenger and pilot compartment with a locking means to prevent passengers from opening it without the pilot's permission. A key to unlock the door must be readily available for each crewmember. All airplanes except part 23 normal and commuter category must comply.

21. PORTABLE OXYGEN(20-30)

Requires supplemental oxygen available for flight crew and passengers. Oxygen equipment was previously required by section 135.177; however, the part 121 standards may differ.

22. ADDITIONAL LIFE RAFTS(10-30)

Requires enough life rafts to accommodate all occupants of an airplane used in extended over water operations in the event one raft of the largest capacity is lost. This is one more than required by part 135.

23. FIRST AID OXYGEN(20-30)

For operations above 10,000 ft, there must also be a supply of oxygen for first-aid treatment of passengers, who need it for physiological reasons. All airplanes operated under part 121 must comply. Oxygen equipment was previously required by section 135.177; however, the part 121 standards may differ.

24. EN ROUTE RADIO COMMUNICATIONS(10-30)

An air-to-ground communications system must be provided between each airplane and the appropriate dispatch system.

25. LATEX GLOVES(10-30)

The retrofit requirement would be required for all airplanes transitioning into part 121 service. These gloves would be required in the First aid kit and Emergency Medical kit.

26. PASSENGER INFORMATION CARDS

This retrofit requirement would apply to all airplanes transitioning into 121 service. For the 10-19 seat airplanes, the part 135 airplane briefing card requirements are being incorporated into part 121.

27. FLASHLIGHTS-ADDITIONAL FOR FLIGHT ATTENDANT AND PILOT(10-30)

Flashlight must be readily available for each crewmember -- part 135 only required one flashlight per airplane.

28. FLASHLIGHT HOLDER FOR FLIGHT ATTENDANT(20-30)

This requirement will require airplanes to have a flashlight stowage provision accessible from each flight attendant seat.

29. DME(10-30)

Requires at least one DME whenever VOR navigational receivers are installed

30. SINGLE ENGINE CRUISE PERFORMANCE(10-30)

See Attachment B

31. PERFORMANCE, OBSTRUCTION CLEARANCE, AND ACCELERATE-STOP REQUIREMENTS (10-19)

See Attachment B

Reference Only

SCHEDULE OF EVENTS

**Name Of
Company:** _____

Application Phase

	<u>Date Submitted</u>	<u>Date Received</u>	<u>Date Returned</u>	<u>Date Approved/ Accepted</u>
Initial compliance statement	_____	_____	_____	_____
Schedule of events	_____	_____	_____	_____
Summary of new equipment and compliance schedule	_____	_____	_____	_____
Transition plan	_____	_____	_____	_____
Formal transition meeting	_____	_____	_____	_____

Document Compliance and Initial Approval Phase

Manual Revisions:

General operations manual	_____	_____	_____	_____
General maintenance manual	_____	_____	_____	_____
FAA-approved AFM	_____	_____	_____	_____
Company aircraft operations	_____	_____	_____	_____
Aircraft checklists:				
Normal	_____	_____	_____	_____
Abnormal	_____	_____	_____	_____
Emergency	_____	_____	_____	_____
Flight attendant manual	_____	_____	_____	_____
Dispatcher manual	_____	_____	_____	_____
Station operations manual	_____	_____	_____	_____
Company emergency manual	_____	_____	_____	_____
Airport data/en route manual	_____	_____	_____	_____
Airport runway analysis	_____	_____	_____	_____
Minimum equipment list	_____	_____	_____	_____
Configuration deviation list	_____	_____	_____	_____
Passenger briefing cards	_____	_____	_____	_____
Fueling/refueling/defueling	_____	_____	_____	_____
Ground service manual	_____	_____	_____	_____
Weight/balance control	_____	_____	_____	_____
Hazardous materials	_____	_____	_____	_____
Security	_____	_____	_____	_____

SCHEDULE OF EVENTS (Continued)

Name Of Company: _____

Training Curriculums:

	<u>Date Submitted</u>	<u>Date Received</u>	<u>Date Returned</u>	<u>Date Approved/ Accepted</u>
Check airman/instructors	_____	_____	_____	_____
Dispatcher	_____	_____	_____	_____
Security	_____	_____	_____	_____
Hazardous materials	_____	_____	_____	_____
Maintenance personnel	_____	_____	_____	_____
Inspection personnel	_____	_____	_____	_____
Ground handling/servicing	_____	_____	_____	_____

Contracts/Agreements/Requests:

Training contracts	_____	_____	_____	_____
Maintenance contracts	_____	_____	_____	_____
Servicing contracts	_____	_____	_____	_____
Aircraft leases	_____	_____	_____	_____
Exemptions/deviations	_____	_____	_____	_____

Other Items:

Final compliance statement	_____	_____	_____	_____
Proving test plan	_____	_____	_____	_____
Operations specifications data sheet	_____	_____	_____	_____
Training schedules	_____	_____	_____	_____

Training and Testing/Checking Phase

Flight Crewmember:				
Basic indoctrination	_____	_____	_____	_____
Emergency training	_____	_____	_____	_____
121 transition training	_____	_____	_____	_____
Proficiency checks	_____	_____	_____	_____
Line checks	_____	_____	_____	_____
Operating experience	_____	_____	_____	_____

Name Of
 Company: _____

Training and Testing/Checking Phase (Continued)

	<u>Date Submitted</u>	<u>Date Received</u>	<u>Date Returned</u>	<u>Date Approved/ Accepted</u>
Maintenance Training:				
Mechanics/repairman	_____	_____	_____	_____
Inspection personnel	_____	_____	_____	_____
Ground handling/ servicing	_____	_____	_____	_____
Station personnel	_____	_____	_____	_____
Check airman/instructor:				
121 transition training	_____	_____	_____	_____
Flight Attendants:				
Basic indoctrination	_____	_____	_____	_____
Emergency training	_____	_____	_____	_____
121 transition training	_____	_____	_____	_____
Operating experience	_____	_____	_____	_____
Competency check	_____	_____	_____	_____
Dispatchers:				
Basic indoctrination	_____	_____	_____	_____
Initial ground training	_____	_____	_____	_____
Differences training	_____	_____	_____	_____
Prohibited drugs	_____	_____	_____	_____
Hazardous materials	_____	_____	_____	_____
Security	_____	_____	_____	_____
Competency check	_____	_____	_____	_____
Operating familiarization	_____	_____	_____	_____

Transition Phase

Aircraft conformity inspections	_____	_____	_____	_____
Principal base of operations	_____	_____	_____	_____
Maintenance base inspections	_____	_____	_____	_____
Station facilities inspections	_____	_____	_____	_____

SCHEDULE OF EVENTS (Continued)

Name Of
Company: _____

Transition Phase (Continued)

	<u>Date Submitted</u>	<u>Date Received</u>	<u>Date Returned</u>	<u>Date Approved/ Accepted</u>
Dispatch facilities inspections	_____	_____	_____	_____
Recordkeeping inspections:				
Crewmember	_____	_____	_____	_____
Maintenance	_____	_____	_____	_____
Dispatcher	_____	_____	_____	_____
Proving Tests	_____	_____	_____	_____
Validation flights	_____	_____	_____	_____

Issue Operations Specifications:

Reference Only

Schedule of Events Form

The certificate holder should complete the "Date Submitted" column. This date represents a realistic estimate of when the certificate holder expects an event or facility will begin or be ready for FAA inspection. The "Date Received" "Date Returned" and "Date Approved/Accepted" are provided for the FAA to record revisions to the certificate holder's estimates or to record when the event or item was actually accomplished or occurred. The FAA and certificate holder are encouraged to add events which have not been preprinted on this basic schedule of events.

