

DOCKET NO. SA-510

EXHIBIT NO. 2K

NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

EXCERPTS FROM:  
CFR PART 121.441(e)  
&  
FAA AIR CARRIER INSPECTOR'S HANDBOOK  
8400.10

responsibilities of a pilot in command in one of the types of airplanes he is to fly.

(b) A pilot in command line check for domestic and flag air carrier pilots must—

(1) Be given by a pilot check airman who is currently qualified on both the route and the airplane; and

(2) Consist of at least one flight over a typical part of the air carrier's route, or over a foreign or Federal airway, or over a direct route.

(c) A pilot in command line check for supplemental air carriers and commercial operators must—

(1) Be given by a pilot check airman who is currently qualified on the airplane; and

(2) Consist of at least one flight over a part of a Federal airway, foreign airway, or advisory route over which the pilot may be assigned.

(Amdt. 121-55, Eff. 2/2/70); (Amdt. 121-143, Eff. 6/26/78)

#### § 121.441 Proficiency checks.

(a) No certificate holder may use any person nor may any person serve as a required pilot flight crewmember unless that person has satisfactorily completed either a proficiency check, or an approved simulator course of training under § 121.409, as follows—

(1) For a pilot in command, a proficiency check within the preceding 12 calendar months and, in addition, within the preceding 6 calendar months, either a proficiency check or the simulator training.

(2) For all other pilots—

(i) Within the preceding 24 calendar months either a proficiency check or the line-oriented simulator training course under § 121.409; and

(ii) Within the preceding 12 calendar months, either a proficiency check or any simulator training course under § 121.409.

The satisfactory completion of a type rating flight check under § 61.157 of this chapter satisfies the requirement for a proficiency check.

(b) Except as provided in paragraph (c) and (d) of this section, a proficiency check must meet the following requirements—

(1) It must include at least the procedures and maneuvers set forth in Appendix F to this part unless otherwise specifically provided in that appendix.

(2) It must be given by the Administrator or a pilot check airman.

(c) An approved airplane simulator or other appropriate training device may be used in the con-

duct of a proficiency check as provided in Appendix F to this part.

(d) A person giving a proficiency check may, in his discretion, waive any of the maneuvers or procedures for which a specific waiver authority is set forth in Appendix F to this part if—

(1) The Administrator has not specifically required the particular maneuver or procedure to be performed;

(2) The pilot being checked is, at the time of the check, employed by a certificate holder as a pilot; and

(3) The pilot being checked is currently qualified for operations under this part in the particular type airplane and flight crewmember position or has, within the preceding six calendar months, satisfactorily completed an approved training program from the particular type airplane.

(e) If the pilot being checked fails any of the required maneuvers, the person giving the proficiency check may give additional training to the pilot during the course of the proficiency check. In addition to repeating the maneuvers failed, the person giving the proficiency check may require the pilot being checked to repeat any other maneuvers he finds are necessary to determine the pilot's proficiency. If the pilot being checked is unable to demonstrate satisfactory performance to the person conducting the check, the certificate holder may not use him nor may he serve in operations under this part until he has satisfactorily completed a proficiency check.

However, the entire proficiency check (other than the initial second-in-command proficiency check) required by this section may be conducted in an approved visual simulator if the pilot being checked accomplishes at least two landings in the appropriate airplane during a line check or other check conducted by a pilot check airman (a pilot-in-command may observe and certify the satisfactory accomplishment of these landings by a second-in-command). If a pilot proficiency check is conducted in accordance with this paragraph, the next required proficiency check for that pilot must be conducted in the same manner, or in accordance with Appendix F of this part, or a course of training in an airplane visual simulator under § 121.409 may be substituted therefor.

(Amdt. 121-7, Eff. 8/16/65); (Amdt. 121-24, Eff. 4/15/67); (Amdt. 121-55, Eff. 2/2/70); (Amdt. 121-103, Eff. 11/1/73); (Amdt. 121-108, Eff. 12/19/74); (Amdt. 121-144, Eff. 6/26/78)

- Whether the equipment is in an adequate state of repair
- Whether the equipment operates properly

NOTE: Equipment malfunctions that have an affect on the outcome of the check should be recorded in the comment section on the same PTRS. The inspection of simulators and/or training devices, however, is a separate surveillance activity (activity code 1630) from a check airman observation. If a comment on the equipment is required as the result of a check airman surveillance, inspectors should not generate another PTRS entry.

(g) *Effectiveness of an Operator's Trend Analysis, Standardization, and Quality Control Program.* Operators should collect, record, and analyze the results from proficiency and competency checks to detect and correct deficiencies in training programs, procedures, and check-lists. POI's shall encourage operators with more than 10 crewmembers in any duty position to establish trend analysis. POI's shall evaluate the effectiveness of these programs. Inspectors conducting a series of proficiency and competency checks will, over time, observe changes being made by the operator. Through the PTRS system, the POI has a direct measure of the effectiveness of these changes and the operator's quality control program.

