# 46. Flight Instructor Duty Time Limitations

One issue discussed under this regulatory review was whether to limit instructor flight and duty time by limiting the hours of training given in simulators and ground trainers, as well as training given in flight. The FAA has decided to propose one change in the current flight time limitation for flight instructors, but does not propose to limit duty time involving training given in flight simulators and flight training devices.

Section 61.195 currently states that a flight instructor may not conduct more than 8 hours of flight instruction in any 24-consecutive hour period. The FAA proposes to revise this section by proposing that a flight instructor may not conduct more than 8 hour of flight instruction, other commercial flying, or any combination of both in any 24-consecutive hour period.

### 47. Flight Training From a Control Seat

Section 91.109 lists the requirements an aircraft must meet to be used in flight training. However, no regulation requires a flight instructor to be in a control seat of the aircraft while giving flight training. The FAA proposes to revise §§ 61.51 and 61.195 to require that all flight training be given from a control seat in the aircraft.

Section 91.109 requires, with the exception of a balloon, that the aircraft have fully functioning dual controls. The regulation provides that instrument flight training be given in a single-engine airplane equipped with a single, functioning, throwover control wheel in place of fixed, dual controls of the elevator and ailerons. Section 91.109 also requires a safety pilot to be in a control seat during simulated instrument flight conditions.

In § 61.51, the FAA proposes to require a flight instructor to occupy a pilot station in the aircraft that has functioning flight controls to log PIC flight time. The FAA also proposes to amend § 61.195 to require that all flight training be given from a control seat of an aircraft that meets the requirements of § 91.109.

## C. Part 141 Issues

## 1. Approval of Training Courses That Permit Pilot Schools To Train to a Standard

The FAA proposes to permit pilot schools certificated under part 141 to train students to a performance standard without necessarily meeting the minimum hours of training prescribed in the appendices. However, these proposed courses would not be

permitted for pilot schools with provisional pilot school certificates or for courses in which pilot schools have examining authority.

Pilot schools would be required to specify planned ground and flight training time requirements for these courses. These time requirements would include cross-country flight time, night flight time, and any additional ground and flight training. Students would have to meet these planned time requirements to complete the course.

To apply for initial approval of a course that trains students to a standard, the school would be required to meet the following requirements, which appear in proposed § 141.55: (1) Hold a pilot school certificate and have held that certificate for at least the prior 24 calendar months; and (2) have an FAA inspector or a designated examiner who is not an employee of the school give the practical or knowledge test. The initial approval would be for 24 calendar months.

Under proposed § 141.55, a course that received initial approval could receive final approval by complying with the following: The school would be required to demonstrate that, during the time the course was conducted under initial approval, the school trained at least 10 students for a pilot, flight instructor, or ground instructor certificate or rating and at least 80 percent of those students passed the practical test on the first attempt. The practical test must have been conducted by an FAA inspector, or by a designated examiner who is not an employee of the school.

The FAA's experience indicates that most applicants require more than the minimum number of hours required under part 61 or part 141 to attain normal performance standards as reflected in the practical test standard (PTS) and as practiced throughout the flight training industry. Nevertheless, a number of pilot schools have students who are ready to accomplish the practical tests prior to reaching the minimum number of flight hours specified in the FAR. The FAA's experience with pilot schools that have similar courses approved under exemption indicates that such flexibility presents no detriment to safety, under the closely supervised training environment of these schools.

The proposal to permit pilot schools to train students to a standard follows a precedent established with the Advanced Qualification Program (AQP) in Special Federal Aviation Regulation (SFAR) No. 58, which applies to personnel trained under parts 121 and 135. The AQP was created partially in

response to recommendations the Administrator received on June 8, 1988, from the Joint Government-Industry Task Force on flight crew performance. One of the recommendations was to provide for the approval of training programs based on course content and training rather than using specific program hours.

This proposal also addresses a petition for rulemaking submitted April 20, 1990, by the Sierra Academy of Aeronautics, which was summarized in the **Federal Register** on June 12, 1990 (55 FR 23749; Docket No. 26221). No comments on the petition were received. The petitioner requested to adjust the ratio of dual flight training to solo training in its training course for a commercial pilot certificate in helicopters. The Sierra Academy stated that it prefers to conduct all flight training in helicopters, even though appendix F permits 100 hours of the total 150 hours of flight training in aircraft other than helicopters or gyroplanes. The Sierra Academy requested the decrease of the solo flight training requirement from 100 hours to 70 hours and the increase of the dual flight training from 50 hours to 80 hours. The Sierra Academy stated that the increase in the number of dual flight training hours is necessary because many of the maneuvers and procedures required under the PTS necessitate that an instructor be on board the aircraft for safety reasons. The petition stated that the change would make FAA-approved commercial pilot training conducted exclusively in helicopters economically viable, as well as safer. Under the proposed revision to § 141.55, the Sierra Academy would be able to apply for approval of courses to train students as described in its petition.

### 2. Check Instructors

Currently, pilot or provisional pilot schools are required to designate a chief instructor for each approved training course. In addition, pilot schools may designate an assistant chief instructor for an approved training course. The FAA proposes to establish a check instructor position that a pilot school could designate an instructor to perform instructor proficiency checks, stage checks, and end-of-course tests—the check instructor position.

The FAA has determined that the proposed check instructor position would be necessary at larger schools. Often the chief instructors at these schools need to designate more responsibility to other instructors. Under this proposal, a school would be required to have an enrollment of at