The following estimated completion dates are provided for planning purposes only. Each certificate holder is encouraged to complete the transition process as soon as practical.

	Completed no <u>Later Than</u>
Application Phase:	
Document Compliance and Initial	
Approval Phase:	March 19, 1996
Training and Testing/Checking Phase:	July 31, 1996
Transition Phase:	December 31, 1996
Issue Operations Specifications:	March 1, 1997
	March 20, 1997

ATTACHMENT B
AIRPLANE PERFORMANCE AND AIRPORT DATA ACQUISITION

1. This attachment contains direction and guidance to inspectors for reviewing and approving airplane performance and airport data acquisition systems for those certificate holders in transition from 14 CFR part 135 (part 135) to part 121 as a result of the adoption of the commuter rule. Inspectors are encouraged to share this material with certificate holders. Paragraph 3 of this attachment contains a brief discussion of the new rules and their application to various types of airplanes. Inspectors and certificate holders should find this discussion useful as an overview, but it is not intended to replace a thorough and careful reading of the new rule and order 8400.10. The commuter rule makes some of the information contained in FAA Order (Order) 8400.10, volume 4, obsolete (especially the discussion in section 2 on the application of specific rules to airplane groups). The basic concepts discussed in sections 1 and 2, the direction and guidance for evaluating performance data procedures (section 3), and airport data acquisition systems (section 4) remain valid as written.

2. The purpose of the commuter rule is to bring the operation of all multiengine airplanes of 10 or more passenger seat capacity and all turbojets of any passenger capacity under part 121. Currently, the FAA was aware of no certificate holder, who would be affected except those operating turbopropeller airplanes type certificated in the commuter or normal categories. However, the rule encompasses all types of airplanes.

A. Those airplanes which are fully capable of meeting subpart I to part 121 performance requirements will be required to do so upon being listed as a part 121 airplanes in operations specifications (OpSpecs) paragraph D-85. This includes airplanes type certified in the transport and commuter categories. In relation to performance issues, the transition to the new rule should require a minimum effort on the part of certificate holders operating these airplanes as the requirements of subpart I to part 135 and 121 are either identical or nearly so for these airplanes.

B. Certificate holders operating airplanes certified in the normal category for operation with 10 or more passenger seats will not be able to operate in compliance with subpart I of part 121 until these airplanes are extensively modified. The commuter rule allows certificate holders to operate these airplanes in part 121 service until December 20, 2010 while continuing to comply with the

performance requirements of part 135 subpart I. After this date certificate holders will have to comply with subpart I of part 121. The initial transition to the new rule should require a minimum effort on the part of inspectors and operators of these airplanes.

3. PERFORMANCE RULES APPLICABLE TO SPECIFIED AIRPLANES
Application of specific sets rules to various groups of airplanes will be discussed in this paragraph. The discussion is intended to help inspectors determine which rules apply to the airplanes the certificate holder operates. The commuter rule removed the term "transport category" from part 121 subpart I but retained the following terms: large, small, turbopropeller, nontransport category, and reciprocating-engine-powered. Nontransport category airplanes are now divided into two groups: those certified before and after January 1, 1965. Those airplanes certified prior to this date are now largely obsolete, for example the DC-3. Those certified after this date were specifically designed for the commuter market.

A. *Large Nontransport Category Airplanes Type Certificated before January 1, 1965.* Section 121.199 through section 121.205 is identical to section 135.389 through section 135.395. See Order 8400.10, paragraph 3-953 for a discussion of these rules. It is unlikely that any of these airplanes are currently being operated in passenger service.

B. *Turbojets.* Section 121.173(b) requires all turbojets (regardless of certification category or size) to be operated in compliance with section 121.189 through section 121.197. Issues for certificate holders operating these airplanes are as follows:

(1) *Large Airplanes.* Section 135.363(b) previously required large turbojet airplanes to be operated according to section 135.379 through section 135.387. The corresponding performance rules in part 135 are identical to applicable part 121 rules. See Order 8400.10, paragraph 3-951. Affected airplanes could include any of the so called "business jets" operated in scheduled service.

(2) *Small Airplanes.* Section 135.363(d) previously requires small turbojet airplanes to be operated according to section 135.379 [with the exception of (d) and (f)], section 135.385, and section 135.387, but did not require compliance with sections 135.381 and 135.383. The Lear 23 and Cessna 501 were both "small" turbojets. The

following are new requirement for the operations of these airplanes under part 121:

(a) *Obstacle Clearance on Takeoff.* Section 121.189(d) requires computation of obstacle clearance in the takeoff path. Inspectors must ensure the certificate holder has approved data, procedures, manual material, and acquires airport data for each runway (including non-part 139 airports) from which these airplanes are to be operated. These requirements apply to all flag, domestic, and supplemental operations.

(b) *One Engine Out En Route Performance.* Section 121.191 specifies en route performance requirements with an engine out. See discussion of en route performance in paragraph 4 of this attachment.

C. *Turbopropeller.* Section 121.173(b) requires that all turbo-propeller airplanes be operated in accordance with sections 121.189 through sections 121.197 with the following exceptions:

(1) *Airplanes Previously Certified With Reciprocating Engines.* Section 121.173(b)(1) allows a turbo-propeller airplane type certificated after August 29, 1959, but previously type certificated with the same number of reciprocating engines to be operated according to section 121.175 through section 121.187. This rule is permissive which means the certificate holder may choose to comply with either section 121.189 through section 121.197 or section 121.175 through section 121.187. The latter rules are identical to section 135.365 through section 135.377. It is unlikely that any airplanes in this group will be affected by the transition.

(2) *Commuter Category.* Airplanes type certificated in the commuter category include the Jetstream 3200 and the Beech 1900D. Section 121.173(b) and Appendix K requires full compliance with applicable portions of section 121.189 through section 121.197 in part 121 operations. Transition issues for certificate holders operating these airplanes are as follows:

(a) *Takeoff Performance.* Applicable portions of section 121.189 are the equivalent of applicable portions of section 135.398.

(b) *Landing Performance.* Section 121.195 is equivalent to section 135.385 and section 121.197 is equivalent to 135.387.

(c) *Engine Out En Route Performance.*

Section 121.191 specifies en route performance requirements with an engine out that did not apply under part 135. See the discussion of en route performance in paragraph 4 of this attachment.

