

Regulatory Report

FAA SEEKS COMMENTS ON GUIDANCE FOR PART 135 NEW-HIRE TRAINING

January 12, 2012

What's at Issue

The Federal Aviation Administration (FAA) has published, and is accepting comments on, draft guidance explaining operator options for crafting Initial New Hire (INH) training programs for pilots who may have previous aircraft or air carrier experience.

Why It's Important

The new guidance will trigger an inspector review of every Part 135 operator's training program and could result in substantial program changes for many operators.

Major Provisions

For over a year, the requirements for training newly hired pilots who have prior experience has been unclear as some FAA inspectors were requiring a full INH program even for those pilots who are current and qualified on the aircraft and who have current Part 135 experience. In contrast, many operators were previously permitted to transfer some sort of "credit" for experienced pilots.

No Transfer or Credit for Prior Training

The guidance proposed by the FAA clearly reiterates the headquarters position that the training programs giving credit or allowing for a transfer for prior training or checking events is not consistent with the regulations and will not be permitting going forward. The agency does recognize that such programs were approved by the air carrier's FAA-assigned inspector and directs the inspectors to conduct a review of all Part 135 training programs to remove such references.

Reduced Training Hours Curriculum

The FAA does stipulate that Part 135 air carriers may include in their training programs a "Reduced Training Hour Curriculum" that would be appropriate for pilots with prior experience in Part 135 operations and/or in the particular aircraft and duty position. Operators using a reduced training curriculum may not reduce training in the following areas:

- Basic Indoctrination
- Hazardous Materials
- Emergency Training
- Operator-specific approvals (i.e. OpSpec approvals or other inspector approvals)

Evaluations Are Operator Specific

The guidance also states that all testing and checks must be conducted by the hiring certificate holder and may not be “transferred” from one operator to another. Each pilot must complete the operator’s testing/evaluation and qualification modules.

Retraining Not Required

The notices states, “Retraining of affected crewmembers is not required unless the POI [Principal Operations Inspector] believes a proficiency or safety issue is involved.” As a result, while any program changes to the training program will impact pilots hired in the future, the status of crewmembers currently with a certificate holder does not seem to be in question.

Twelve-month Compliance Time

The FAA intends to give affected operators up to 12 months to revise and resubmit their training program once notification of the need to make changes is received.

NATA Position

The information contained in the draft notice may be a significant change for some operators. NATA is pleased the FAA is providing an opportunity for industry to comment on the notice and will coordinate with the association’s Air Charter Committee members in developing the NATA’s comments. All Part 135 operators should review the guidance and submit comments accordingly.

Status

The FAA published a notice announcing the availability of the draft guidance on December 27, 2012.

There is some confusion on the deadline for comment submission. The “Dates” section of the *Federal Register* notice and the online comment submission site Regulations.gov both state the comment deadline is February 27, 2012. However the text of the notice used the date of January 26, 2012. The FAA has clarified with NATA that the correct date for comments to be submitted is February 27, 2012.

[Download the *Federal Register* notice.](#)

[Download the draft guidance notice.](#)

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