**259. INSPECTOR RESPONSIBILITIES DURING CHECK AIRMAN OBSERVATIONS.** When a proficiency check or competency check is conducted by a company check airman and observed by an inspector, the inspector should evaluate both the airman being checked and the competency of the check airman administering the check. The check airman is responsible for completing all required checking events, for providing suitable briefings before and after the session, and for fairly and objectively evaluating the airman being checked. After the check is completed, the inspector is responsible for debriefing the check airman and the airman being checked (should the check airman's debriefing be inadequate).

A. The inspector's primary responsibility is to observe and evaluate the overall conduct of the check. The inspector must refrain from: asking questions of the

airman being checked, attempting to control the type or sequence of checking events, and from interfering in any way with the manner in which the check airman conducts the check.

B. It is the check airman's responsibility to conduct a complete and proper check. The inspector's responsibility is to evaluate the performance of both the airman being checked and the check airman and to properly record the inspection results. Should the check airman's performance be unsatisfactory, the inspector shall inform the POI using the most expeditious means available. Should the check airman fail to complete all required items on a check (which has been satisfactory to that point), the inspector shall bring this fact to the attention of the check airman and ensure that all events are completed.

**261. DEFICIENCIES.** While certain training benefits are gained during proficiency or competency checks, the purpose of a check is to have the airman's state of proficiency evaluated and to ensure that the last training conducted was sufficient to ensure the airman's proficiency throughout the interim period. If the check airman conducting the check observes minor deficiencies (and believes that minor instruction may correct the situation) the check airman may suspend the check temporarily, conduct remedial training, and then resume the check.

A. *Repeating Events.* FAR 121.441(e) and FAR 135.301(b) authorize check airmen to give additional training to an airman who fails to satisfactorily complete an event on a check. The additional training must be given prior to repeating the event. Problems have occurred in instances where check airmen have merely repeated events until the airman performed those events within tolerances. This practice is not acceptable and is an abuse of training to proficiency. In one case, FAA inspectors discovered that an operator's check airman routinely continued checks for several sessions without a record being made of the airman's unsatisfactory performance. As a result, important data about the effectiveness of the training program and the need for additional training was lost. When a proficiency or competency check is interrupted to conduct training, that check must still be completed within the timeframe the operator originally scheduled for the check. If training is so extensive that the check cannot be completed in the allotted

timeframe, the check airman must consider the check to be unsatisfactory and place the airman in requalification training.

B. *Unsatisfactory Performance.* Inspectors shall not conduct airman training during proficiency or competency checks. If an event is unsuccessful, the inspector should complete as much of the remaining flight events as possible or terminate the check. The check must be recorded as unsatisfactory.

C. *Recording Remedial Training Time on the PTRS.* Inspectors shall record the time required to complete checks in the activity time field on the PTRS Data Sheet. The amount and type of remedial training conducted while the check was suspended should be recorded in section IV on the PTRS report form.

263. **RECORDING PROFICIENCY AND COMPETENCY CHECK SURVEILLANCE ON THE PTRS SYSTEM.** The intent of this section is to eliminate any manual tracking of the check airman surveillance by field offices and to provide offices with the capacity for analyzing an operator's check airman program. The inspector must enter the data into the computer and may either retain or discard the PTRS Data Sheet as desired. The following italicized titles correspond to the data fields on the PTRS Data Sheet as applicable to check airmen. This information parallels the information found in the PTRS Procedures Manual. Inspectors should record the check airman surveillance using the guidance that follows:

#### A. *SECTION I. Activity Elements.*

(1) *"Inspector Name Code."* A valid inspector name code must be entered on each sheet before the data is entered into the computer.

(2) *"Record ID."* The "P" or "R" Record ID number should be entered. If the surveillance was not a programmed activity, an ID number can be obtained when making the data entry.

(3) *"Activity Number."* The "1632" activity code should be entered.

(4) *"FAR."* Either 121 or 135 should be entered, as applicable.

(5) *"NPG."* This element only has to be filled in if it is applicable.

(6) *"Status (COP)."* Inspectors shall enter "C" in this field.

(7) *"Call-up Date."* This element only has to be filled in if appropriate. It is usually left blank.

(8) *"Start Date."* This element only has to be filled in if appropriate. It is usually left blank.

(9) *"Results (ACEFISTX)."* An "S" shall be entered in this field if the test phase has been completed, regardless of whether the applicant has been successful or not. If the test phase has been terminated with a failure, the test phase is complete and an "S" or "I" shall be entered in this field. When a test phase is terminated before completion and the applicant's performance is satisfactory up to the point of termination, a "T" shall be entered in the results field. In this case, the inspector should enter a short explanation in the "Comment Text" field in Section IV such as: "Flight test terminated due to malfunction of simulator visual system."

(10) *"Pass/Fail (P/F)."* Inspectors must always make an entry in this field. The inspector shall enter an "F" in this field when the test phase is unsatisfactory, or a "P" in all other cases, whether or not the phase is complete.

(11) *"Completion Date."* The date of the event must always be entered in this field.

(12) *"Designator."* The airline or operator code must be entered in this field.

(13) *"Airman Cert #."* The check airman's core certificate number (not the applicant's name) without any prefix or suffix should be entered in this field.

(14) *"Airman Name/Other."* The check airman's name should be entered when the observation is of a check airman, otherwise, the entry should be of the airman