(3) *Normal Category Turbopropeller.* Section 121.157(f) and Appendix K(1)(a) and K(4)(a) apply to airplanes type certified in the normal category with 10 or more passenger seats under special conditions issued by the Administrator, Special Federal Aviation Regulation (SFAR) 23, SFAR 41, and Appendix A to part 135. Until December 20, 2010, these airplane may be operated in part 121 operations in compliance with those portions of subpart I of part 135 which are currently applicable and section 121.191. See the discussion of en route performance in paragraph 4 of this attachment. These airplanes include:

- Jetstream 3100
- Beech 99
- Beech 200
- Beech 1900-C
- EMB 110
- Fairchild Metroliner SA 227
- Fairchild Metroliner SA 226
- Twin Otter

D. *Reciprocating.* Section 121.173(a) requires that all reciprocating-engine-powered airplanes be operated in accordance with section 121.175 through section 121.187. Section 121.173(c) requires these airplanes be operated according to section 121.199 through section 121.205. One exception to this rule is allowed for large nontransport category airplanes type certificated before January 1, 1965 as discussed above. Issues for certificate holders operating reciprocating-engine-powered airplanes are as follows:

(1) *Large Airplanes.* Section 135.363(a) previously required large reciprocating powered transport category airplanes to be operated according to section 135.365 through section 135.377. The requirements of the part 121 rules are identical to applicable part 121 rules. See Order 8400.10, paragraph 3-949 for a discussion of these rules.

(2) *Small Airplanes.* Section 135.363(d) previously required small transport category airplanes to be

operated according to section 135.365, the takeoff limitations of section 135.367 [except (a)(3)], section 135.375, and section 135.377, but did not require compliance with section 135.369 through section 135.373. One airplane, the Casa 212 is known to fit this group of rules. The following represent new requirements for these airplanes:

(a) *Obstacle Clearance on Takeoff.* Section 121.177(a)(3) requires obstacle clearance computations in the takeoff path. Inspectors must ensure the certificate holder has approved data, procedures, manual material, and acquires airport data for each runway (including non-part 139 airports) from which these airplanes are to be operated. These requirements apply to all flag, domestic, and supplemental operations.

(b) *En Route Performance.* Section 121.179 (the equivalent of section 135.369) specifies all engine en route performance and section 121.181 (section 135.171) specifies one engine out en route performance. See paragraph 4 of this attachment for a discussion of en route performance.

4. EN ROUTE PERFORMANCE. All airplanes operated under part 121 must comply with en route performance rules. These rules are considerably different in concept from section 135.181 and section 135.383.

A. *60 Minute Rule.* All airplanes must now be operated in compliance with section 121.161(a). This rule is popularly known as the 60 minute rule. The rule prohibits operation of two-engine and three engine (except a three-engine turbine powered airplane) over a route that contains a point farther than 1 hour flying time (in still air at normal cruising speed with one engine inoperative) from an adequate airport.

(1) This is an entirely new requirement for certificate holders transiting to part 121 as a result of the commuter rule. Airplanes effected by this rule may not have engine-out cruise data in the AFM (particularly those airplanes certified in the normal category). Certificate holders will be required to acquire this data from manufactures and perform route analysis before they can start part 121 operations.

(2) Certificate holders must account for the effects of icing, use of the APU, and other elements that degrade performance when conducting the analysis.

B. *Engine Out En Route Performance.* Turbine powered airplanes (both turbojet and turbopropeller) must comply with either section 121.191(a)(1) or section 121.191(a)(2). Reciprocating powered airplanes must comply with either section 121.181(a) or (b). These rules achieve the same purpose as section 135.181 but are different in basic concept and provide the certificate holder more flexibility. section 121.181 and section 121.191 are identical in concept, but specify different methods of computation to accommodate the performance characteristics of reciprocating and turbine engines. For purposes of this discussion, the primary method of compliance with these rules will be referred to as "Method I dispatch" and the optional method will be referred to as "Method II dispatch". These are terms commonly used in the aviation industry.

(1) *Method I Dispatch.* When the certificate holder dispatches a flight by method I, the weight at which the airplane will arrive over the most critical point of the intended flight is determined. The climb performance of the airplane with an engine inoperative at that point, altitude, and forecast temperature is computed. The computed value must meet or exceed the value specified in the applicable rule. If the airplane meets the method I requirements at this point, it assumed to exceed them for the remainder of the route. If the airplane is too heavy to comply, the certificate holder has the choice of reducing the takeoff weight until compliance is achieved or dispatching according to method II. The critical issues involved with method I dispatch are: accurate selection of the critical point and acquisition of accurate weather forecasts. In flat terrain, such as the midwest, the critical point of the flight normally occurs at or near the point the aircraft exits the takeoff segment and enters the en route climb segment. In mountainous terrain, such as west of Denver or across Alaska, the critical point is determined by the controlling obstacle along the route. Most of the airplanes effected by the commuter rule cannot be economically dispatched by method I in mountainous areas. Both high temperatures and icing conditions impose heavy penalties.

(2) *Method II Dispatch.* Method II dispatch is always optional. Under method II the planned route is broken into segments. The certificate holder is required to show by means of approved data that if an engine failure occurs at any point within that segment, the airplane can divert to an adequate alternate airport while maintaining terrain clearance. The en route alternates must be listed in the dispatch release. The critical issues concerning method II dispatch are: accurate identification of

obstacles, the selection of adequate en route alternates, selection of diversion routes, and the acquisition of accurate weather forecasts. High temperatures and icing conditions create heavy penalties. Airplanes effected by this rule may not have engine-out data in the AFM (particularly those airplanes certified in the normal category). Certificate holders will be required to acquire this data from manufactures and perform route analysis before they can use method II.

(3) *In Flight Reroutes*. The certificate holder must establish procedures that ensure the requirements of section 121.191 are met when flights are rerouted. Since air traffic control (ATC) often reroutes aircraft in mid-flight, the method must be easily and accurately accomplished in the cockpit. In some cases, flights dispatched along a specified route cannot be rerouted and remain in compliance with section 121.191. When this is the case, dispatchers must notify the PIC in the briefing required by section 121.601.

(4) *Minimum Equipment List (MEL)*. The MEL should be reviewed to ensure inoperative equipment does not prevent complying with the provisions of section 121.191.

(5) *Flightcrew and Dispatcher Training*. Flightcrew and dispatchers must be trained in the application of these procedures. The method of complying with section 121.191 and the weather at any en route alternates are items which must be included in the briefing provided the PIC by the dispatcher as require by section 121.601.

5. AIRPORT DATA ACQUISITION SYSTEMS. The information, direction, and guidance of Order 8400.10, Volume 4, Chapter 3, section 2 concerning approval of airport data acquisition systems remains valid. The main effect of the commuter rule is to increase the number of operators, who are required to have a system approved under section 121.97(b) or section 121.117(b). Most affected certificate holders will probably comply with this requirement by contracting with a specialized vendor. Inspectors should be aware of the following issues:

A. *Non Part 139 Airports*. Certificate holder's data acquisitions systems must include non part 139 airports. Inspectors and certificate holders may encounter situations in which this data is not available for some airports from a commercial vender or government sources. In this case, the

certificate holder must create a system in which employees collect the data.

B. *Takeoff Flight Path.* Section 121.177 and section 121.189 require airplanes to clear obstacles located within 200 feet either side of the flight path within the airport boundaries and 300 feet outside. Certain certificate holders and data vendors strictly confine the area searched for obstacles to 300 feet either side of the extended runway centerline. In theory, an obstacle rising 10,000 feet above the airport surface located 301 feet from the runway center line would not be considered. Other certificate holders include obstacles located within an area that expands laterally as the flightpath departs the end of the runway. Either method is acceptable, however, certificate holders must develop procedures which ensure flightcrews remain within the protected zone with a cross wind or when heading veers as a result of engine failure and publish these procedures in the GOM to comply with section 121.135(a)(1). A POI must ensure the certificate holder's flightcrews are consistently able to remain within the protected zone during proficiency checks and proving tests before issuing operations specification under part 121. A POI may also need to consider restricting the certificate holder to standards minimums.

