

Submission for NPRM 07-04
Rule Part 135 Experience levels

1. Introduction

Ensuring pilots and those responsible for the safe operation of an air operation is obviously a necessary requirement for the aviation industry, and we support the concept entirely. However, the way in which NPRM 07-04 proposes changes to Rule Part 135 Pilot Experience Levels does not appear to meet the objectives of the Civil Aviation Act which are for an integrated, safe, responsive and sustainable transport system.

There are three main points of difference between the industry needs in order to conduct an efficient and economic as well as effective operation, and what the NPRM proposes.

These are:

- Part 135.505(b) Consolidation flight time
- Part 135.509 Total time requirements for IFR pilots
- Part 119 Appendix B.1 Senior person experience requirements

2. Part 135.505 (b) Consolidation Flight Time

Consolidation training requires the supervising pilot to impart knowledge and experience to the pilot under supervision. There is no dispute about the requirement for consolidation training, nor the number of hours required for that consolidation training. There are some concerns over the extra training required to complete a competency check before the consolidation training. As a requirement of the competency check is to have the necessary route and aerodrome experience (135.503), this is likely to add approximately another two-three hours of pilot training prior to the competency check, which may be likely to undermine the sustainability for the smaller operators without any safety gain. The pilot must then complete the consolidation training before being released to line.

The preferred solution is to have the competency check double as a check to line, and be completed after the consolidation training; prior to being released to line. This would have the additional benefit of ensuring that the knowledge imparted to the pilot during the consolidation training has been thoroughly absorbed before they act as Pilot in Command on an air operation.

2.1 Accruing consolidation flight time

Requiring a pilot to do their consolidation training on either air operations or an approved flight simulator in the case of a current aircraft type is illogical, as the approach towards professional flying should not be significantly different whatever the type of flight.

An alternate is therefore suggested as using the case for an aircraft not previously used by the operator and applying that case to all aircraft used by an operator for at least a substantial percentage of the required consolidation flight time. This would allow a pilot undergoing consolidation experience to gain that experience on proving, ferry, positioning flights, or any role likely to be carried out by the organisation, such as a survey flight.

It would also enhance the training value of the flight experience for the new pilot, as it would provide for testing on emergency actions or those similar aspects of flight that could otherwise not be conducted due to the restrictions placed on manoeuvring an aircraft conducting air operations.

3. Part 135.509 Total Time requirement for IFR pilots

The minimum requirement of 750 hours is considered excessive. There is a strongly held view that setting the requirements at this level would require pilots to come from an almost exclusively instructional background, which may not be necessarily the type of background suitable for many small operators. This may in turn limit the ability of operators to find pilots suitable for their operation.

Additionally, given that a pilots' Total Time is not seen as a reliable indication of the safety of a pilot in the NPRM, then the competency check and consolidation flight time carried out by the operator should be sufficient to assure the competency of the pilot. We recognise that experience is required before conducting IFR operations, but it is suggested that 650 hours

total time would be a more practical requirement and would not adversely impact upon the sustainability of the industry.

4. Part 119 Appendix B.1 Senior Person Experience Requirements.

We submit that by setting the requirement at 750 hours as pilot in command on 135 operations, or two years experience on air operations, this is reducing the potential number of new entrant 135 operations. We agree that a new operator should have significant flight experience, but submit that this may not necessarily have to be on air operations, especially as this is the field they are trying to enter. It does not follow that their experience in other aviation sectors would not be transferable to a safe and efficient air operation under Part 135. All aviation sectors are fundamentally concerned with the safe operation of aircraft, and each is regularly monitored by the CAA so if a person has a good and safe record of management in an aviation field other than air operations, such as a flight training institution, agricultural operation or military experience, then we believe that this should be considered with their application for a senior person position.

It is therefore proposed that for a new operator, commencing operations with less than four aircraft and/or less than three bases that the senior person experience requirements read:

Pilot in Command experience

- 750 hours flight time during air operations on the same category of aircraft to be operated, with experience acceptable to the Director in the type of air operation to be performed; and 75 hours actual or simulated instrument time if operations include IFR or
- 1500 hours flight time on the same category of aircraft to be operated; and 75 hours actual or simulated instrument time if operations include IFR; and no aviation operational infringement notices on the pilot's personal records.

Management Experience

- evidence of two years managerial skills in the aviation environment in a parallel or similar operation, whether it be in New Zealand or overseas.

We agree that people applying to conduct senior persons functions would need experience under 135 operations before progressing onto more complex operations which is why, at this time, there are no proposed changes to the senior person requirements for greater than three aircraft and/or greater than two bases.

Conclusion

- AIA agrees that a period of consolidation flying would be of value to any pilot commencing 135 operations. However, we disagree that the only valuable option for this would be gained from air operations. We believe that equal value (for, at least the percentage of the required flight time, would be gained by alternate types of operations such as ferry or positioning flights.
- The requirement at this point for 750 hours total time for pilot in command on an IFR flight is seen to be too stringent, and may create too big a gap between a prospective pilot completing their training and starting on air operations.
- AIA considers that limiting the previous experience requirements for senior persons positions to air operations reduces the opportunity for new operators, and neglects entirely those other sections of aviation, which could bring valuable experience into Part 135 operations.