C. *Supplemental Operations.* Certificate holders are not relieved of the requirements to comply with takeoff data restrictions when they conduct charter (off-line) operations. Certificate holders may consider it cost-prohibitive to subscribe to a data analysis for an airport they may only serve once. Inspectors should be aware that certificate holders can obtain a one-time runway takeoff analysis by phone or FAX in a few minutes at a nominal fee from certain vendors. This is only one acceptable means of acquiring the required data.

6. *DEVIATIONS TO SUBPART I.* Section 121.173(f) permits the Administrator to authorize deviations to any portion of subpart I (Airplane Performance Operating Limitations) if special circumstances make literal observation of a requirement unnecessary. Until further advised, all principal inspectors that intend to approve deviations by OpSpecs to subpart I must attach a copy of the OpSpecs paragraph authorizing the deviation to an electronic mail message addressed to AFS-200. Due to the complex issues involved with the transition process, inspectors are required to get prior approval before issuing the deviation to any portion of subpart I to section 121.173.

ATTACHMENT C
PROVING TESTS

1. GENERAL. Transitioning a air carrier to 14 CFR part 121 (part 121) operations may, for some complex operators, only require minor changes to their current operation. For other operators this transition may require a major and complete re-engineering. Principal inspectors must ensure that their assigned carriers are able to safely and consistently operate at a level compatible with the requirements of part 121 and safe practices prior to issuing Operations Specifications (OpSpecs) for the carrier to begin service as a part 121 carrier. Proving and validation testing is the method used to provide the carrier with the opportunity to demonstrate their ability to the FAA. Order 8400.10, Volume 3, Chapter 9, provides guidance on proving and validation tests but was never intended to provide information concerning air carriers making the transition required by this rulemaking. The following information is intended to augment current handbook guidance in order to assist carriers and FAA inspectors during this transition.

2. REQUIREMENT FOR PROVING TESTS. 14 CFR section 121.163 (section 121.163) generally provides proving test requirements for operations under part 121. An aircraft not previously proven for use in part 121 operations must accomplish proving tests before being used in operations under part 121, and additional proving tests must be accomplished by a certificate holder proposing to operate an airplane not previously proven for use in part 121 service by that certificate holder.

A. Section 121.163 (a) prohibits a carrier from operating an aircraft type in scheduled service that has never been used in scheduled service until it has flown 100 hours of proving flights. These hours are in addition to any aircraft certification tests.

B. Section 121.163 (b) requires 50 hours of tests for the carrier to show its ability to conduct a particular kind of operation (i.e., domestic or flag) in compliance with the applicable regulatory standards.

3. PROVING TESTS FOR TRANSITIONING AIR CARRIERS. Proving tests are an essential part of the certification process and also provide the carrier with an opportunity to get experience before beginning revenue service under a completely new set of regulatory standards. Proving tests are required to determine that an operator can conduct operations under part 121 safely, using new procedures, a

dispatching system, etc. Section 121.163 contains authority for the FAA to reduce the proving flight hours specified in part 121 when special circumstances and the carrier's demonstrated proficiency justify the reduction.

A. Concerning the requirements of section 121.163 (a), the FAA has determined that the affected transitioning operators have established a sufficient history of operations and will not require the 100 hours of proving flights for aircraft currently being operated by those carriers affected by this change in operating rules.

B. A reduction of the 50 hour proving test requirement of section 121.163(b), is appropriate for air carriers making the transition from part 135 to part 121. This is especially true for carriers currently conducting operations under both part 121 and part 135 (split certificates). Full relief from the proving test hours would not, in most cases, be appropriate because of the requirement that applicants demonstrate their ability to conduct operations under a new part of the regulations. Generally, the carriers affected by this rulemaking have not had experience conducting flight operations under the requirements of part 121.

4. DEVIATIONS FROM THE REQUIREMENTS. As part of the carrier's transition plan the certificate holder may request a deviation from the regulatory requirements. The request must explain how the carrier intends to demonstrate regulatory compliance with a reduced proving test plan. The contents of the plan must include the information required in FAA Order (Order) 8400.10, page 3-775, paragraph 1643. Principal inspectors should use the guidance provided in Order 8400.10, page 3-775, paragraph 1645 (A) to evaluate the carrier's proving test plan.

A. Principal inspectors assigned to air carriers making the transition to operations under part 121 are expected to use the following guidance and their knowledge of assigned carriers in determining the minimum number of proving test hours required:

FLIGHT HOUR REDUCTION GUIDE:	PERCENT
<u>SITUATION</u>	<u>REDUCTION</u>
Same aircraft, no management experience with part 121, and no existing dispatching system.	75%
Same aircraft, management experience with part 121 (split cert), existing dispatching system, and demonstrated proficiency in scheduled flight operations.	90%

B. Principal inspectors are expected to determine the amount of proving test hours during this transition. The following guide will be used to approve any reduction in proving test hours.

APPROVAL AUTHORITY FOR PROVING FLIGHT DEVIATIONS

<u>PERCENT REDUCTION</u>	<u>APPROVAL AUTHORITY</u>
Up to 75%	FSDO Manager
75%-90%	Regional Flight Standards Division
More than 90%	Headquarters (AFS-200)

C. The carrier will be advised of the approval/denial decision in accordance with Order 8400.10, page 3-776, paragraph 1647 (A) and (B).

5. OTHER TESTING METHODS ACCEPTABLE TO THE ADMINISTRATOR. Transitioning carriers must demonstrate to inspectors that they can conduct flight and maintenance operations to the standards required. The depth of these demonstration flight tests will be different for each carrier, depending upon the experience of the carrier and the complexity of the operation.

A. *Validation Flights.* Various sections to Part 121 (121.93 & 121.113) require operators to show capability to conduct specific line operations safely and in compliance with regulatory requirements. The most common method used by the FAA to validate an operator's capabilities is the observance of the operator conducting certain flight operations during the carriage of revenue passengers. For those air carriers that are currently conducting operations under parts 121 and 135 (split certificates) may be allowed, at the office manager's discretion, to conduct validation flights during passenger carrying revenue operations. Carriers who request validation flights be conducted during scheduled service must justify their request in writing and agree that some flights may be delayed if the air carrier or its' employees are unable to efficiently and appropriately demonstrate knowledge of Part 121 operations. District office managers approving this type of validation should ensure that only one inspector is on board each validation flight. This policy allowing the conduct of validation flights during scheduled commuter operations will only apply to transitioning carriers.

B. *Dispatch and Dispatcher Proving Tests.* Those air carriers that are currently conducting operations under parts 121 and 135 (split certificates) may find that the

inclusion of the part 135 operation into the part 121 dispatch system is relative simple. Hence, the validation of proper operational control procedures for these operators could be conducted during revenue operations. However, for those operators that have never used a formal dispatch system with a licensed dispatcher to maintain operational control, the validation issues will be different. Once an operator has completed the training/testing of dispatchers and acquired the appropriate operational control equipment and facilities, the carrier's dispatch system will need to be evaluated and approved. The following areas need to be evaluated prior to approval:

- Flight planning
- Dispatch and flight release procedures
- Airport and route information collection and dissemination
- Drift-down and diversionary procedures
- Weather information collection and dissemination
- Dispatch and flight control personnel competency
- Communications capability with the company, with the aircraft, and with other agencies
- Load control (for example, the accuracy of the passenger count and the ability to convey weight and balance changes to and from the aircraft before takeoff)
- Scheduling
- Duty and rest time compliance
- Manuals
- Flightcrew briefings (to include high minimums captains)
- Maintenance control (procedures and records)

The FAA's plan for inspecting and evaluating a carrier's compliance with operational control rules should include scenarios and other testing mechanisms designed to test the carrier's effectiveness. Inspectors may find that the use of simulated scenarios will effectively determine the carrier's capabilities. However, no scheduled revenue flight should be unduly delayed or diverted during the FAA's review. During the transition period, carrier's are required to comply with part 135, but are demonstrating their capabilities to comply with part 121.

ATTACHMENT D
MANUAL AND RECORD KEEPING REQUIREMENTS

1. Under 14 CFR subpart G of part 121 (subpart G), certificate holders are required to prepare and keep current a manual containing policies, procedures applicable regulations, and other information necessary to allow crewmembers and ground personnel to conduct the operations properly (see sections 121.133 and 121.135). While the requirements of 14 CFR part 121 (part 121) and part 135 are similar, part 121 manual requirements contain a more extensive list of manual contents. Under part 121, the manual or appropriate parts, must also be furnished to more personnel, such as aircraft dispatchers, and made available to others, such as station agents.

2. While the necessary amendments to a carrier's current manual system will vary extensively in relation to how close the carrier's particular operation is aligned with part 121 requirements, principal inspectors should review the guidance material regarding manual procedures found in the appropriate inspector handbook. For principal operations inspectors, manual requirement information can be found in the following sections of FAA Order 8400.10:

Vol. III, chapter 15:

- Section 1, Background and definitions
- Section 2, Approval and Acceptance of Manuals and Checklists.
- Section 3, General Operations Manual.
- Section 4, Flight Manuals.
- Section 5, Aircraft Checklists.
- Section 6, Flight Attendant Manuals.

3. For those carriers, who will require significant modifications to their current manual system in order to meet the new requirements, it is imperative that principal inspectors coordinate, review, accept, or approve manual contents and checklists prior to the implementation of part 121 operations. (See FAA Order 8400.10 volume 3, chapter 15, section 2 for policy and procedures concerning approval and acceptance of manuals and checklists) Towards that end, it is recommended that the manuals be distributed to the appropriate individuals so as to allow sufficient time for familiarity with their contents to be acquired.

4. Subpart V of part 121 prescribes requirements for the preparation and maintenance of records and reports for all certificate holders operating under part 121. (see sections

121.681-121.723 inclusive). Although many of the requirements are identical or similar to the recordkeeping requirements in part 135, part 121 requires additional information, including new records and reports.

5. Principal inspectors should review the general guidance regarding operator record keeping found in the appropriate inspector handbook. Operation's inspectors can find information about record keeping systems in FAA Order 8400.10, volume III, chapter 11. Additionally, specific portions of subpart V to part 121 have been amended and the new regulations should be addressed when reviewing a carrier's record keeping system for compliance. The following items are worthy of mention:

- Section 121.711. This will be a new requirement for former part 135 operators, and is not being deleted in this rule making.
- Section 121.713. Retention of contracts and amendments: Commercial operators who conduct intrastate operations for compensation or hire: extensive changes have been made in this regulation.
- Section 121.715. In-flight medical emergency reports: Removed in its entirety.

ATTACHMENT E
MINIMUM EQUIPMENT LIST (MEL)

1. Current 14 CFR part 135 (part 135) air carriers who will be transitioning to part 121 should already be operating under the provisions of a Minimum Equipment List (MEL) and possibly a Configuration Deviation List (CDL). The following information is provided to assist principal operations inspectors (POI) in ensuring MEL and CDL coverage for additional equipment not previously installed on the carrier's aircraft.

Note: POI's should review the specific guidance regarding the MEL and CDL found in FAA Order 8400.10, volume IV, chapter 4.

2. During the transition to part 121 some carriers may be required to install additional equipment on their aircraft. Since the majority of the aircraft which are effected were not originally certified with this equipment, the process for obtaining FAA approval may involve the issuance of a Supplemental Type Certificate (STC). Regarding this process, POI's should be aware of the following:

A. The POI should review the Master Minimum Equipment List (MMEL) for the specific aircraft in order to determine if relief for the newly installed item has previously been granted by the appropriate Flight Operations Evaluation Board (FOEB). If such relief has been granted, the carrier can add that relief to his individual MEL.

B. The POI should review the relief guidance found in the Global Changes approved by the Flight Operations Policy Board (FOPB) to determine if universal relief has been previously granted for that particular piece of equipment. If such relief has been granted but the FOEB chairman has not yet updated the MMEL for that aircraft, then the carrier can add that relief to their individual MEL.

C. If relief has not been granted by either the FOEB or the FOPB, then the POI should coordinate with the Aircraft Certification Office (ACO) responsible for the STC. This ACO may not be the office responsible for the original Type Certification (TC) of the aircraft in question. As the installation of this new equipment may involve a revision to the CDL, ask the responsible ACO regarding any potential CDL change.

D. At the beginning of the STC process, the POI should contact the appropriate FOEB chairman who is responsible for the aircraft in question. Early contact with this individual will ensure appropriate relief, if applicable, commensurate with the installation of the new equipment. Additionally, since the FOEB chairman for a particular aircraft also serves as the Flight Standardization Board (FSB) chairman, the POI should ask about any required training or qualification issues regarding the new equipment being installed.

3. The intent of this process is to prevent equipment being installed on the aircraft without appropriate MEL relief being approved. The POI should be actively involved, so as to preclude having a carrier install new equipment in accordance with this rule, only to find that without MEL relief the carrier will be unable to dispatch the aircraft if that equipment subsequently becomes inoperative.

Reference Only

ATTACHMENT F
DISPATCH AND DISPATCHERS

1. PURPOSE. This appendix contains direction and guidance to inspectors for reviewing and approving operational control and dispatcher qualification programs for those certificate holders in transition from 14 CFR part 135 (part 135) to part 121 as a result of adoption of the commuter rule. Inspectors are encouraged to share this material with certificate holders. Inspectors and certificate holders should find this discussion useful as an overview but it is not intended to replace a thorough and careful reading of the new rule and FAA Order (Order) 8400.10.

2. BACKGROUND. The preamble to the commuter rule contains a clear statement that providing passengers the additional level of safety afforded by dispatchers and the dispatch method of operational control was a primary objective of enacting the rule.

A. Part 121 is considerably more detailed and stringent in relation to operational control requirements than part 135. For example part 121 specifies the minimum contents of a dispatch release, requires the certificate holder to employ dispatchers, and requires the Pilot in Command (PIC) and dispatcher concur on decisions to initiate or divert a flight while part 135 basically requires the PIC to file a flight plan.

B. The commuter rule did not significantly alter the rules in part 121 concerning operational control, the rules covering certification of dispatchers in part 65, or the validity of the direction and guidance in FAA Order 8400.10. Inspectors and certificate holders involved in the transition should become thoroughly familiar with part 121 subparts E, F, P, T, U, and V; part 65; and FAA Order 8400.10, volume 3, chapters 6 and 7, and volume 6, chapter 2, section 18. This bulletin is not intended to address each issue covered by the existing material. Paragraphs 3 through 10, however, discusses selected topics which significantly impact the transition process.

3. OPERATIONS. Before developing dispatch procedures the certificate holder and the POI must concur on the rules under which flight operations will be conducted and authorized in the operations specifications (OpSpecs).

A. *Operations under Domestic Rules.* Certificate holders conducting scheduled passenger operations entirely within the state of Alaska, entirely within the State of Hawaii, or entirely within the contiguous United States are required to conduct these operations according to domestic rules. POI's may also authorize certificate holders conducting flights from any point within the contiguous United States to a point not more than 2 hours beyond the border between the contiguous United States and Canada or the United States and Mexico to do so under domestic rules. (See the definition of domestic operations in section 119.3). Authorization for this operation is made by means of OpSpecs paragraph A-12. See Order 8400.10 page 3-52, paragraph 3-85.

B. *Aleutian Operations.* Certificate holders conducting operations between a point in the Aleutian chain and any other point in Alaska will be issued domestic operations specifications. However, the certificate holder may be issued operations specifications to conduct these operations by those rules in subpart U of part 121 applicable to flag operations. Under 14 CFR section 119.21(a)(1) (section 119.21(a)(1)) this authority is contingent upon "a demonstration of safety". In the Aleutians, en route wind reports are infrequent at many altitudes. The "Flag" fuel planning rule requires 10% additional fuel be carried for inaccurate wind forecasts. Up until the point the en route time is approximately two hours, the section 121.639 "domestic rule" requires more fuel on board at takeoff than does the section 121.641 "flag rule". After this point, the flag rule requires more fuel at takeoff.

C. *Supplemental Operations.* Section 119.3 defines supplemental operations as unscheduled passenger operations or any cargo operation. A certificate holder having authority to conduct scheduled passenger operations under flag or domestic rules may also conduct supplemental operations in any area authorized in OpSpecs paragraph B-50.

D. *Split Operations.* Once an airplane has undergone a conformity inspection and listed as a part 121 airplane in OpSpecs paragraph D-85, it may not be operated in part 135 operations until subsequently removed from paragraph D-85 as a part 121 airplane, an inspection conducted for part 135 compliance, and the airplane reentered in D-85 as a part 135 airplane. The preamble to the commuter rule clearly states that airplanes may not be routinely moved back and forth between part 121 and part 135 due to the time and cost of the compliance inspection process. Since a certificate holder who is issued authority to conduct flag or domestic

operations also has authority to conduct supplemental operations, few certificate holders will require authority to conduct operations under both parts 135 and 121. Operators may, however, be issued operations specifications to conduct part 121 flag, domestic, or supplemental operations and part 135 commuter or on-demand operations. For example, a certificate holder may conduct domestic operations with 10 or more passenger airplanes and commuter operations with airplanes of 9 or less passenger seats.

E. *Optional Authorizations.* Section 119.21 authorizes certificate holders who are required to operate under part 135 commuter rules the option of operating under either part 121 flag or domestic rules as appropriate in lieu of part 135 rules. Certificate holders who are required to operate under part 135 on demand rules may choose to operate under part 121 supplemental rules.

F. *Sightseeing Operations.* Some sightseeing operators require certification and OpSpecs.

(1) Section 119.1(b)(2) exempts operators conducting nonstop sightseeing operations that begin and end at the same airport and which are conducted within 25 statute mile radius of that airport from obtaining an air carrier certificate and complying with parts 121 or 135 with the exception of the drug testing requirements.

(2) Operators conducting scheduled sightseeing operations beyond a 25 mile radius of the airport with airplanes of 9 or less passenger seats require an air carrier certificate and part 135 commuter OpSpecs. Those operators conducting these operations with airplanes of 10 or more passenger seats require an air carrier certificate and part 121 domestic OpSpecs.

4. VFR OPERATIONS. Visual flight rules (VFR) operations under part 121 are normally limited to terminal area operations. However, some certificate holders conduct all operations according to VFR due to the nature of these operations such as sightseeing or tour operations. Other certificate holders will be required to conduct VFR operations at specific airports because these airports do not have instrument approach procedures. Airports and routes a certificate holder is authorized to serve under VFR must be specifically listed in OpSpecs paragraph B50 along with any needed limitations. AFS-200 will amend the standard OpSpec paragraph for day VFR and sightseeing operations for 10-30 seat airplanes. Contact AFS-200 for further guidance.

5. WEATHER REPORTS AND FORECASTS. Part 121 weather information requirements are more stringent than part 135 in several ways. A national resource specialist for weather matters, Myron Clark, is assigned to AFS-400. Inspectors may contact him for advice on these issues. His telephone number is (202) 267-7955.

A. *Weather Reports.* Certificate holders operating under both part 121 and part 135 are required to have current weather reports and forecasts for each airport they serve. The report must be supplied by the NWS, a source approved by the NWS, or (in foreign countries) a source approved by the Administrator. Section 135.213, however, contained two provisions which do not apply to part 121 operations and which will effect some operators. Under part 121 the pilot's observation may not be substituted for an official observation. Also, there is no provision for observations to be taken anywhere other than the airport where operations are conducted. A weather observer or approved automated source must be available from 30 minutes before an operation is scheduled until after it has occurred. See Order 8400.10, page 3-658, paragraph 1409.

B. *Forecasts.* Section 121.101(a) requires each certificate holder to have enough forecasts for the operations being conducted. This requirement has been interpreted to mean that a forecast must be available for the airport served. Some certificate holders may have trouble meeting this requirement because the NWS does not prepare forecasts for many airports. Certificate holders will have to employ meteorologists or purchase forecasts for these airports from a commercial service.

C. *Adverse Weather System.* Section 121.101(d) requires each certificate holder to have an adverse weather reporting and forecasting system. These systems are characterized by the ability to detect and disseminate information on hazardous weather on a real time basis. See Order 8400.10, page 3-667, paragraph 3-1427 and page 3-668, paragraph 3-1429. Part 121 operators comply with this requirement with such devices as real time weather displays in the dispatch office.

6. FUEL PLANNING. Part 121 fuel planning requirements differ from part 135 in several aspects. For domestic operations, certificate holders must comply with section 121.639 and section 121.647. These requirements differ from section 135.223. For part 121 operations, the required fuel must be listed on the dispatch release and must be on board at brake release. Fuel for start and taxi

(including delays between the ramp and brake release) is addition to this amount.

A. *IFR Operations.*

(1) If weather conditions from 1 hour before to 1 hour after the estimated time of arrival at the destination are forecast to be above 2,000 feet and 3 miles visibility.

Part 135

Departure to Destination
Thereafter 45 minutes flying

Part 121

Departure to Destination
Thereafter 45 minutes flying
Known delays or other contingencies

(2) If weather conditions from 1 hour before to 1 hour after the estimated time of arrival at the destination are forecast to be below 2,000 feet and 3 miles visibility.

Part 135

Departure to Destination

Fly to alternate
Thereafter 45 minutes flying

Part 121

Departure to Destination
Instrument Approach
Fly to alternate
Thereafter 45 minutes flying
Known delays or contingencies

B. *VFR Operations.*

Part 135

Departure to Destination
Thereafter 30 minutes flying

(30 daylight hours, 45 night)

Part 121

Departure to Destination
Thereafter 45 minutes flying
Known delays or other contingencies

C. *Daylight VFR Operations in Nontransport Category Airplanes Type Certificated After December 31, 1964.*
Section 121.639(c).

Part 135

Departure to Destination
Thereafter 30 minutes flying

Part 121

Departure to Destination
Thereafter minutes flying
Known delays or other contingencies

7. FACILITIES. Sections 121.107 and 121.395 require that each certificate holder have enough dispatchers and facilities to ensure adequate operational control of each flight. Facilities include communications equipment as well as buildings and office equipment. See Order 8400.10 page 3-604, paragraph 3-1177.

8. MANUALS AND PROCEDURES. Section 121.135(a)(1) requires that the certificate holder's manual contain instructions and information to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety. Dispatchers must be an integral part of the operational decision making process. A flight cannot be initiated, continued, or (in the absence of a declaration of an emergency) diverted without the concurrence of the dispatcher. The dispatcher is responsible for ensuring flightcrews are supplied with adequate information before a flight is initiated and this information is up-dated throughout the flight. These processes are quite different than those required by part 135. Certificate holders must prepare manual material that sets out how these processes are to be carried out.

9. QUALIFICATION OF DISPATCHERS. Certificate holders in transition will either have to hire employees who hold dispatcher certificates or arrange for current employees to acquire certificates. The certificate holder must also develop and obtain approval for an initial dispatcher training program, train the individuals who will be assigned dispatcher duties using the approved program, and ensure these individuals receive competency checks and operating familiarization before commencing part 121 operations. Inspectors and certificate holders should be aware that the initial training requirements of part 121 and any training require to obtain a dispatch certificate part 65 are a separate requirements intended to fulfill separate purposes. The requirements of both rules must be satisfied..

A. *Part 65 Certification Requirements.* Section 65.57 contains the experience requirements that an individual must meet before being eligible to take the practical test for a dispatch certificate. While there are a number of different provisions, the two most relevant are subparagraphs (a) and (d). See Order 8400.10, page 5-171, paragraph 291.

(1) *Equivalent Experience.* The subparagraph (a)(6) provision requires an applicant to have acquired 2 years experience that the Administrator finds acceptable within the past 3 years. Many of the certificate holders in transition have employees who are currently performing operational control functions in part 135 operations. Some of these may qualify under this rule. However, Inspectors

must ensure that individuals given credit under this subparagraph truly meet the intent of the rule. That means that applicants should have performed duties, which prepare them to assume dispatcher duties in a material way. Acceptable experience includes actual working experience in all of the following areas and subjects:

- Federal Aviation Regulations
- Aviation weather reports and forecasts
- Flight planning
- Airport facilities
- Communications
- Aeronautical information in an analytical, planning, or decision making capacity

Simply functioning as an administrative person or clerk to collect and disseminate data would not qualify. Principal inspectors may contact members of the national certification support team or regional dispatch resource for advice in making this decision.

(2) *Approved Dispatcher Courses.* Subparagraph (d) allows applicants not otherwise qualified, to qualify by completing courses of training as specified in part 65 appendix A. Many current employees qualifying as dispatchers will be required to use this method. Certificate holders and applicants can contact the Airline Dispatcher Federation (ADF) to locate these schools at (800) OPN-CNTL, (676-2685). It takes approximately 5 weeks to complete the curriculum specified by FAR 65 appendix A. It may be possible for some applicants to receive credit for previous experience or training. A course operator may evaluate an applicant's previous experience or training and where the training or experience is provable and comparable to portions of the approved course curriculum, may, as each individual case warrants, allow credit for such, commensurate with accepted training practices. Where credit is allowed, the basis for allowance and the total hours credited must be incorporated as a part of the student's records, provided for in paragraph (g) of Appendix A to part 65.

B. *Part 121 Dispatcher Training Program.* The certificate holder must develop an initial dispatcher training program to qualify individuals possessing a dispatcher's certificate in the operator's flight operations policies and procedures. See Order 8400.10 volume 3, chapter 5.

(1) The certificate holder must make equipment selections, weather information source decisions, and

develop its operational control procedures before the training program can be developed. Certificate holders required to transition may not have employees qualified to perform these functions or to develop these procedures. In many cases, the certificate holder may need to send employees to a dispatcher school during the time these procedures are being developed. For these reasons, the certificate holder may wish to hire an experienced dispatcher to head the new department. The certificate may also choose to hire a consultant to aid current employees in accomplishing these tasks. The certificate holder should make this decision early in the planning process to prevent delaying the conversion.

(2) Before dispatchers can perform duties unsupervised in revenue service, they must have passed a competency check administered by an FAA inspector or company supervisor. When the certificate holder employs a licensed, experienced dispatcher, who will become the supervisor, that individual should be given a competency check by a qualified inspector. The individual should then be observed administering one or more competency checks to other dispatchers and then be designated in writing as the supervisor. When the certificate holder has no highly experienced dispatcher to designate as a supervisor, an inspector should administer all competency checks. In this case, the POI may want to delay designation of a supervisor for purposes of administering competency checks until after the first recurrent training has been accomplished.

10. PROVING TESTS AND FINAL APPROVAL. The proving test phase is designed to ensure all requirements have been successfully completed. Relative to operational control, the most important element is to ensure the culture of the certificate holder's organization has changed to accept the dispatcher's authority. This change may be difficult for the certificate holder's management as well as flightcrew members to accept. POI's should evaluate the effectiveness of the operational control function carefully during transition and proving tests. The certificate holder must also have policies and procedures that function effectively without overloading flightcrews and dispatch personnel in peak periods of operation. The applicable job aids of 8400.10 Volume 6, section and members of the national certification support team should be used in this evaluation.

ATTACHMENT G
TRAINING/TESTING & OPERATING EXPERIENCE

1. Current part 135 operators, who will be transitioning to part 121, will find the regulatory requirements for training listed under part 121, subpart N and O. Principal inspectors should review the specific guidance regarding training programs, approval, etc., in their appropriate handbook. Principal operations inspectors should refer to the specific guidance regarding these requirements found in FAA Order 8400.10, volume III, chapter 2. On December 20, 1995, the FAA published revisions to the training and qualification requirements of certificate holders conducting operations under part 135. This rule requires commuter operators with airplanes in which two pilots are required by the aircraft type certification rules of 10 or more passenger seats to train and qualify their crewmembers under part 121. The rule also revised part 121 to require crew resource management training for pilots, dispatchers, and flight attendants. In addition, the "Commuter Rule" published on the same date requires recertification of affected operators to part 121.

2. During this transition period, the operators affected by the "Commuter Rule" will be required to qualify their personnel to part 121 standards, while they continue to operate their aircraft under part 135. As each operator's ability to transition to part 121 operations is unique to its own operations, no single methodology can meet "everyone's needs." However, the following general guidelines are provided in order to assist the operators and the FAA through the transition process:

- All regulatory requirements applicable to the operation in which the crewmember is engaged must be met. The FAA recognizes that the airman and crewmember training, checking, and qualification requirements of part 121 will meet or exceed the requirements of part 135
- Principal inspectors need to establish a "Special Curriculum Segment" or "Differences Training Curriculum Segment" in order to ensure part 121 transition training requirements are accomplished. On the sample Schedule of Events, this training is referred to as "121 Transition Training"
- A Differences training curriculum segment should be considered. Although differences training is normally associated with differences in instrumentation and installed equipment in aircraft, differences training is

suitable for the unique nature of the transition from part 135 to part 121. Differences training has been accomplished during previous mergers and acquisitions of several operators

- Principal inspectors need to ensure that the methods and devices used to conduct 121 transition training are appropriate to the degree of difference between part 135 and part 121 operations. The degrees or levels of differences range from Level A to Level E. (See 8400.10, volume III, chapter 2, section 9). It is believed that most training/testing will be conducted under Level A or Level B
- Principal inspectors and transitioning operators may need to evaluate current training programs (e.g., initial new hire, initial equipment, upgrade, and recurrent) for unique training situations during the 15 month transition period. For example, the point in time (before March 20, 1997) when a new employee is hired and receives training might affect the scope and length of the individual's training program

A. Operating Experience:

- Pilot crewmembers who have completed pilot-in-command operating experience (OE) in the class, category, or type aircraft under part 135 are considered to have completed OE under part 121. Pilot crewmembers (pilot-in-command/second-in-command), who have completed at least 20 hours of flight time under part 135 prior to March 20, 1997, or prior to the date an operator is certificated under part 121, whichever date is earlier, need not complete additional OE under part 121. See "Final Transition" graph.
- Flight attendants who have performed at least 5 hours of assigned duties of a flight attendant prior to March 20, 1997, or prior to the date an operator is certificated under part 121, whichever date is earlier, need not conduct OE under part 121.
- Crewmembers not meeting the flight time guidelines by the specified date must complete the part 121 OE flight time requirements.

B. Crew Pairing:

- Pilot crewmembers who have accrued at least 75 hours of flight time in the class, category, or type aircraft

prior to March 20, 1997, or prior to the date an operator is certificated under part 121, whichever date is earlier, have no crew pairing restrictions. Pilot crewmembers not meeting the 75 hour requirement by the specified date may not be paired together.

C. Line Operating Flight Time for the Consolidation of Knowledge and Skills--"Consolidation":

- Pilot crewmembers who have completed at least 100 hours of line operating flight time in a class, category, or type aircraft within 120 days prior to March 20, 1997, or the date an operator is certificated under part 121, whichever is earlier, is considered to have completed the line operating flight time for the consolidation of knowledge and skills. Newly qualified pilots not having accrued 100 hours of line operating flight time within the previous 120 days, must comply with the consolidation requirements of 121.434(g).

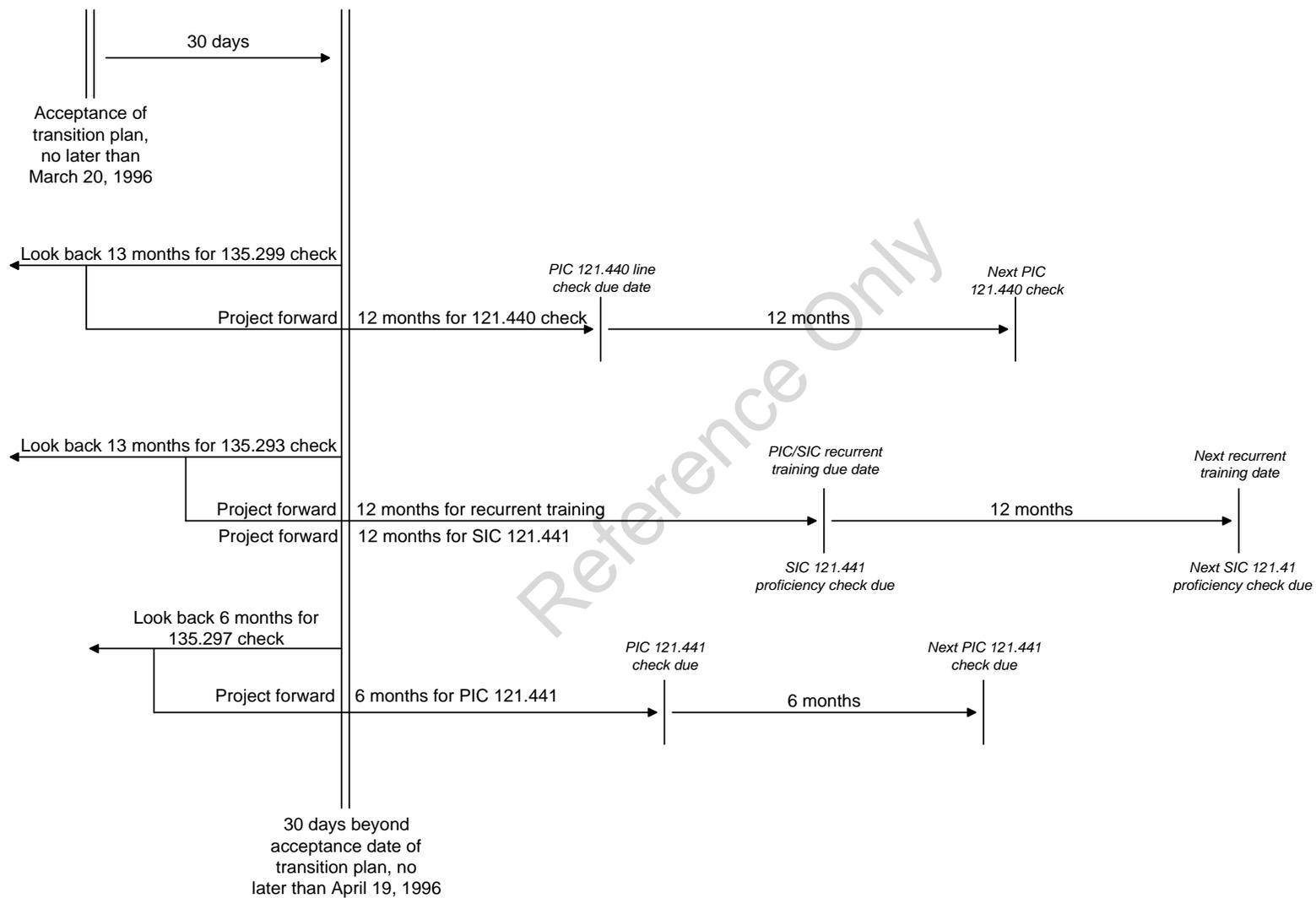
D. Issuance of Check Airmen Letters of Approval:

- Check airmen letters of approvals should be issued as soon as possible after March 20, 1996. The letters may be issued to individuals who are currently check airmen under part 135 and after they have reviewed the applicable training, qualification, and regulatory requirements of part 121, including Appendix E and F. In any case the operator must provide enough qualified check airmen prior to conducting line checks (121.440) or proficiency checks (121.441). See "Initial Transition" time line.

E. Part 121 Competency Checks for Flight Attendants

- Flight Attendants are not required to complete the competency checks required under subpart N of part 121, if prior to March 20, 1997, or prior to the date an operator is certificated, whichever date is earlier, that flight attendant has been fully qualified and has served as a required flight attendant for a part 135 operator for at least 20 hours. After March 1997, or after the date the operator is certificated, the flight attendant must meet part 121 training and competency checks.

INITIAL TRANSITION



FINAL TRANSITION

Training compliance March 20, 1997
-or date operator is certificated under part 121

